



Northern Ireland
Assembly

Committee for Education

OFFICIAL REPORT (Hansard)

Education Bill: Council for Catholic
Maintained Schools/Northern Ireland
Commission for Catholic Education Briefing

9 January 2013

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)
Mr Jonathan Craig
Mrs Jo-Anne Dobson
Mr Chris Hazzard
Mr Trevor Lunn
Miss Michelle McIlveen
Mr Sean Rogers

Witnesses:

Mr Jim Clarke	Council for Catholic Maintained Schools
Mr Gerry Lundy	Council for Catholic Maintained Schools
Bishop John McAreevey	Council for Catholic Maintained Schools
Father Tim Bartlett	Northern Ireland Commission for Catholic Education
Professor Muredach Dynan	Northern Ireland Commission for Catholic Education
Bishop Donal McKeown	Northern Ireland Commission for Catholic Education

The Chairperson: I ask the witnesses from the Northern Ireland Commission for Catholic Education (NICCE) and the Council for Catholic Maintained Schools (CCMS) to take their place.

I say a word of welcome to you, Bishop McKeown, and to your delegation to the Education Committee. Despite the comments made in 'The Irish News' by Mr Murphy on 5 January, the Committee was ready to hear your presentation on 12 December, and it is ready to hear it today. Maybe those responsible for publicising that will clarify the issue. If the Committee is happy to do so, we might write to the Southern Education and Library Board to ask whether Mr Murphy was speaking as an individual or as a member of the board. If members are happy, we will do that. I trust that everybody has their 2013 diaries well and truly synchronised.

Again, you are very welcome. You have more than ample time, and if you require more, we will happily facilitate that. I thank you for your written submissions and for being here today. I ask you to make your presentation, after which members will have questions.

Bishop Donal McKeown (Northern Ireland Commission for Catholic Education): Thank you very much, Chair, for your warm welcome. It is good to be here. I share your regret that, for whatever reasons, the planned meeting in December did not take place as arranged. However, we appreciate the opportunity to be here at the earliest possible opportunity, and we trust that we can have a useful engagement. We are here for as long as you require us this morning. It is unfortunate that other

things were built into the programme before Christmas because we, like you, are keen to ensure that we get the very best Bill here in Northern Ireland for all young people. That is our shared commitment.

As you indicated, I am speaking here as chairman and on behalf of the Northern Ireland Commission for Catholic Education. I speak, therefore, for the trustees of all the almost 550 Catholic schools in Northern Ireland, which, through their primary, secondary and grammar institutions working together, teach some 45% of Northern Ireland's pupils.

I am accompanied by some members and officers of CCMS, with which there is some inevitable overlap. For nearly a quarter of a century, CCMS has done an excellent job in the maintained schools that make up a very large part, but not the entirety, of the Catholic schools sector. I pass on apologies from Sister Eithne Woulfe. She was to have been here, but pulled out at short notice yesterday because of illness. We wanted her to be here as a clear voice, first, for what women have done in education and, secondly, for what religious congregations have done in education. So Professor Muredach Dynan has stepped in. Despite the nameplate, I am sure that you will recognise that he is not a religious sister. *[Laughter.]* Although we are officially representing NICCE and CCMS, we are also here on behalf of all those who have heavily influenced and even, I may say, been passionately involved in Catholic education over the years — trustees, governors, administrators, principals, staff, parents and the communities who, together, have made a major contribution to raising educational standards in Northern Ireland. I think that no one questions that. They are fully committed to working with all other partners for the common good of young people in a reconciled and shared society that can cherish rather than fear diversity.

I think that we have much to be proud of here. On 11 December, the day before we were due to meet you, figures were published that showed that we are capable of producing remarkable outcomes at primary level. They were startlingly strong figures. Now we need to grasp the nettle of radically improving our post-primary outcomes. We come to that task with a lot of experience, and I hope that all our structures can be focused on what will improve outcomes. Anything else has to be far down the line.

This legislation is focused on our structures; it does not deal with many other education issues. It is one of those once-in-a-lifetime opportunities to review our imperfect educational structures in the interests of improving outcomes for all young people, so it is incumbent on all of us to build on and retain what has worked remarkably well in the past and to have the courage to correct what fails too many young people.

Since the 1986 order — this is right at the heart of what we are talking about — much has been learned across the educational world about how to drive up standards. We know that young people benefit from an uncompromising commitment — the word "uncompromising" was used in an article yesterday by CCMS — first, to good governance and the contribution of empowered boards of governors; secondly, to the value of the challenge function in promoting high standards and holding people to account; thirdly, to support for those in key leadership positions; fourthly, to quality appointments in the interests of pupils; and, fifthly, to a high level of community involvement. We have learned that those commitments really drive up standards. It would be a tragedy if any of the wisdom that we have learned over the past 26 years was to be lost, and it is important that the Bill makes that level of accumulated wisdom available to all schools.

I have three main points that I would like to make. First, we recognise and welcome the recognition that there are various sectors in our educational provision. Diversity is the essence of 21st century life, as a strength rather than a weakness. In a pluralist society, parents have choices. European and human rights charters acknowledge that they have the right to an explicitly faith-based education, and we believe that it is good that the Bill accepts that various sectors with a clear shared identity and ethos can be supported to serve our whole community and will work actively with others. Therefore, we believe that sectoral bodies, including the one that we very much welcome for the controlled sector, are not merely some sop to woolly interest groups. This provision recognises that the ethos and inspiration of each sector can add value and that the Education and Skills Authority (ESA) needs that energy. Thus, we have an ongoing, close working relationship with the transferors in the interests of quality outcomes for young people. However, like all schools in Northern Ireland, our schools are publicly funded and have to contribute to the welfare of the whole community. No school can act as though accountable only to its own constituency. In the context of sectoral bodies, we are committed to working and sharing in the service of a shared future. As long as we deliver an effective and efficient use of public funds and serve the common good, we believe that legislators have to support all sectors in making their distinctive contribution.

The second point is that the specific structures of the Catholic sector, including CCMS, have shown themselves to be very capable of promoting quality educational outcomes. Therefore, many have been taken aback by the logic that says that the most effective and efficient system of managing education and driving standards should be the one that risks losing a lot. The loss of CCMS implied in the Bill represents a major sacrifice. It has served our schools, governors, teachers and pupils remarkably well. As the Bill stands, it proposes the end of CCMS and the end of the right of schools to employ their staff either through their boards of governors or through CCMS as an employer. Much power is being given over to an untried body that exists only on paper. We are being asked to take a leap of faith that this will deliver better education for everyone. If ESA is to work, it has to recognise and build on the link between employment and ethos. Therefore, unless the Bill is carefully crafted, it risks undermining the factors that have made Catholic education a significant and positive player in the Northern Ireland education system. That vital strength that we have discovered needs to be rolled out across the system, not lost or diminished. It is important also to ensure that legislation must recognise that not all sectoral bodies have the same relationship with their schools. In the Catholic sector, trustees have core ownership and planning responsibilities for all Catholic maintained and voluntary grammar schools. It will be an enormous task to provide cohesion, support, planning and common purpose for nearly 550 schools, and it is essential that the structure and funding of the sectoral support service reflect those realities.

My third and final point is that we have never sought, despite caricatures to the contrary, to control or dominate. Rather, we have sought to facilitate and serve the cause of quality education for all young people. We have tried to offer leadership and direction. You will know that many people have felt inspired to offer huge personal dedication to education. The communities around our schools have succeeded in generating and maintaining a huge level of local community involvement that has a multiplier effect on public expenditure. We have sought to steer a middle ground between the dangers of excessive centralisation and excessive fragmentation. We have tried to balance local responsibility with the need for co-ordination. An excessively centralised system kills initiative; a fragmented system, ultimately, serves only the strong. It would be tragic if ESA disempowered local communities. We commented in our submission on the need to ensure that a cohesive Catholic sector can continue to take its place with all or other educational partners. It is our hope that the Bill will facilitate the Catholic sectoral body to provide the balance of subsidiarity and solidarity that marks a successful education culture.

Mr Chairman, you and your colleagues have a difficult task. You realise that. The decisions that you take over the next few months will reverberate long into the future. We are planning for the 21st century. If you get the balance right between local initiative and cohesiveness, between the common good and individual energy, and between promoting the talented and supporting the struggling, you will merit the thanks of future generations. All of us want to get the best Bill possible — one that provides structures that will benefit all sections of our community and enable all educational sectors to work together. All our young people deserve the best. We believe that we have a major and developed contribution to make in getting that balance right.

I have set out our key principles. I will ask some of my colleagues to articulate specific issues, if that is OK. Then, we are happy to take whatever questions you want to ask.

Bishop John McAreevey (Council for Catholic Maintained Schools): Chair, first, I want to thank you and the other Committee for Education members for welcoming us here this morning. As it happens, I would not have been able to be present at the previous meeting. So its cancellation turned out to be to my advantage because I am glad to be here today.

The Chairperson: Providence is a wonderful thing. *[Laughter.]*

Bishop McAreevey: I speak today as chair of CCMS, although also as a member of NICCE. I want to focus on CCMS. In doing so, I am reminded of the statement in 'Julius Caesar':

"I come to bury Caesar, not to praise him."

I am not sure whether we are here to bury CCMS. I want to focus on something that we, as a community, have come to value. Having had and valued it, we now, in a sense, know what we want and what we think would be helpful for the future. If you will indulge me, I will say a wee bit about what CCMS has offered. I do so with a view to saying that this is also what we need for the future.

What CCMS represented for the maintained schools sector was, first, a statutory body that was entitled to be consulted and give its views on all educational policy and planning issues. It provided cohesive and co-ordinated management and leadership to schools in that sector. It did that on behalf of the trustees of those schools. It employed all teachers in that school sector. We believe that this was critical in sustaining the Catholic ethos of our schools and in maintaining the trust of parents who sent their children to our schools. We also believe that it was crucial to raising standards in the maintained school sector.

CCMS also built significant relationships with other school sectors, the education and library boards, the Department and community groups. In fact, in the past two years, it has done really interesting work with the PSNI on co-ordinating ways in which the PSNI could be present in our schools and help our pupils to be aware of what the Police Service offers in, for example, the area of drugs awareness, road safety and a whole range of social issues. CCMS, because of its strategic and overarching role, was able to facilitate that and roll it out. That has been very positive for our schools and, indeed, for the PSNI. CCMS also guided schools on the implementation of departmental policy, and, for the record, I pay tribute to those who have served on CCMS over its 25 years, including Catholic members of the council and members from other traditions, who gave tremendous service and continue to give very valuable service through the CCMS council. Those are things that we have valued.

The original ESA Bill, going back to Peter Hain's time and the post-primary review proposals, simply wiped this body, in education terms, off the blackboard. It was simply taken away. We know that there were reasons for that, but it was done without any consultation. Our view was and remains that the Bill risked losing all that CCMS had achieved and contributed to education for our young people and schools. The taking away of CCMS and the taking over of the employment role of Catholic teachers by ESA would, if implemented in the way that it was initially drafted, have significantly undermined Catholic education in the North of Ireland.

We saw and still see those as threats and, to mitigate them, the Bill offers a number of things. First, it offers a guaranteed role for boards of governors in the employment of staff. That is massively important for us because it draws on the local energy that Bishop Donal spoke of and the commitment of local communities to their schools. Secondly, the Bill offers a sectoral body for each sector. In our case, we see it as a body that would advocate and promote ethos, represent the sector and carry out a number of other very significant functions. Thirdly, the Bill offers the retention of the right of CCMS to prepare and submit schemes of employment and schemes of management. Again, that is in the area of employment, which has been hugely worrying for us. Fourthly, the sectoral body can carry out a role in area planning.

I have identified what we will lose with the loss of CCMS and with the loss of our employer role. I have also identified what the Bill presents to allay our concerns about that. We think that the Bill can still do more.

I will now hand over to Father Tim Bartlett. Later, my colleagues from CCMS will address some of the specific elements in the Bill.

Father Tim Bartlett (Northern Ireland Commission for Catholic Education): Thank you, Bishop John. Mr Chairman, let me begin by adding my words of appreciation to those expressed by Bishop Donal and Bishop John. It would be very easy to take for granted the great privilege of being able to participate in the democratic process, and we certainly do not want to take for granted the immense benefits that flow from being able to discuss the issues with you, as local politicians who know our schools, the communities that they are in and the education system that we are addressing in our discussion today. We respect and appreciate your difficult, demanding work as public representatives, and we appreciate the care that you have taken to involve the trustees, CCMS, transferors and other partners in the educational enterprise in your deliberations and considerations. We wish you well in that responsible task.

As Bishop McKeown said, we have always had, and continue to have, many reservations about the ESA proposal. We are not yet completely convinced that such a highly centralised model, particularly one in which ESA is the employer of all staff, is the best way forward for raising standards for pupils. However, whatever model is finally agreed for the future, and I think that we have been responsible and constructive in engaging with the Department and others in exploring possible models for ESA, we welcome the basic principle of building that future on closer collaboration between all the partners involved in providing education in Northern Ireland, including closer collaboration and engagement with you as local political representatives.

As Bishop McKeown also said, unless the Bill is carefully crafted, it risks removing for us the very cohesiveness that has made Catholic education such an active and positively contributing partner in the Northern Ireland education system. To that end, we have consistently argued that there is, as others have said, a vital link between employment and a cohesive, energising ethos in a particular school — the ethos that we know adds value to the educational enterprise of any school. ESA, as proposed in the Bill, breaks that vital link for reasons that are still by no means clear to us and, frankly, have remained somewhat unconvincing. Therefore, although we will work with the Department and others to create an agreed ESA, and although we welcome a lot of the progress that Bishop John mentioned that we have made in those negotiations with others to address some of the concerns about employment, it continues to be our view that this is unnecessary in principle and unhelpful in raising standards. We believe that it should be looked at again by you and others in the weeks and months ahead. We believe that there are creative ways of maintaining the benefits of ESA, in concept, without removing the vital link between employment and ethos, and that includes developing concepts of accountable autonomy, which other sectors may well welcome, too. We will not go into that in detail today, but we want to put that on the table.

As we point out in our submission, there is also an inherent contradiction in the heads of agreement document that is referenced by the Bill and which will play an important role in its interpretation. The document was a political device not intended for, or suited to, a legislative purpose, but it is one that now seems to play a central role. The contradiction in the document cannot go unaddressed. We believe that addressing it provides an opportunity to deal creatively, constructively and through agreement with major sectors with the current position of ESA as the single employer of all staff. It opens up an opportunity for creative solutions to be found within the concept of accountable autonomy as a means of supporting excellence across all sectors.

As Bishop Donal pointed out in his opening address, the holistic formation of young people as individuals and as persons formed in, and contributing to, particular communities and a wider society and world is fundamental to the aim of Catholic education. That is why we speak so frequently of the ethos of Catholic schools and of Catholic education rather than, as some frequently try to limit us to, the concept of religious education and knowledge. That is not, and never has been, what Catholic education is solely about or how it has been understood universally. The ethos that we speak of embraces the whole educational enterprise. It embraces the formation of the child and of the whole school community as a living, learning community in which everyone influences the energising, learning and social atmosphere in which children are formed and contribute to the wider community and society. So this talk takes us beyond the concept of education as solely a formal curriculum to its formation of the person as an individual and a citizen. As has been universally and consistently recognised in Western educational systems, this includes recognising the role and responsibility of the school in relation to the spiritual, moral, intellectual and physical formation of children and the staff of the school. Therefore, we want to put on record our welcome that this holistic and comprehensive vision of education is included in the Bill and set out in clause 2. We wholly support that.

In responding to that comprehensive vision of what the educational enterprise is about, the fundamental responsibility — indeed the right of Catholic trustees and others in other sectors with a particular responsibility for managing them — is to ensure that the cohesive, animating ethos of the school is consistent with the Catholic vision of education. Parents choose a Catholic education. They want it to be consistent with a Catholic vision of education, just as parents are entitled to choose schools that are defined by other types of ethos, whether it be the language that is spoken and dominates that school or some other Christian or religious ethos, and so on. We defend that principle and the right, in a diverse and pluralist society, for all sectors and for parents to choose those kinds of school.

Our responsibility, as Catholic trustees, is to ensure for the parents who choose our schools that the animating atmosphere of the school is consistent with the Catholic vision of education. We note the very strong and, as I understand it, uncontested recognition in the Bill of the right of the Irish-speaking community to ensure the ethos that reflects the values and learning objectives of its schools. It is strongly and quite properly protected in the Bill. We support that recognition in the Bill for them and for all other sectors who feel it will assist them in carrying out their responsibilities in relation to schools. So we believe that recognition and promotion of the ethos of different types of school should have a similar level of recognition in the Bill, and we are looking for that as a minimum for our participation and our assent to this Bill.

It is also appropriate that ESA recognises that the primary responsibility for defining the ethos of a Catholic school belongs to the trustees of a Catholic school and, ultimately, to the appropriate religious authority in each Catholic diocese where such schools exist. That is a principle already recognised in

primary and secondary legislation for Catholic and Anglican schools that have an episcopal structure in England, Wales, Scotland and the Republic of Ireland. We wish to see that similar level of recognition, in an appropriate form, in this Bill. We have asked for that. We remain unclear and unconvinced as to why that has not yet been granted in the terms that have been expressed and accepted in other parts of these islands.

As Bishop John mentioned, it is, therefore, also critical for trustees to exercise their responsibility of ensuring that the school meets the Catholic vision of education and the standards associated with it. It is vital that the Bill continues to recognise the trustees as the submitting authority for schemes of management and employment. We argue that that is a legitimate responsibility of trustees. We welcome the engagement that trustees are obliged to have with boards of governors in regard to the schemes of management and employment, but, at the end of the day, it is the trustees who have founded the schools who have responsibility for defining what Catholic ethos is in our particular case. Therefore, it is appropriate that the trustees submit the schemes of management and employment to ESA.

I mention, as an aside in that regard and for the record, that it has been mentioned by some commentators previously that there is a concern that the trustees are seeking, through this process of being the submitting authority for schemes of management in particular, to use schemes to address our position in relation to academic selection. Legislatively, it is our understanding that we cannot do that. I am happy to give an assurance that that was never ever the intention in insisting on this particular modality of influencing the ethos of the school. We want to give the assurance today that it will not be used as a mechanism for addressing that particular matter.

In light of what I have just said about the recognition in legislation in other parts of these islands of the role of religious authorities in defining ethos, it is vital that the Bill contains a proper and comprehensive definition of a Catholic school that applies across all aspects of education legislation and how it is applied.

There is currently a weak definition in schedule 7 to the Bill that applies only to the maintained part of our school system. You will note that, in our submission, we have proposed that a definition along the following lines be included in the Bill. It is:

"For the purposes of the Education Orders, which apply a definition to all relevant education legislation, a Catholic school is a maintained school or a voluntary grammar school which is governed by a Scheme of Management and utilises a Scheme of Employment that are in accordance with the principles of Catholic education as defined by the Bishop of the Roman Catholic diocese in which the Catholic school is situated."

As I said, this is not new territory when it comes to legislation in other parts of this island or the recognition of the responsibilities of the trustees of a school that is defined by its religious foundations and religious education enterprise and Catholic vision. That would be a proper appropriation of responsibility and rights to the trustees.

To conclude, the inclusion of schemes of management and schemes of employment, the recognition of the trustees as the submitting authority and the definition of a Catholic school that is sufficiently comprehensive in its impact are essential if the Bill is to meet our needs and responsibilities and, in particular, to recognise our responsibility to have schools that reflect the right of parents to choose a Catholic education for their children.

I will hand over to Mr Clarke to address some other finer details of the Bill.

Mr Jim Clarke (Council for Catholic Maintained Schools): Good morning. I am going to focus on some aspects of the Bill that are more to do with the broader educational dimensions. I am going to refer specifically to our comments on clause 44(6), clause 46(1)(b), and clauses 50 and 51.

It is important to recognise, as we have done over the years — and Bishop McAreavey and Bishop McKeown's comments have reinforced the fact — that education cannot be seen as an end in itself. It has to be seen as something that contributes to society and the economy. Therefore, as society and the economy change, so, too, must education and the means by which it is delivered.

Over the years, one of our successes in being set up, not as the manager of schools but as a support to the boards of governors as the managers of schools, has been that we have tried to make our governors take on responsibility for raising standards in schools. We have done that with a degree of

success, but we believe that it needs to be extended further, not just in the Catholic sector but across all other sectors.

The comments on clause 44 are, if you like, a starting point. I will pick up one of the strands that Father Tim mentioned, which was a phrase that has been used in a number of different ways. The only common thread is the word "autonomy". It is either accountable, shared, managed, earned or whatever. There seem to be many different interpretations of it. However, we have seen accountable autonomy as a means of raising standards. Anything that is associated with devolving further responsibility to a board of governors should be done on the basis of encouraging a raising of standards. To do that, we believe that the boards of governors must have the will to have that authority and greater autonomy but also that there needs to be some kind of externally moderated accountability for that, so that we are assured that the school is improving.

One of the ways in which we see that as being very important is in recognising the value not just of management in schools but of sound governance, leadership and management. It is also important to recognise the fact that the business of teaching and learning should primarily be in the school. It should be the interest of the school, not something that is moderated externally by the inspectorate. We see a very important role for the inspectorate, and I must say that, working with the inspectorate over the years, I believe that we have done much to raise standards in the Catholic maintained sector. However, our essential point about clause 44(6) is that it is too narrow. It views inspection as a monochrome process to be applied almost equally to every school. I am aware that the Department has a kind of risk-based assessment to inspection. Even within that, we think that the mechanisms need to be much more varied. We would actually like to see a much broader range of governance arrangements in schools.

As well as that, we believe that schools that show that they are capable of being self-improving and self-evaluating need to be recognised in that respect. Indeed, more schools need to be encouraged to go down that route. They need to inspect themselves consistently through their school development planning and annual assessment of that plan. Therefore, the primary role of the inspectorate in schools that have that higher level of autonomy should be to quality assure.

Quality assurance assessment is part of the current regime, but we believe that the wording of clause 44(6) is quite narrow. It could be interpreted that the role of ensuring the quality of learning and teaching in the school is entirely external to the inspectorate. We do not believe that that is true; we would much prefer to see the inspectorate having responsibility for ensuring that arrangements are in place to ensure the effectiveness of learning and teaching, either directly through the school or, in some cases, perhaps, externally from the inspectorate, as is the case under the present risk-based approach.

We also believe that the reference to only management is very narrow. If we want good schools, we need good governance, and we need good leadership as well as good management. Therefore, we believe that it is much more important for the inspectorate to look at the strategic dimensions of a school rather than the narrower learning and teaching focus of the classroom alone, so that we run good organisations. Our schools need to reflect the fact that they contribute to society and the economy in the broadest sense. We want to see schools that push the barriers, do things differently, extend the curriculum and make themselves more amenable to meeting the needs of an emerging economy and a changing society. That is our proposal in relation to clause 44(6).

Our concern about clause 46(1)(b), again, reflects the views expressed by the Bishops. CCMS has been very successful in working with boards of governors at the point of inspection to improve where improvements are needed and to ensure that schools that we see as being at risk address matters before the issue of inspection comes up. I think that that is reflected by the small number of schools in the Catholic maintained sector that are in intervention. However, we have to look at how we have done that. We want to ensure that the new arrangements allow what we have done to be available not only to the Catholic sector but to all others. We think that one of the things that is important here is that the sectoral bodies, when established, need to work alongside ESA, in some cases almost as its agents, to be able to get inside and influence a board of governors, perhaps in a way that an external administrative body such as ESA may not be able to. That, in a sense, is one of the strategies that CCMS, in its tenure, has successfully exploited as a means of raising standards. As part of that, we believe that the Bill should include provisions that all report data, particularly inspection reports, related to a sector should be available to the sectoral body. We think that doing that would give the sectoral body the status to act as an agent in its own right and on behalf of ESA to ensure that boards of governors are challenged to improve and are supported in doing so. As an agent and advocate for the sector, the sectoral support body should be able to go to ESA and say, "On behalf of this school,

we believe that a needs to be done and b needs to be done". Or, it must be able to say that a school needs to be challenged in particular ways.

We make quite a narrow point about clauses 50 and 51. To some extent, it could be argued that our point is addressed, to a degree, at 54(1)(c). Essentially, we see a divergence now between the Northern Ireland education system and that in England and Wales. In many respects, we can probably see a divergence between Wales and England. I believe that the revised Northern Ireland curriculum and the entitlement framework are very positive aspects of our education system in Northern Ireland, which have the potential to reflect our local needs as a society and as an economy. It would be wrong if an external dimension, that is, the examinations and qualifications system, might subvert that. However, it is very important that young people in Northern Ireland have qualifications that have the capacity to be compared favourably with any similar qualifications elsewhere, not just in the UK and Ireland, but across Europe and the world, and that they are portable. Therefore — and this is where clause 54(1)(c) does not grasp this totally — it is about ensuring that any qualifications developed in Northern Ireland by CCEA are portable, transparent in their comparisons with other jurisdictions, and have the recognition around the world that we believe our education system merits.

Those are some of many broader educational issues that we think the Committee might consider in its examination of the Bill. There are many other strands of the Bill, but I do not think that it is for us, today, to do your job of line-by-line scrutiny of the Bill. However, we should not lose sight of the importance of educational outcome here and the means by which we can achieve better educational outcomes. We should also not lose sight of the means by which we have been able to improve our system over the years to bring, for instance, a recognition through the progress in international reading literacy study and trends in international mathematics and science study data, but also to ask the question: if that is the case at primary level, why are we underperforming in comparison to other countries in relation to our post-primary outcomes, and why are the achievements of our education system not translated into a successful economy in Northern Ireland? Those are the broader issues that we wish to bring to your attention here today.

I now want to refer some other matters to my colleague Gerry Lundy.

Mr Gerry Lundy (Council for Catholic Maintained Schools): I will be very brief. Thank you for the opportunity to talk to you today. The points that I will make are quite small, but we feel that they are important. It goes back again to part of the presentation made by Father Tim in respect of clarity about the sector and the cohesiveness of the sector.

The first point that I want to make refers to the membership of ESA. We welcome that the trustees will have formal representation on the ESA board, but we would like more clarity brought to that membership. In paragraph 2(c)(ii) of schedule 1 to the Bill, it states:

"persons appearing to the Department to represent the interests of trustees of maintained schools".

The Catholic schools are all voluntary schools, of which a percentage — the majority — are maintained schools. We have a concern about that wording and suggest that it should change from "the interests of trustees of maintained schools" to "the interests of trustees of Catholic schools", because the trustees are trustees of Catholic voluntary grammars as well. The Bill as it is written seems to indicate that schools or the trustees of that sector would not have any representation on ESA.

In respect of their appointment after consultation with persons or bodies appearing to the Department to represent such interests, we believe that the consultation should also be with the sectoral support body in respect of appointing that member. That is a point that we want to make. We also want to make a point about the appointment and consultation in respect of governors to our schools, which relates to clause 39(2). We welcome that the relevant sectoral body has to be consulted by ESA and the board of governors on appointment of a board of governors. We feel that there should be a duty to consult, but it should be strengthened to "consult with and have due regard to the view of the sectoral support body". We also believe that, in all these types of consultations, there is a need for guidance on the nature of such a consultation and how it might be carried out so that it is not done on an ad hoc basis and does not vary from year to year or from sector to sector.

Finally, I would like to revisit the comments made by Father Tim. We feel very clearly that there is a need for a clear definition of a "Catholic school".

The Chairperson: Thank you very much. That gives us an overview of the issues that you want to raise. Before we go to questions, I welcome to the Committee Hannah and Oonagh from Belfast High School. I believe that they are on work experience with Trevor and the Alliance Party. You are very welcome to the Committee for Education. We trust that it does not damage your education — *[Laughter.]* — and that it gives you a wider perspective of life within the confines of Stormont. We wish you well in your studies and your time in work experience.

When we come to this issue — and this is where we find ourselves when we go through the Bill — it is always difficult to know where to start, because there is such variety. The comment has been made that it is a relatively small Bill. That is according to Mr Murphy, who seems to have exercised my mind considerably. Although it is a small Bill of 67 clauses and seven schedules, it is very complex. The point has been well made that the face and the nature of education in Northern Ireland for many years to come will depend on the outcome of the changes. So, it is difficult to know exactly where to start.

However, I will go back to Gerry's final point about the membership of ESA, which has been raised by a number of organisations, some of whom claim that they have no representation at all on ESA, and others, such as you, who say that you are on ESA but that there is an issue about the way in which your membership is defined. It comes round to the issue of the definition of a Catholic school or maintained school. What is the current position on how schools in the Catholic sector are represented on education and library boards since the introduction of CCMS in 1989?

Mr J Clarke: It actually has not changed. The trustees represent the Catholic sector.

The Chairperson: So, the current situation is that a number of schools under the wide umbrella of Catholic schools have not been represented on education and library boards?

Mr J Clarke: Sorry. When I said, "not changed", I meant not changed as a consequence of CCMS's coming into being. The trustees represent Catholic schools, as I understand it, on education and library boards. What we are proposing here is that trustees should continue to represent Catholic schools. The Bill says that they are representatives of Catholic maintained schools only. We are saying that they should represent all Catholic schools. Of course, that can be done. However, we think that it would make more sense for the Bill to recognise that.

Mr Lundy: Can I just make the point that the Bill actually says, "the trustees of maintained schools." A number of schools in Northern Ireland are maintained, but are not Catholic maintained schools. So, technically, the Bill as it is written does not give representation to them. The core issue is that we think that, "trustees of Catholic schools" clarifies that and reflects back to what the 1986 order and, prior to that, the education and library boards established. It is the trustees of Catholic schools who have membership of the board.

The Chairperson: Does anybody else want to comment on that? No. OK.

I am trying to establish where we are, as we move through some of those questions, and where we want to go. Obviously, the Education Bill is the basis of all those discussions. One issue that was raised during the presentation was the fact that there is diversity of provision in the education system and also that, as a society, we need to continue to work together towards a shared society and future, and respect for diversity.

Where do Catholic schools and, in particular, the two organisations, CCMS and the trustees who are here today, sit with regard to integrated schools, for example? How do your two organisations look at and interact with Catholic schools? Is it still the case that places on the boards of governors of integrated schools that are set aside for the Catholic sector are still not filled by yourselves? Can you clarify that so that we have some understanding of your view on how, in practice, sharing, respect, and so on, is implemented on a day-to-day basis?

Bishop McKeown: Since Bain, there has been a recognition of the need to move away from a focus on integrated education with a capital "I" and capital "E" to a focus on integrating education. In that sense, the idea that there is just one virtuous sector in a shared future was settled a long time ago. We are fully committed to ensuring that our schools are as integrated as possible. St Columbanus' College in Bangor, I suggest, is more integrated, numbers-wise, than Strangford College. Just because you have a franchise does not mean that you have a particular level of virtue in an area.

You asked about appointing Catholic governors to integrated schools. There are many Catholic governors in integrated schools. It is not the job of the trustees to appoint governors to schools over which we have no ownership responsibility and for which we have no responsibility whatever, but we are very happy to encourage members of parishes and members of local communities to take those roles if they see fit and if the owners of the integrated school wish to invite them. There is absolutely no problem with them taking that up. We are concerned about how we can best maximise the contribution of our sector for the common good, and we are very happy that other sectors are supported, enabled and primed to do that as well. I do not see a conflict there. However, the focus is on integrating education rather than just on a particular sector, and Joanne Hughes and co, in their recent article on the shared education programme, have been very clear about that. We are moving from where we are at the present time.

Bishop McAreavey: I will add to that. First, we are trying to foster and promote contact between schools and sectors. Sometimes, it is hard to do that even in our own sector because schools can be very independent and have a life of their own, and it causes a bit of extra work for principals, and so on, even to co-operate with a neighbouring school in the same sector. However, we want to support the broad principle of trying to maximise co-operation and contact for children and youngsters, and one very successful way in which that has been done in the past few years has been through the area learning communities. I know that our principals, at least those in the Newry area whom I talk to from time to time, find that a helpful contact. It breaks down some of the barriers in our sector and outside it.

Mr J Clarke: In a letter to our schools last year, we did not focus on the concept of dependency or independence but that of interdependence. We saw that interdependence in the sector and across sectors, and, when I appeared before you with the chief executives of the education and library boards on area planning or the viability audit some time ago, I made the point that we are very strongly supportive of the concept of sharing in education. Bishop McKeown talked about the integrating of education, and we believe that the potential for sharing by association with the transferors and the Catholic sector has a greater means of delivering that more integrated society and more integrating concept of education than the actual sectoral element of the integrated sector. However, in all our deliberations from 2006 onward, particularly on the establishment of sectoral bodies, we have always maintained that every sector should have the same rights. We were not looking for anything over and above what others have. So, we believe in the concept of sharing, and we think that the potential for sharing with the other sectoral bodies has increased as a consequence of some of the potential outcomes of the Bill. We very much keep in mind the importance of sharing and integrating in education.

Two words struck me in the presentations by the transferors and the controlled schools' body. One was "sharing" and the other was "equality". We very much want to see those words forming the foundation stones of our emerging education system.

The Chairperson: In relation to —. Sorry, Tim, you want to come in.

Father Bartlett: I want to make a wide point and a specific point. Obviously, we want a peaceful and a reconciled society, but I get a little bit anxious about the term "integration" per se. It has always had a kind of social engineering overtone to it. I want to live in a normal society that, in our context and history, is a peaceful, reconciled and neighbourly society. In that context, we, as a sector, are fully committed to looking at creative ways in which we can continue to share the educational enterprise.

To come to the narrower point: one thing that is maybe not known publicly is that we actively supported the transferors' interests in the negotiations about the Bill to ensure that their rights were secured when, in fact, they were originally jeopardised by the ESA concept. That is why we have reconstructed ESA from its original proposal around the 1986 order — I think that I am right in referring to the 1986 order, but it could be the 1989 order. We welcome that, because it gives us a partner in a faith context with whom we can explore the possibility, for the first time in Northern Ireland, to do what we do in Britain, which is to look at the possibility of joint faith arrangements. We have often been challenged about why we do not have those in Northern Ireland. Part of the difficulty is that we were never able to get a partner from a faith point of view. Our joint schools are joint church and joint faith schools in England. We welcome, as Jim and others said, the new opportunities that that creates for new and creative models, and we are very open to that possibility.

Bishop McKeown: May I come in with one point? In Trevor Gribben's submission on 5 December, there may have been a slight slip, at least in one version of the Hansard report, which states:

"If groups of schools choose to come together to buy in support services, and if that is done on a sectoral basis, we could end up in Northern Ireland with a Catholic caste system"

— caste rather than CASS —

"and a caste system for other schools."

I can assure you that we are not looking for a Catholic caste system, and perhaps the record might be checked to ensure that "CASS" was the word intended, rather than "caste".

The Chairperson: I would not want a fallout between the Catholic bishops and the Presbyterian Church about whether it is CASS or caste, given my views. You might put me in a very difficult position.

I have listened to all that has been said, including what Tim said about a normal society. In the current practices that go on — take out the difference that we will all have about what an integrated school is — is there the concept of some of them coming together? Focus in on that, because it is important in relation to the trajectory of where the Bill goes. There is an issue that we still have not concluded about what needs to be in the Bill with regard to shared education, how much stronger it needs to be, or how much more robust it needs to be. That has been set out, certainly by my party leader, as a very important issue. There is the current practice in relation to children who are from a Catholic background and attend an integrated school. Are they treated in a "normal" society, as you referred to it, Tim, in the same way as a Catholic child who attends a maintained school — a Catholic school — particularly in relation to preparation for the sacraments?

Bishop McAreavey: Yes, for example, when it comes to the celebration of first communion or confirmation in our parishes. Sometimes, for first communion, they have separate celebrations by their own choice because the school makes a big celebration of it. The whole school, in the case of some integrated schools, would have a celebration on that day. For confirmation, that is done in one ceremony, with the children from the integrated school and the children from the local Catholic school. Sometimes, they alternate, with one school taking the lead role in music and the other taking the lead role the following year. They do not have any sense of being treated differently, and I know, from my experience of places like Banbridge, that that works well for both schools involved.

Mr Lunn: It is good to see you all here. Happy new year. You mentioned this whole question of integrating education. Obviously, I am a supporter of that, as I am a supporter of the integrated school movement. I am quite glad, Bishop John, that you have clarified that you are satisfied with the way the requirements of Catholic children are dealt with in integrated schools. I think it is a credit to those schools that they manage that so well.

I wonder whether you see any contradiction in what you have said about your desire to see education integrated. I do not mean on the social engineering model that you mentioned, but just in general, because that is the way to go. Do you not see any contradiction between that and your insistence that your sector has to be clearly defined, independent and strictly Catholic? You want the term changed from "maintained schools" to "Catholic schools" in various areas of this Bill. You want to emphasise the Catholic ethos of your schools. That is fair enough. Do you see any contradiction between that position and the avowed desire, which at least four of you emphasised today again, to see education becoming more integrated?

Bishop McAreavey: A Catholic school is also a welcoming school, and can welcome pupils from the Catholic tradition and from other traditions. For example, I have come across Muslim families who send their children to Catholic schools because they value the fact that those are schools where children pray and where there is a strong religious ethos. It is not their own religious ethos, but they value a religious ethos as opposed to a purely secular one. I do not want to overstate that point, Trevor, and in the Northern Ireland context, it is not a massive thing. There is not a conflict between wanting to have a clear identity and ethos, and, at the same time, being open and welcoming to children and parents from other traditions who want to have their children given, say, a Catholic primary education. We are not talking about a hard-line approach here; we are simply asking for what we do to be recognised in legislation and to be put down in the same way as Irish-language schools and integrated schools are defined. We find the absence of that to be weak, in the sense that it simply does not recognise what we do. Given that the ethos is central to what we do, we would like some acknowledgement of that in the overall range of options in the education sector.

Mr Lunn: I have plenty of other points, Chairman, but I will wait.

The Chairperson: Yes, I will come back to you.

I want to clarify something. Obviously the proposal, as the Bill stands, is for the removal of CCMS. The bishop referred to 'Julius Caesar'. I can remember going to the farewell dinner for the chief executive of CCMS. It was like attending a funeral without a corpse. I do not know how long ago that was. Was it two years ago?

Mr J Clarke: It was actually for CCMS.

The Chairperson: It was for CCMS, yes.

Mr J Clarke: It was not for the chief executive. It was in December 2009.

The Chairperson: That shows you how these things can —

Mr J Clarke: You have not changed, Mervyn. *[Laughter.]*

The Chairperson: I would like to try to gain some understanding of this point from you. As we have seen, unfortunately, in recent days, where people perceive that they have lost something, it causes huge concern. On this issue, CCMS is clearly losing a statutory role. However, although it is concerned about it, it is not vociferous. It is not as exercised about the loss of that statutory role and its replacement with a merely consultative role. Why is that?

Tim mentioned the issue of the transferors. The transferors were very clear that they were not going to accept, at any point, the loss of the legal rights that were conferred on them as a result of the Education Order and all that. In a sense, you were given a statutory responsibility and role in 1989, and now, in 2013, there is a proposal to remove that, but you are simply saying that, although you are not happy about it, you have a, b and c. How do you square that with where you sit as organisations that have managed and been involved in Catholic education?

Bishop McAreavey: There were two issues that went hard with us, the first of which was the employment of our own teachers. If you run a business, it is essential that you choose your own staff. You would not hand the employment of staff to somebody else. You want them to be your staff and you want a relationship with them that is based on the fact that you are working together.

The employment contract sets up a relationship between the schools — the employers — and their teachers. What is happening now is that a third party, which is ESA, is coming into that relationship. I can understand that up to a point because the Government pay all teachers and there are a lot of similar issues. Nevertheless, it broke that relationship. That, for us, was always the key issue, and remains so, frankly.

The loss of that direct contracting relationship between ourselves as trustees and the boards of governors and our teachers is something that we, frankly, are not reconciled to. It is not because we want to hold control, but because we believe that the ethos and the issue of trust, and so on, around education, in a sense, happen around the contract of employment.

That is, perhaps, part of the reason why we did not complain about the loss of CCMS or express our views as strongly as we should have done. Certainly, however, over time, we have gained a very clear sense of the kinds of things that I have articulated this morning — the things that we have lost. So, too, have our colleagues in the voluntary Catholic schools, because even though they were not subject to CCMS, they often sought advice on HR issues or used documents that were produced by CCMS.

We see a significant loss there, and I have tried to explain that this morning. On the other hand, I suppose, we did not want to say that we wanted to hold onto things no matter what was produced. We wanted to see what government could offer in place of those in the ESA Bill. In fact, over the past two years or so, the Department has heard our concerns and has acted to meet them.

I do not think that we regard what we are getting now as a full compensation for what we have lost. We still feel that we are down a peg.

Mr J Clarke: Bishop McKeown's comments reflect the fact that we have recognised that it is a political decision. We have to make the most of it in a very constructive way. I can assure you that, from 2006, when the original 19 papers emerged, we went through them assiduously and identified the obstacles to what we considered to be not just the improvement of Catholic education but education generally. We worked very solidly throughout that period to try to influence this legislation to give us as much as we think we need. As I said, we are in changing times. The words "sharing", "integration", "pluralism" and "normal society" have been used, but within that normal society, there is recognition, which I think reflects back on Trevor's point, that faith-based education is important in the rest of the world. It should be important here in Northern Ireland and there should be provision for it. In our negotiations and, indeed, in our presentations here today, we have sought to recognise that change is afoot, but we tried to ensure that that change does not damage that which is good and has the potential to improve — not just for the Catholic sector but for all sectors — what our education system offers to all our young people.

Father Bartlett: As Jim said, we have consistently said that we would prefer a statutory body. We have consistently said that we want to remain as the employer. The Department has consistently told us that that is not politically acceptable. So, as responsible citizens, we have engaged constructively and creatively in trying to find a suitable alternative, but, as I said in my presentation, we remain to be convinced about all of this.

The Chairperson: I want to get round members, but Jonathan has an issue he wants to raise.

Mr Craig: I am going to ask a very simple question specifically on the single employing authority because it intrigues me and I do not know how it will work. I hear your opposition to it. At the minute, because you are the employing authority and employ the teachers in your sector, you are in a unique position. I think what has been left unsaid by you is that, in that position, you are able to impose the Catholic certificate on your teaching staff, and that is all part of your faith-based system. That is the way it is at present, and I will keep my personal views out of this. When you go to having a single employing authority — I have had a good long think about this — under existing employment laws in Northern Ireland with equality legislation and all the rest of it, that has to go. You cannot have a single employer applying two standards, or, in the case of education, it may try to apply seven standards. It just cannot legally be done. Is that at the root of your objections to the single employing authority?

Father Bartlett: The simple answer is no. As Bishop Donal articulated very well, our concern is the connection between employment, ethos and raising standards. It has been central to, and has been proven to be effective in, raising standards across the whole educational enterprise. Within that, there is, of course, our responsibility as trustees — in our case of schools defined by the Catholic philosophy of the educational enterprise — to ensure that parents have the right to choose an education that meets the Catholic vision and understanding of education from among the range of options in a diverse and pluralist society. So, that is part of it, and the Catholic certificate is part of the mechanism for ensuring that.

By the way, European law allows for exceptions where there is a genuine occupational requirement. That is the legal basis, affirmed by the Equality Commission's review of the RE certificate, where every teacher in a Catholic primary school is an RE teacher and where most teachers in Catholic secondary schools and grammar schools have to be RE teachers as well. It is not applied all the time in secondary schools because not every teacher has to be an RE teacher. That goes back to our point that it is not that every Catholic teacher has to be Catholic, but they have to support the wider enterprise of the school and its ethos.

We would argue that other sectors should seek to apply some other mechanism to ensure the ethos that they want to define their school. A simple and obvious example is a language-based school, where you would quite properly expect the teachers to be able to speak the language to a sufficient degree and be sympathetic to cultural and other aspects of it. That is without prejudice to whatever the particular language might be in any country. It is a similar principle. We have no objection, as Jim quite properly said, to these principles applying equally to all schools, but I would challenge your view that legally it is not possible. The Equality Commission has reviewed it and said that legally it is possible in European law and in our own equality law.

Mr J Clarke: One of the things about different employment schemes is that they can have variances as long as they are legal. The point that Tim makes is that the exemption is legal. My understanding is that the exemption was not sought initially by the Catholic sector; it was sought by the Protestant churches, and the Catholic sector also benefited from that obviously. We do not see that specifically as a threat through this Bill. It may be something that equality legislation may look at some time, but that is a different matter.

Mr Craig: Let me get this straight: you see a situation where there will be several different contracts of employment under a single employing authority.

Mr J Clarke: What is being proposed is that ESA will prepare a draft scheme of employment and scheme of management that all the submitting authorities can look at. They will then produce their own schemes based around that model, but extending it. That is how we see it. We do not anticipate that the model from the Department will make any change to the exemption.

Mr Craig: I will not argue with you about it if that is the way it is going to go, but does that not call into question why you need a single employing authority, because, technically, you will have split it up into the sectors?

Mr J Clarke: I am not going to defend what is proposed in the legislation. What we have sought to do today is give you our view on how that legislation can best meet the needs of the Catholic sector going into the future. I will leave it for the Department to answer that specific question, although I could, but I will not.

Mr Craig: We will need clarification on this issue when the departmental official comes here later because it is intriguing.

Bishop McAreavey: Chair, you made the point about 10 minutes ago that this was a small Bill, but it is massively complex.

The Chairperson: I was only commenting on Patrick Murphy's piece in 'The Irish News'. 'The Irish News' will be delighted that I read its periodical. He said that it was a small Bill, and I was only reflecting what he said.

Bishop McAreavey: Perhaps, in the overall scheme of things, it is a small Bill, but it is hugely sensitive.

The Chairperson: It is.

Bishop McAreavey: It is sensitive because it touches on how parents raise their children, the values that they hand on and how they do that, and so on. Nothing is closer to parents and citizens than what happens in education. Jonathan is right: one of the fears that we had with the idea of a single employing authority was that somehow all the nuances and sensitivities would simply be cleared off the table by a Minister who was an avowed secularist. I am not sure whether he was opposed to what Catholics or Christians of other denominations or churches do in their schools, whether he simply did not know or care or whether he did not value those things. That, frankly, is still one of the things that worries us about ESA.

In this whole area of faith education and culture, there are things that people hear and things that people communicate. In a sense, where there is a common language, people pick those things up, but where someone does not speak the language at all — I am not talking about a different faith; I am just talking about a purely secularist view — those issues are not even heard. To some extent, I think that happened with the initial idea of a single employing authority.

From an administrative point of view, there are attractions to it. Departments are the same everywhere. They want to control things, and they want to streamline them and simplify them, but this is not about bureaucratic change. It is far too sensitive to be just about that. That is why parents who have young children who have not gone to school yet would be concerned if they felt that they could not be sure what their school would be like. The only way you can be sure what a school will be like is if you control who teaches there. That is what it is about. So, the issues here are serious. They are not bureaucratic or administrative; they are fundamentally very profound. We would like to facilitate

those and be as communautaire — as they would say in Europe — as you want to be, but not at the expense of fundamental values.

The Chairperson: I am going to bring in Trevor, but before I do, I want to say that I thought that I was at the point of agreeing with a bishop for the first time when you described the Department as being all out to control. *[Laughter.]* You are absolutely right on that one. Then, you went on to say that the reason why you want to retain that is so that you can control your staff. *[Laughter.]* I will let that one just sit there. After Trevor, we must get to other members. Can you make a particular point, so that we do not lose the train of thought — if there ever was one?

Mr Lunn: Chairman, I think that Father Tim and Jim have probably made the point for me. I think that you have had a note passed to you to this effect: there is nothing in the Bill that would preclude Catholic schools from continuing to insist on the Catholic certificate. Frankly, nor should there be. It is just not there.

The Chairperson: Trevor, your observations are very astute. I can confirm that the Bill will not affect in any way the requirements for a certificate. We will get Chris to clarify that. I will put it in the Hansard report. Then, he is responsible, not me. *[Laughter.]*

Mr Lunn: I might also put it in the Hansard report, Chairman, that it is one of the virtues of the Bill that it provides for schemes of employment to be prepared by the schools themselves with appropriate room for variation and different criteria to be used. I listened to Bishop John. I think that you have welcomed the scheme of employment section of the Bill about three times, and you have condemned it four times. *[Laughter.]* At some point, you will have to make up your mind.

Mr Kinahan: Thank you very much for your presentation. Like the Chair, I have pages of questions on different things that I would like to ask. We have touched on various matters. I will start broadly, if I may. My biggest concern, which we have touched on, links to sharing or integrating. My party, and many of us, want to move towards a single, shared education system in the long term. We are about to put forward a Bill, which, I get the impression, you do not really like, that will set everything in stone for the next 40, 50 or 60 years. We have all got to get it right. I am very concerned that we are not looking at how to get balance, but that each person is fighting their corner. You want your Catholic education, which is extremely good, in your way just as much as the other sectors want theirs. Somehow, as a group, we have got to find balance. We touched on the idea of a small Bill, which I like. I thought that small was meant to be beautiful. It actually looks very much the opposite: small could be very ugly if we get it wrong. That is enough of my rambling.

I am concerned that we do not have NICIE, Comhairle na Gaelscolaíochta or the grammars involved in the ESA board. I would like to hear how you think we should include those bodies, or whether they should be included. Within that, when you get to your own sectoral body or the other sectoral bodies, have you decided what your four would comprise in style? If you look at it cleanly at the beginning, you see that we have no representation from principals, businessmen or anyone outside. Yet, we have got to find the balance that gives us faith and education, but, at the same time, mirrors society. So, I will throw that at you: have you thought your way through how we can make the ESA body more representative of everybody? Then, I wonder what you are doing about your own four. That is my first question.

Bishop McKeown: It is an interesting philosophical question about whether the ESA board should represent only education interests and politicians. That is a philosophical point. There obviously are limitations to that. The question is then about how you get representation from the various education interests on the ESA board. According to the current language, there will be four controlled sector representatives and four maintained sector representatives. That works out at something like 89% of the total school-going population. The Irish-medium sector is small. The integrated sector is less than 5%. The voluntary grammar schools outside the Catholic sector educate 6-6% of Northern Ireland's school-going population. Together they make up around 11% or 12% of the total school-going population. We are quite happy for other sectors to be represented, but you need to ensure that there is some relationship between the representation and the size of the sectors.

What is the point of ESA and what is the role of the ESA board? Personally, I think the more voices that you have around the table to inform educational decisions, the better. I have no problem with a broader range of representation. We certainly have not worked out who our representative will be.

Father Bartlett: We have not thought it through. It is ultimately a political decision. It would be fair to say that we have no opposition in principle to how the ESA board is composed and are open to the benefit of wider voices. However, the proportionality remains very important.

Mr Kinahan: I know.

Father Bartlett: As long as the proportionality in the overall numbers for the various sectors remains intact, I do not think that, in principle, we will have any objection.

The Chairperson: The point has been made to others that you have been given four places, the transferors. You gave up a place to the controlled grammars to sit as one of your four. Of the four that were given to the trustees, is there a view that you would be able to give one of those places to the maintained grammars or to —

Bishop McKeown: There are no maintained grammars.

The Chairperson: We were told that Northern Ireland is moving on with terminology. Catholic grammar schools, I mean. Could you consider that?

Professor Muredach Dynan (Northern Ireland Commission for Catholic Education): The way in which it works in the Catholic sector is that I, as a trustee, represent around nine schools, of which four are primary, two are non-grammar and three are grammar. I mention that because that is the position of quite a few trustees, such as Sister Eithne Woulfe's group, and so on. They are the religious trustees. We see ourselves as having responsibility for schools that are currently called maintained and are grammar and primary, so, in fact, I would be most surprised if we could come up with four names that had not been discussed at all for the Catholic sector.

Suppose that, in theory, I was one of the people asked to go forward. I could not be identified as maintained or grammar, because I cover both. I do not think that it is a real issue. Our concern was that the grammar schools seemed to be almost accidentally left out of our group. By defining our side as representing the maintained sector, it left out our grammar schools. We really wanted the grammar schools in the Catholic sector to be included in that representation.

I think that we are speaking on the same point. We do not want the four representatives of the Catholic sector to in any way exclude grammars. It is very important that the grammar schools be in on this, and we know that they have expressed concerns about it.

Our concern about the Catholic sector issue is not at all about not having representation for the grammar schools. Let us be clear that we value the grammar schools, Catholic and otherwise, and they are very important to Northern Ireland's education system, in my view. When we talk about the Catholic sector, we appreciate that there are voluntary and maintained schools, but in talking about the ethos issues and such aspects, we do not want to divide it into two lumps. We see it as a coherent sector. That is a bit of a clumsy answer, but I hope that it goes a long way to saying that we would certainly have representation of voluntary grammar schools.

Mr Kinahan: I take on board Father Tim's proportionality point, but there is a need — you all said it yourselves — to have everybody represented. You said that the percentage of voluntary grammars at your end is 6%, but in the whole grammar sector, it is much bigger.

Professor Dynan: That is right.

Mr Kinahan: It could be a separate body on ESA, but it would throw out the proportionality of the whole body. If we all want to get everybody on to that board and properly represented, we have to get them in there somehow. That is why I raised that point. Furthermore —

Professor Dynan: Certainly, they will be in from the four representatives, provided that they are not what you call "maintained". To get the grammar schools in, you have to widen the definition.

Mr Kinahan: Furthermore, we miss out the integrated sector, which has a chance of getting in if the Minister appoints it as one of the four; otherwise, it ends up being represented only by politicians. I think that we have to look at the whole balance of the proportion and how it will work, and I was wondering whether you had a solution to that. You touched on it.

Father Bartlett: Danny, may I interrupt you for a second? I have to leave, and I convey my sincere apologies. I have to go to the other jurisdiction on the island to prepare to appear tomorrow before a similar body in that jurisdiction on another sensitive issue.

The Chairperson: Is it England, Scotland or Wales that you are for? *[Laughter.]*

Father Bartlett: Thank you very much, Chair and members, for your courtesy and for listening to us so constructively. I look forward to hearing from my colleagues as to how this continues.

The Chairperson: Thanks, Tim.

Mr Kinahan: My second point is that when we get to governors in schools, we get to this point of balance of who is going to control them. We are keen to see a light touch adopted, where the governors still have a say in how they run the school. However, one of the notes that we have been given states that CCMS or NICCE would like precedence over boards of governors. I was concerned when I went to the Primary School Governors Association the other day. There were a lot of very good ideas, which Jim touched on, of how we should be judging governors and their roles and their having a statutory role, but it was terrifying for the volunteers who were there. It became very evident that someone needed to take proper leadership, which involves sitting down and talking to the governors and showing them the things that they need to be good at, showing them the statutory role and how they could get to that stage.

I think that you are better at this than some of the other sectors, but what plans do you have to try always to be working towards and bringing with you a comfortable, voluntary system where governors want to be governors, because they are vital to the system, but, at the same time, where they are not being dictated to from the top.

Bishop McKeown: The relationship between trustees and governors has been recalibrated here. In the 1989 order, if I remember rightly, the focus was on giving almost all authority to the governors. One might suggest with a Brian Mawhinney hope that they would opt out of their sectors and become integrated with a capital "I". That did not happen in the vast majority of cases. In the absence of CCMS, we are looking to recalibrate the ability of trustees, who have an ongoing responsibility for the schools over decades, and the responsibility of governors, who are there for four years and who represent, inevitably, some of the local community and also the current cohort of pupils.

How do we balance the long-term planning and preparation for those who are currently in primary school with the focus that many governors have on our current raft of pupils? We are happy to get that balance correct to ensure that governors do not feel oppressed and rather, on the contrary, feel that they have a sense of the vision and energy that will free them to fly within a context. How to achieve that loose and tight thing is difficult in all businesses. We are hoping to get that balance right here. We need high-quality governors, and we have wonderful dedication from many people. I made brief reference to the fact that complete fragmentation looks after only the strong, and we have to ensure that we have a structure in place that looks after the people who are being failed in all sorts of ways by our society. We want to get it right for them as well, while, at the same time, not cramping the style of those who are dedicated and far-forward looking.

Bishop McAreavey: May I add one point? Danny, since the trustees are currently entitled to nominate a certain number of members to boards of governors, that will continue. Finding people to volunteer in itself involves a fair amount of work. Volunteerism is not as strong as perhaps it was in the past, so there is a task of finding people and checking that they have the proper experience that you want for a board of governors, a background in education, and so on. That is one of the things that we hope that our sectoral body will help us to do. Moreover, we see ourselves as having ongoing work to do in the preparation of new governors taking up their positions so that they understand their position and the vision of the school that the trustees have. We must continue that support for governors.

However, I take your point. It is one thing to ask people to take on responsibilities, but a lot of people are doing this after their day's work, and there is a limit to the energy and time that they have to bring to it, so we want to support them as best we can.

Mr J Clarke: I will add a few points to that. The 1989 order gives responsibility to CCMS for the effective management and control of schools through the boards of governors. I made the point that we have to make improvements from the bottom up, from the schools up, and, therefore, we need to give the resources to the school.

There were two things that we saw missing from the heads of agreement. One was a clear statement and definition of "accountable autonomy", because we believe that what the voluntary grammar schools have, in many respects, is positive for them. However, the word "equality" is very important here. Bishop McKeown has made the point that the system should be available to everyone.

In the Catholic maintained sector, we have, in the past couple of years, issued some advice to boards of governors as to how they should relate to the principal in the management of the school. For instance, one of the things that we wanted was a profile of what kinds of skills a board of governors ought to have. If a board does not have such a profile, the governors should have training to provide that. We also wanted to see greater continuity within boards of governors. Therefore, rather than having a Big Bang-style change after four years, we would have preferred to see a mid-term change to part of the board of governors and then another mid-term change so that there is a degree of continuity of experience.

We also believe that governors are there because they want to serve and want to do a good job. That is one of the reasons why we feel quite justified in challenging boards of governors that appear not to be performing, or if their school is not performing. We think that those people want to do a good job but simply need the help to do it.

We believe that a wider range of governance arrangements and a system of accountable autonomy will help governors to raise standards. Therefore, governance for us is very important.

Bishop McKeown: Our specific concern, which you have picked up quite rightly, Danny, is that the trustees have a long-term role, while governors have a short-term one. If it comes to the scheme of management, clearly trustees will want to contact and consult with the board of governors. However, at the end of the day, there has to be someone who makes the decision about the overall identity of the school, and rather than end up with the board of governors and trustees fighting, some clarity should be built into the system as early as possible for someone who will decide, having consulted and paid due attention, and all those things. There has to be clarity as to who makes the decision. Otherwise, it is just a table-tennis game with no decisions taken, to the detriment of education.

Mr Kinahan: Thank you. I have other questions that I will ask later.

Mr Rogers: You are very welcome and thank you for your presentations. I wish to declare an interest as chairman of the board of governors of a maintained school.

The word "ethos" has come up frequently this morning. In one of your comments, Bishop John, you said that we had lost something. I am getting the feeling that, in the Bill as it stands, Catholic education is losing out. You can comment on that for me. I would like to know what safeguards you would like to see enshrined in the Bill to ensure that Catholic education does not lose out but is strengthened.

Bishop McAreavey: I addressed that point earlier. The first thing is not a point that I made but one that has been made since I spoke. There should be a recognition in the Bill that there is such a thing as Catholic education, simply to define it. That has been done for England and Scotland. It is doable and workable, and it would simply place it in there as something that is being done and that is respected and acknowledged in the law of the land.

The ongoing work of the boards of governors is crucial for us. You know from your own experience that boards of governors spend hours on selection panels, disciplinary panels and all sorts of things. The last thing that we want is to have people saying that things are all being dealt with from Belfast or wherever the ESA headquarters are. We want people to have a sense that they have a significant say in the affairs of their own school. As long as the role of the boards of governors in employment issues and disciplinary issues, should they arise, is guaranteed, we will be relatively happy.

The role of the sectoral support body is also important because it allows the trustees to have a body that advocates, expresses its views and gives its perspective on current issues. I am the chair of CCMS. It is a bigger body than this, and it meets every two months, but it is one of the healthiest and

most vibrant bodies that I sit on, because it comprises teachers, parents, administrators and trustees. I know that the support body is not going to be CCMS, but were there a forum in which those different perspectives could be brought together and in which important decisions could be made and carried forward, that would also help to make sure that the ethos of our schools and their standards was maintained.

We are also concerned that area planning is going to be a regular feature. We are not going to plan our own schools in isolation. When schools need to be refurbished, we will want a new school, but we will want to consult with other schools in the area. We will need a mechanism to do that. If the sectoral support body helps us to do that, it helps us to look after our own affairs, and in a way that takes account of the wider needs of that community.

The final aspect, over which this Committee has no control, is to do with the interests and commitment of parents. As long as there are Catholic parents who want Catholic education, Catholic schools will supply that need. Should a time come when Catholic parents simply become indifferent either to their faith or to the elements of culture that are important to them, why would there be Catholic schools other than as places for Catholic children to go to, which is not a reason for Catholic education?

Bishop Donal has made the point very well over the years that Catholic education is not about education for Catholic children. That would result in a kind of canonisation or Balkanisation of education. Catholic education is sustainable and will contribute to the people who use it and to wider society only if parents value faith and an institution that will help them to keep that faith alive for their children.

That is not within your control, but it should probably go on the record as the key element of the whole operation. Only time will tell, in future generations, whether that is maintained.

Mr Rogers: Who do you believe should define "ethos" in our schools?

Mr J Clarke: This goes back to the point that Tim made about the importance of clauses 3 and 34, which are to do with the schemes of employment and, in particular, the schemes of management. All sectors and interests, not just the Catholic sector, should be able to set out what the school is about so that governors, teachers and other staff, and particularly the parents who send their children to the school, know what that school stands for.

That is why we have stressed the importance of getting the rights of trustees to be the submitting authority for the schemes of management and the schemes of employment into the Bill. It is why we believe that there is a need for a definition of what it is that they stand for. They stand for Catholic education. Therefore, there needs to be a definition of "Catholic school" in the Bill.

We believe that, with some minor amendments, those things can be guaranteed in the Bill. Then, we believe, the concept of "ethos", not just for the Catholic sector but for all, can be guaranteed into the future.

Bishop McKeown: Going back to the early 1990s, Harvard published a work by Bryk, Lee and Holland on what made for effective schools in the service of the common good. They used the phrase that there should be access to "inspirational ideology". Ethos is there to inspire people, to fire them and to energise them. Therefore, I think that every school will have its own ethos in some senses, but if we want to maintain some cohesiveness in the service of everyone, those who draw up a scheme of management with the definition of the vision for the school are the ones who can provide that "inspirational ideology", which researchers say is vital for a quality outcome. How can you inspire people? How can you energise them to go the extra mile? It is doable. Our schools need it. We have found a way of doing that. We ask you to ensure that we can continue to do that and that what we have learnt from our experience can be made accessible to everybody across all the sectors.

Professor Dynan: Of necessity, a lot of discussion today has been about the nuts and bolts of the ESA legislation. As we represent the Catholic sector, you have, necessarily, drawn attention to issues that are perhaps problematic to us. It has been said by others but bears repeating that somebody asked what use ESA is anyway. I think that ESA, if we get it right, is potentially of enormous benefit to the whole education community in Northern Ireland. You would then have a policymaking forum and a service forum in ESA that would bring together, in a way that I do not believe has ever been done, all the school interests in the Province. They would be brought together in a way that they would be bound by the direction in which ESA must go. All the issues that we are kicking around here about

sharing education will, I believe, become central to the discussions on ESA. I hope that ESA is not bogged down in purely administrative work. That is for other people to do. We should perhaps have some hope for the future that this is potentially a very creative Bill and one that, if we get it right, will really help to move the whole community forward. I just wanted to say that, despite our reservations about aspects of the Bill.

Mr Rogers: I have one more question. I welcome the emphasis on sound management, leadership and governance and the "accountable autonomy" that we talk about. The grammar schools are very much into the voluntary principle. Do you believe that that principle should be enshrined in the legislation?

Mr J Clarke: We need a definition of what the voluntary principle means. We see "accountable autonomy" as being the taking of elements of the voluntary principle and making them available to all schools that wish to have them, but making them available, as I said, first, by desire within a board of governors and, secondly, by a commitment showing that they can handle that greater devolved autonomy. We do not want a more fragmented independent sector. We want schools to play an important role in communities and to be interdependent. The future requirements of our education system will be such that in many cases, as I think has been shown by the experiences of the post-primary area-learning communities, we cannot provide in one institution everything that young people want from an education system. Therefore, we think that the concept of curricular sharing is an element of accountable autonomy, as indeed might be the sharing of professional development and expertise.

There are financial dimensions to that as well. One of the characteristics of the voluntary school is that it lives within budget. Would that we could get all schools to live within budget. Therefore, there are encouragements to do that, but we are into an inclusive education system.

As Bishop Donal has said many times, Catholic education is not just education for Catholics. We believe that parental choice means that parents have the right to choose any school, and there should be no impediments to accessing that school. In that context, the school ought to have a commitment to its community. The broader services that can be provided by a community, particularly in areas of social disadvantage, to ensure that the education of young people can be promoted would be enhanced. We achieve that by saying to governors that we will give them the tools to do the job as they think it needs to be done, provided that they show us that they have the capability to do it. I believe that that would encourage more volunteers because they would be doing things that are direct contributions to their community.

Bishop McKeown: First, we want to encourage the voluntary principle in all cases, but since all public schools are publicly funded, they have to be accountable to the greater whole rather than just to their constituency. Secondly, we have to ensure that big schools can do things in the way in which they want to, and we have to remember that a vast percentage of our schools are small schools, which simply do not have the capacity to go off and be self-governing. Therefore, how do we get the tightness and the looseness that enables creativity yet protects the small?

The Chairperson: I am very conscious of time because there is another group coming in to give evidence, and you will be aware that that is an important issue to pay attention to.

Mrs Dobson: Thank you for your very comprehensive answers. Much of what I wanted to ask has been covered, but I will touch again on ethos. Father Bartlett and others spoke in great detail about ethos, and I get the impression that you are not content that there are enough protections in the Bill to ensure that the ethos of the schools will be retained when the new school governors are appointed.

I will take you back to issues that Sean mostly covered. In your submission, you argue that the Bill should include a requirement for boards of governors to ensure the continued viability of Catholic schools. You also argue that sectoral bodies should take precedence over boards in determining new governor appointments — your wish list, so to speak. Have you received any feedback from the Department on those issues?

Mr J Clarke: Not really. The point that we are making about clause 39 is that some schools will be the submitting authority. Therefore, the board of governors will be the submitting authority for the scheme of management and scheme of employment. In the case of the Catholic sector, there is a sectoral body, which will be the submitting authority. Therefore, the sectoral body should be consulted. Otherwise, there is confusion as to who has the priority. The existing governors on the

board may be renominating themselves or the support body may say, "Here are the trustee representatives that we believe would be advantageous to the school."

There are different splitting authorities, and it is the way in which the Bill is drafted. We are simply making the point that that needs to be clarified in the Bill. Where the boards of governors are the submitting authority, they are the people who ought to be consulted, but where there is a sectoral body, we believe that it should be consulted and should have the priority view.

Mrs Dobson: Feedback from the Department?

Mr J Clarke: No, we have made the point generally to the Department, but we have not had any detailed discussion on it.

Bishop McKeown: An example of where we are coming from is that there would be a sectoral body, but the seven schools in the Edmund Rice Schools Trust would have their own particular vision of or take on the ethos on the scheme of management, so we would try to hold together a range of different approaches. However, I think that they would want all seven schools in that trust to have a comparable vision, rather than every school going off nominally with a particular name but just doing its own thing. That sense of cohesiveness adds value, but we are looking to try to maximise that and yet allow people to be independent.

Mrs Dobson: Do you believe that your influence with schools would increase or decrease if the Bill were passed into law in its present form?

Bishop McKeown: We have been arguing for a balance to ensure that the trustees can play their distinctive role.

Mrs Dobson: So you think it would decrease?

Mr J Clarke: No. What Father Tim was trying to convey was that, as currently drafted, clauses 33 and 34 are clumsy and lack clarity. For instance, the heads of agreement, which were never intended to be a legislative document, are written into the clauses. We do not believe that there is a place for the heads of agreement in the clauses, but we need clarity on the role of the submitting authority and the level of consultation to determine outcomes for a scheme of management and a scheme of employment. What we are looking for is clarity in the Bill. If that clarity is there, we are content that it will deliver for us the assurances on ethos. Of course, that clarity also requires us to have a definition of a Catholic school. That is why we have focused on clause 63 and the fact that we believe that the trustees or the bishops, not the Department or the Minister of Education, need to have a role in determining what a Catholic school is.

Mr Lunn: I have heard a lot today that actually encourages me. On balance, I think that I am hearing that you are prepared to work with ESA. You certainly said that, if we have manage it properly, you think that it has the potential to do some real good. I have been keeping count, Bishop John. I think that, on balance, you have now indicated that you are prepared to put up with the schemes of employment and the management scenario.

On the back of Jo-Anne's question on clause 39(2), is it your intention that the sectoral body would actually have the final say in the appointment of governors?

Bishop McKeown: The trustees of each individual school would have the final say because they are nominating the governors.

Mr J Clarke: That would happen with trustee governors only. That is largely the current situation.

Mr Lunn: OK. All my points will be brief, Chairman. You made various references to the heads of agreement. Frankly, I agree with you. It is a pity that we have to incorporate a reference to a political agreement in a legal Bill that will become an Act of Parliament. However, I cannot help thinking that if there were no heads of agreement, there would be no ESA. Maybe you would agree with me on that. The heads of agreement make the previous debacle much less likely. So, I think that, frankly, we are stuck with them. Do you agree that there is no point trying to remove from the Bill references to the heads of agreement?

Mr J Clarke: On the contrary. Our view is that the heads of agreement were there to give guidance to the Bill, not to be the Bill. I do not think that they were written to be the Bill. This matter is for the drafters. However, it seems to us to be a rather clumsy arrangement for a Bill to be dictated by something that is external to it and is simply a bolt-on to it. If there is confusion in the heads of agreement, and there appears to be a degree of confusion with this in the sense that people are interpreting parts of it differently, it actually works against the principle of good legislation. So, we need legislation that is clear.

Mr Lunn: Yes. The heads of agreement are in the fine tradition of all agreements in this country. *[Laughter.]* They are phrased in such a way that means that they can mean all things to all men and are capable of having any number of interpretations. That is how we manage to get through somehow and end up with another impasse, following which, we have another agreement. I do not think that we can remove the references; they are there to stay.

I was very encouraged, Bishop John, by your reference to area-based planning and by the fact that you do not intend to plan your own estate in isolation. I have crossed swords with Gerry previously about the historical fact that you actually appear to have been quite determined to plan your estate in isolation. I do not know to whom I am addressing this point, but will there be a change of heart? Do you think that it has always been that way?

Bishop McAreavey: I will let Gerry answer for himself. We will want schools, and we will want new schools when they become necessary. Certainly, I think that, where there are new communities, our preference will be to have a Catholic school so that parents who want to choose a Catholic education for their children will be able to do so. So, I start from that position, Trevor. However, obviously, we are in a time of partnership. We are also in a time of austerity, which does not look as though it will change that quickly. So, there are resource issues. We know that there will have to be discussions on some of those issues. We think that our sectoral body will be able to take up some of that responsibility and do that negotiating. Gerry does that on the ground and knows more about it than I do.

Mr Lundy: We take an approach to school planning, and even to area planning, that we think is the correct approach. You have to start off by looking at your own house. It would be completely inappropriate for any sector to take on board another sector's planning responsibilities. The key difficulty that we have had in the education landscape in Northern Ireland until relatively recently is that, when each sector has done that, there has not been any formal mechanism whereby they could share their thoughts and then engage in what I would call a reconciliation process. The latest and current area-planning process has begun to facilitate that, and through the post-primary process, an important number — although I would not call it a significant number — of our original proposals have been modified and adjusted to meet the needs of other communities and other sectors that have suggested and proposed changes. The bishop referred to the area planning. That cannot be done in isolation, and there needs to be a forum through which that reconciliation process can be handled and can progress.

Equally, at the start of the area-planning process for our primary schools, which is ongoing, CCMS met all our primary schools in March and set out what we were going to do initially. We invited all our schools to respond to the area-planning process and to outline where they felt that there was a cross-sectoral or cross-community opportunity either to retain some form of provision for them or to assist other sectors. We see that as a bottom-up approach, and that has borne through for the process. Yes, we are very focused on initial planning, but we absolutely see that a step has hitherto been missing in which real reconciliation of competing proposals or opportunities can be discussed and brought forward to the next stage.

Mr Lunn: I think that you said that the current process has borne fruit, so are you saying that, as a result, there may be opportunities for the amalgamation of controlled and Catholic maintained primaries?

Bishop McKeown: Can I answer that with a point that I wanted to make? It is important that your Bill does not allow just for the current provision of schools. There is going to be an increasing demand in the future for avowedly secular schools in Northern Ireland, access to which is currently not available. We certainly want the Bill to at least say nothing that would prevent a joint-faith school in the future, because I think that, in the future, many will say that the choice is between either a faith-based education or a secular education. So, rather than just asking whether we should amalgamate the controlled and the maintained, we should ask whether the law will not exclude the possibility of a joint-

faith school with different sets of trustees. All of us who are active in the Churches, which are, let us be honest, minority practices in the Northern Ireland population —

Mr Lundy: Proposals for the primary sector, limited though they may be, are emerging, and people want a joint-faith solution. They do not want an integrated school but a shared school that is controlled and maintained to retain provision in the area for the whole community. So, as Bishop Donal indicated, the difficulty is that there is only one convoluted, if that is the correct term, route to use to establish such a school. Some such proposals have emerged and are being proactively explored, Trevor.

Mr Lunn: I am glad to hear it. I am not just talking about joint-faith schools; it is the same thing to me. I am really trying to tease out your willingness to perhaps give up some control in particular sectors for the greater good of the area. If the best solution is the amalgamation of two schools that are not from the same sector, are you willing to accommodate that?

Mr J Clarke: Much of that has to come from the community itself, because, if either the controlled or the maintained sector try to promote this —

Mr Lunn: Wherever it comes from.

Mr J Clarke: Yes, wherever it comes from, and we will facilitate that where it meets young people's educational needs. We have focused quite a lot today on religious integration. There is also a social integration in Northern Ireland that is very much missing from the conversation, and we need to keep that on board. We also need to recognise that we have polarised communities in Northern Ireland — quite significant groups of people live in communities that are single religion and perhaps single culture and single class. The concept of sharing is going to be a slow, bottom-up process. However, I think that the commitment that we can give you today is that we are prepared to play a very fulsome role in that promotion.

Mr Lunn: That is fine, Chairman. I got through that discussion without using the word "integrated" once. *[Laughter.]*

The Chairperson: Not to be confrontational, which I never would be, but if you take Jim's analysis about the community, there are some contradictions in how it operates. For example, when a community in Dungiven wanted to have a home for its Irish-medium school, the only thing that it could find that was welcome and open to it was the controlled sector.

Mr J Clarke: I am not going to get into —

The Chairperson: You know what I mean.

Mr J Clarke: Actually, —

The Chairperson: It is not just as simple as saying that if the community wants it, we will provide it.

Mr J Clarke: I do not think that we should get into the detail of that; I will let Gerry deal with it. However, I will make one general point, which is that we must have sustainable schools. That, essentially, is the point that Trevor is making.

Mr Lundy: I take your point about Dungiven. However, with respect, to facilitate the Irish-medium community's desire to have a stand-alone school, CCMS proactively managed and facilitated the closure of our existing model, which the community no longer wished to have. So, we supported the delivery of that by closing a very successful provision that had quality outcomes for our young people but that no longer met the community's needs, which it expressed. I think that that showed the flexibility of our sector in particular. It was not about our saying that they were our pupils and we were going to keep them and our saying that it did not matter what the community wanted. We brought it forward, and, as you are aware, it was a very complex arrangement.

The Chairperson: Danny, you can ask just one final question. We have really strayed beyond our time.

Mr Kinahan: My question relates to consultation. During all this, and from the answers that I have had, the only consultation that seemed to happen was when you talked to your schools, so I congratulate you on that. Some did reply to me before you stopped them. I am concerned, and we need to put somewhere in the system a mechanism for talking to parents and one for talking to governors. If you look at our education system, you will see that such a mechanism just does not exist, although you have it more than others. Will you support trying to get some system, possibly through the Bill, that gathers people together that means that it is about not just ESA and the controlled bodies but that teachers are actually talked to? Again, that may not necessarily happen just through you. Consultation really seems to be missing throughout the system.

Bishop McKeown: Schools need communities, and communities need schools. It is a matter of how we get that balance right so that people feel that they are involved in their children's education. I agree with you.

The Chairperson: Thank you very much for your time. I extend to Bishop McAreavey our best wishes for his sabbatical. We have conveyed our best wishes to you in the past. Thank you for the time that you have been with us, and we look forward to hearing from you. I am glad that you engaged, as Patrick Murphy said in his article, in this exercise of "navel-gazing" with the Education Committee.
[Laughter.]

Bishop McKeown: I wish you every success with this very important task.