



Northern Ireland
Assembly

**COMMITTEE
FOR EMPLOYMENT
AND LEARNING**

**OFFICIAL REPORT
(Hansard)**

**Stranmillis University College and
Queen's University Belfast:
Proposed Merger**

22 June 2011

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Members present for all or part of the proceedings:

Mr Basil McCrea (Chairperson)
Mr Thomas Buchanan (Deputy Chairperson)
Mr Jim Allister
Ms Michelle Gildernew
Mr Chris Lyttle
Mr Barry McElduff
Mr David McIlveen
Mrs Sandra Overend
Mr Pat Ramsey
Mr Alastair Ross

Witnesses:

Mr Fergus Devitt) Department for Employment and Learning
Mr Billy Lyttle)

The Chairperson:

We have Fergus and Billy here to talk us through the issues.

Mr Fergus Devitt (Department for Employment and Learning):

Thank you very much, Chairperson. I am grateful for the opportunity to brief the Committee on this issue and to give an update on the outcome of the public consultation on the proposed merger of Stranmillis University College and Queen's. I understand that the Committee has already

received a summary paper of responses, and I know that the Minister is keen to receive the Committee's views as soon as possible.

Members may recall the announcement in April 2008 by the chairperson of the governing body of Stranmillis of his proposal in principle to merge with Queen's University. Legislation is not normally required to effect the merger of two independent higher-education institutions; however, to transfer the property, rights and liabilities of the governing body of Stranmillis to Queen's requires that the college be formally discontinued by subordinate legislation, subject to affirmative resolution by the Assembly.

In order to take matters forward, the college was required to develop a full business case to relevant HM Treasury standards to support the proposal. That was submitted to the Department for Employment and Learning and subsequently to the Department of Finance and Personnel (DFP) for consideration, and approved by both Departments. The college's governing body has also carried out a consultation on an equality impact assessment (EQIA) on the proposed merger. Having considered the responses, the governing body concluded that the proposed merger would have no adverse impact on any of the section 75 categories or on good relations generally. Both those documents, along with the Taylor report, are already in the public domain and on the Stranmillis website.

Although the outcome of the EQIA exercise was satisfactory, both the Department and the governing body were aware of some stakeholders' concerns about the ethos of the college and the protection of its estate after any merger. The issue of ethos was discussed in some detail with Stranmillis, Queen's and the Transferors' Representative Council, and legal advice was obtained. The resulting proposal, as outlined in the consultation document, is to provide for relevant key stakeholders, including the controlled sector, to have a direct advisory role in the proposed Stranmillis school of education at Queen's. That would mean the establishment of a stakeholder forum on which interested parties will have appropriate representation. The stakeholder forum will have an advisory and consultative role in the governance of the new school of education.

Queen's University also gave an assurance that there would be no change to the teaching of the agreed religious education curriculum should the proposed merger take place. The programme to prepare a sufficient number of religious-education teachers to deliver the agreed curriculum in any school in Northern Ireland would continue post-merger. The legislation to

discontinue Stranmillis will require that of Queen's if the merger proceeds. Likewise, the legislation will include safeguards to protect the Stranmillis estate in the public interest; it will cover the use to which the estate is put and any future disposal of all or part of it. Moreover, as you may be aware, the estate is in a designated conservation area and is already subject to a wide range of planning restrictions that may further restrict the feasibility of any disposal or future use.

It was on the basis of the legal advice and the assurances provided by Queen's that the proposed discontinuation of the college and its merger with Queen's were put out to public consultation on 15 March. The consultation solicited views on five main areas: the proposed discontinuation of the college and its merger with Queen's; the creation of a world-class school of education on the Stranmillis campus; the protection of the traditions, values and ethos of Stranmillis; the provision of an advisory and consultative role in the Stranmillis school of education at Queen's; and the retention of the land and buildings on the Stranmillis campus for educational purposes. Respondents were also given the opportunity to raise any other issues that they believed had not been taken into consideration in the consultation document or in the business case, and to make any other comments or observations.

The Department received 55 responses to the consultation, 42 of which came from individuals. As you have a copy of the summary paper on the responses, I do not intend to go over it in detail, but we are happy to discuss any of the points in it.

The Minister intends to publish a report on the consultation outlining the conclusions that he has drawn from the exercise and the direction that he intends to follow. The work on the report is expected to be completed over the summer, after which there will be further engagement with the Committee. The Committee's interest in this very important issue is extremely welcome. We are happy to address any issues that the Committee may have at this stage.

Mr P Ramsey:

You are very welcome, gentlemen. I recall the debate in the Chamber, when the big concerns were around legislating for and protecting the Christian ethos. Hopefully, that can be legislated for. St Mary's College will be affected, but what discussions have there been with it? I recall the debate when you came here previously. St Mary's feels that its numbers have been deliberately capped in recent years and that it has not been allowed to increase those numbers. St Mary's believes that there has been no formal engagement with it and that it is being excluded from the

process. What is your insight into the way forward for St Mary's?

Mr Devitt:

You raised a couple of issues, the first of which was numbers. You are aware of this, Pat, but for other members' information: the Department of Education sets the intake numbers for teacher-education colleges, not the Department for Employment and Learning. The Department of Education runs a teacher-demand model to determine what numbers should go into teacher education.

There has been engagement with St Mary's. St Mary's has done at least two pieces of work on strategic options for its future, and we have discussed those with it. St Mary's said that its intention is to remain an ethos-based institution; it is not considering any merger at this point in time.

Mr Billy Lyttle (Department for Employment and Learning):

When the merger was first proposed by the Stranmillis board of governors, it approached St Mary's. At that stage, St Mary's signalled that it was not interested.

Mr P Ramsey:

That is fair enough. However, I am still not clear. The information that I am getting is that St Mary's feels excluded. St Mary's has decided that it does not want to be part of a merger; protecting its integrity is fundamental for St Mary's. In paragraph 3.6.2 of the consultation responses, St Mary's states:

"The protection of the tradition, values and ethos of St Mary's (in the context of preserving educational diversity and pluralism in Northern Ireland) should be taken into account".

St Mary's says that because it believes that they have not been taken into account. Why should St Mary's feel that way? I am not suggesting for a minute that you have not engaged with St Mary's, but its strong feeling is that the Department does not want to know.

Mr Devitt:

You are getting certain information, Pat. All I can say is that there has been engagement with St Mary's on this issue. St Mary's has done significant work on possible long-term strategic options and has engaged consultants to help with that work and recently produced a report. Part of that work is looking at what additional income streams it might generate from continuous professional

development work and other activities. We have engaged with St Mary's in that process. We are aware of what is in that strategic options document. We continue to fund both university colleges on the same basis; there is parity between them

Mr P Ramsey:

You made the point that the Department of Education determines needs and numbers. What discussion has your Department had with DE on collaborating to assist St Mary's?

Mr Devitt:

We engage at official level when numbers are being determined and because we need to decide the financial implications that they might have. Our Minister is due to meet Minister O'Dowd next week, I believe, to discuss a range of issues, including teacher education.

Mr P Ramsey:

Therefore although you do not determine numbers, you can influence them.

Mr Devitt:

Although the teacher-demand model is run by the Department of Education, the financial implications of the intake are for the Department for Employment and Learning. Therefore, there will always be a discussion. Ultimately, however, it is for the Department of Education to determine what it believes to be appropriate intake numbers.

The Chairperson:

I know that that is the case. Surely, the people who look after student teachers must carry out some review on whether they find jobs. There must feedback on whether we are producing too many or too few teachers.

Mr Devitt:

My understanding is that that is part of the overall teacher-demand model that the Department of Education uses. Several metrics go into it, including drop-out rates; how many are on the substitute teacher register; and how long student teachers have to go before getting a job. A range of information goes into determining how many new teachers are coming into the system to replace those who are leaving.

The Chairperson:

If we wanted a copy of such a matrix, would we ask you, Fergus?

Mr Devitt:

You could ask the Committee for Education.

The Chairperson:

Perhaps, Pat, we should ask for those details.

Mr P Ramsey:

I will finish with one question. Can the Department evaluate the extent of St Mary's needs in conjunction with that merger? The college believes that it is being frozen out.

The Chairperson:

What exactly are you asking the Department to do, Pat?

Mr P Ramsey:

One issue that has been raised is equality. A consultee said that in order to show no bias, the position of St Mary's needs to be evaluated along with that of Stranmillis. Given St Mary's concerns, I ask that its needs be re-evaluated in conjunction with the merger.

Mr Devitt:

It is our intention to continue our engagement with St Mary's on its strategic options.

The Chairperson:

Paragraph 3.3.5 states that:

“St Mary's University College responded that it strongly agreed”.

There is a consultation and an opportunity to add information; it is part of the submission. What do you want the Department to do over and above what it is already doing, Pat?

Mr McElduff:

My question is supplementary to that if you want to take it now; I see it as adding value to that.

The Chairperson:

I am happy to take it now.

Mr McElduff:

Paragraph 3.7.2 states that:

“The traditions, values and ethos of St Mary’s... should be protected, in legislation at the same time as legislation enabling the merger.”

Is there scope in developing the merger for the ethos of St Mary’s to be protected in the same or parallel legislation?

The Chairperson:

We will check the legislation when it appears. I will let the Department answer that. However, I know what it will say.

Mr Devitt:

The Committee will see the legislation. That point was made in the context of legislation on protecting ethos in a proposed merger. St Mary’s told the Department that, at this point in time, it is not considering a merger. Therefore, there is, in some ways, no need to protect its ethos because it is already part of the institution.

Mr P Ramsey:

The issue may not be about ethos; however, it is certainly about the college’s future integrity.

The Chairperson:

I will take other members’ questions; we will wrap that up at the end. I understand your concerns, Pat, but I want to move through the agenda.

Mr D McIlveen:

I draw your attention to paragraph 3.1.3 and the Equality Commission’s:

“vision of a cross-community School of Education”.

Several constituents of mine who are unemployed, newly qualified teachers from a unionist/Protestant background would give their right arm to teach in a Catholic maintained school. However, they face various obstacles, one of which is the certificate for religious education, which I understand from the Education Minister costs about £500 and can be done by a correspondence course through the University of Glasgow.

Will there be plans in the merger to incorporate that into the teaching course to enable them to fall within the ethos of that vision of a cross-community school of education? If newly qualified teachers left our home-grown colleges with that certificate, would that be on the agenda for consideration?

Mr Devitt:

It is one of the options for protecting the ethos of Stranmillis in a merged institution. You are right; it is about £400 or £500 per certificate, and we contribute towards the cost of that for students at Stranmillis. I imagine that that option would be considered.

Mr D McIlveen:

Can you consider it? Is there an undertaking that it will not be put on the long finger but fully incorporated?

Mr B Lyttle:

Queen's has indicated that it will facilitate students undertaking the certificate at its merged school as they do at an independent Stranmillis. Queen's would not stand in the way.

The Chairperson:

That is slightly different. Some people are annoyed that they have to pay £500. If you are providing a course of education, it should surely prepare you to teach in every school in Northern Ireland.

Mr Devitt:

We can discuss Queen's approach with it. It said that it would be willing to allow that process to continue, as happens at present at Stranmillis. Whether that would be embedded, for want of a better word, as part of the course and the costs absorbed, is something that we would need to discuss with Queen's. However, we are happy to do that.

Mr Allister:

What does it tell us about the efficacy of the original section 75 exploration that those promoting this merger decreed that there were no section 75 issues?

Mr Devitt:

In the equality impact assessment, the Equality Commission, from my understanding, was content with that assumption and finding. However, after further discussion, issues emerged about ethos and the protection of the estate, but in particular in relation to section 75 around the ethos. The Department and Queen's recognised that. I do not know what it says about the original equality impact assessment.

Mr Allister:

It tells you that it was absolutely woeful and that the issue was not addressed at all: no one in their right mind could conclude that this merger does not raise section 75 issues.

Mr Devitt:

The Equality Commission was content with the original equality impact assessment.

Mr Allister:

Perhaps that tells us more about the Equality Commission than about the answer to the question. Even now, you are saying, "We have to do a cosmetic exercise, so we will set up an 'advisory forum'", which most of your respondents rightly reject as window dressing.

Mr Devitt:

The advisory forum was a suggested mechanism for addressing ethos in a merged institution. The Transferors' Representative Council said that it was content that if that could be protected in legislation it would be —

Mr Allister:

Most of your respondents rejected it.

Mr Devitt:

The transferors, who represent the Churches on this issue —

Mr Allister:

The ethos will not be protected. Once Stranmillis becomes an integral part of Queen's, its ethos cannot be protected; nor can it be compatible with the ethos of Queen's University.

Mr Devitt:

The consultation set out to explore that. You are right: some respondents said that, in their opinion, the ethos cannot be protected. We need to determine the actual position, and the Minister will take a view on whether the proposed merger should proceed and what protection —

Mr Allister:

Does that not take us to the heart of the equality issue? We can talk grandly about designing a new higher-education framework to do all sorts of things, but we will pre-empt that by this merger. In doing so, we will shut down the ethos of Stranmillis and tell potential Protestant/unionist students that they can go to Queen's, which will be utterly neutral in its ethos. However, we will tell potential Catholic/nationalist student teachers that they can go to St Mary's, whose ethos is writ large, or to Queen's, and then they can compete with those who used to have an institution that protected their ethos for the jobs that they used to get.

Mr Devitt:

Addressing ethos came up in discussions. Following legal advice, the consultation document set out how that could be addressed —

Mr Allister:

By an advisory forum.

Mr Devitt:

That was suggested. At this point, the transferors believe that it is sufficient to address concerns about ethos.

Mr Allister:

It is window dressing.

Mr Devitt:

Well, the transferors said that they want to see the wording of any legislation.

Mr Allister:

As long as it is only advisory, it is merely box ticking; it provides no clout. The ethos disappears, we get the comfort blanket of an advisory council that says, "We hear what you say", while you

carry on.

The Chairperson:

I will interrupt you there, Fergus. The point has been made, Jim. There will be a Hansard report containing our responses, and you are welcome to write to us.

Mr Allister:

I am happy enough.

The Chairperson:

If there are other issues that you wish to raise —

Mr Allister:

I will leave it for today.

Mr McElduff:

I am happy.

The Chairperson:

I beg your pardon.

Mr McElduff:

I asked a supplementary to Pat Ramsey's question.

Ms Gildernew:

Thank you, a Chathaoirligh. First, I apologise for being late and for having to leave shortly; I have to go to an important Health Committee meeting in Derry.

Mr P Ramsey:

It is important that you do that, Michelle.

Ms Gildernew:

Absolutely, Pat. I knew that you would say that; that is why I mentioned it. I am sorry that I will not be here, as I would have liked to stay for the whole discussion. In response to Jim's point, I

was under the impression that the controlled sector was neutral anyway, but there you go; I have had an education this morning. The merger seems to be creating difficulties. I heard the tail end of Pat's and Barry's points, and I concur with them. I have received correspondence from constituents who work in Stranmillis and who are aggrieved by the lack of communication with staff. One in particular says in her letter that she has lost confidence in the governing body and that there was no communication or consultation with staff.

Mr Devitt:

OK. My understanding is that structures were set up to take the project, for want of a better word, forward as far as possible before the consultation. Forums were set up for staff and students. I am not aware of how often they met, but they were available. It is also my understanding that staff, students and support staff are represented on the governing body; therefore there are structures to allow communication. In a change as large as this, people can always say that communication could be better. However, I understand that structures have been put in place and that there has been engagement with the unions as well.

Ms Gildernew:

She used the word "misled", which is quite a strong allegation. She says that she feels that she and the governing body have been misled. I want to flag that up as a concern.

Mr B Lyttle:

I want to reinforce what Fergus said about engagement with the unions. We understand from the board of governors at Stranmillis that the staff unions at the college have agreed the terms and conditions of transfers of staff to Queen's, should the merger proceed.

Ms Gildernew:

I hope that that message is getting through.

Mr Devitt:

It is difficult to comment, as I am not sure what they feel they have been misled about. However, if it is a specific issue, I am sure that it can be addressed.

Ms Gildernew:

I do not want to say who she is, but I may write to the Department to clarify the issues that

concern her.

The Chairperson:

It might be appropriate for us to ask the Department to outline its engagement with St Mary's, as some members are concerned that it has been left out. Perhaps you could set out the stages for us and ask St Mary's whether it wants further involvement.

The second point is about engagement with staff and the unions; we will write to you about that. However, it is my understanding that the union is not entirely happy, as it thinks that certain issues can be resolved but have not yet been resolved. You can check the position on that, and, at the same time, we will see what steps have been taken to keep members informed. Is that to everybody's satisfaction?

Mr McElduff:

When do we expect to hear from St Mary's University College on a generality of issues? When will it be in the forward work programme?

The Committee Clerk:

September.

Mr McElduff:

Will we have an opportunity to tease out the issue then?

The Chairperson:

That will be a substantive item of business for the Committee. At this stage, we are taking the Department's consolidation of the consultation. If I read it correctly, over the summer the Minister and the Department will consider their response. It will be brought back to us, and we will have further discussion on the various points. In the meantime, members are welcome to write to the Department for clarity. St Mary's will come to the Committee for discussion, and we will have a chance to get to the bottom of things. Gentlemen, thank you very much; we appreciate your time.