

CCEA

COUNCIL

Minutes of the one hundred and thirty-eighth meeting of Council, held on Thursday 21 May 2020, at 1.30 pm via MS Teams.

Present : Mr T Carson (Chair) Dr L Caul
Mrs C Harpur Mr RJ Thompson
Mr C McKinney Mrs C Fitzsimons
Ms R Byrne Dr A Kerr
Mrs K O'Hare Mr B Wilson
Ms P Slevin Mrs P Leitch
Mrs S Kirk

Mr J Edwards (Chief Executive)
Mrs L Scott (Director of Finance & Corporate Services)
Miss M Farragher (Director of Education)
Mrs S King (Head of Regulation)
Mr J Daly (Financial Services Manager)

Miss N Kennedy (Manager, Council Secretariat)

Introduction

The Chair welcomed members and officers to the meeting and advised on the protocols for participation.

1 Apologies

None received.

2 Conflict of Interests

Members confirmed there were no conflict of interests on any of the agenda items.

3 Chair's Business

The Chair confirmed that Ms Clare McNicholl, CCEA Regulation, would join the meeting for Item 7 : Final Report on the Modern Foreign Languages Review.

Confirmation of New Member of Council

The Chair advised that Mrs Marlene Kinghan was appointed to the Council on 19 May 2020 (notification was received from DE on 20 May. He confirmed he would make contact with Mrs Kinghan as soon as possible.

Expressions of Interest : Chair of Regulation Committee

The Chair asked for expressions of interest from members to Chair the Regulation Committee once normal business arrangements resumed. He anticipated that the first meeting would be during the autumn term.

Sub-group of Council

The Chair thanked members for responding to the invitation to sit on a sub-group of Council to discuss how the Council operates, and ways in which business may be conducted moving forwards. He confirmed that a meeting would be scheduled for late June/early July and members advised accordingly.

Chair's Report to Council

The Chair confirmed that he had attended no external events, however had been involved in discussions with Chair's Forum members using Zoom, to reflect on good governance across the public sector during the Covid-19 outbreak; specifically, to share approaches, highlight system concerns or solutions and identify any collective action.

He advised that he had spoken to the Permanent Secretary (DE) to confirm that Council had met on a weekly basis to receive updates from the Chief Executive, and to support the Executive Team during this demanding period. The PS appreciated the support provided by the Council.

Meetings with the Chief Executive: The Chair confirmed that the regular 1-1 meetings with the Chief Executive continued on a fortnightly basis via telephone and MS teams, to update him on a range of issues and developments in regards to the operational effectiveness of the organisation.

This concluded the Chair's report.

Chief Executive's Report to Council – Update – COVID-19

Corporate

The Chief Executive confirmed that in light of the gradual lifting of restrictions work continued on returning to the CCEA buildings through a hybrid of home and site working. The team is currently working through space utilisation, taking cognisance of the health and safety advice and PHA guidelines. He assured members that this will be a gradual process with the safety of staff a priority, and to ensure continuity of business processes.

The Chief Executive advised on a pre-action legal case which has been instigated by an individual in regards to the alternative assessment arrangements for Summer 2020. The Chief Executive undertook to advise Council, should the matter escalate.

Awarding & Modelling

The Chief Executive confirmed that work was almost complete in regards to the applications to capture the centre assessment grades and rank orders. The Director of Education and her team are working with contractors and service suppliers to finalise this work. The technical work and new IT system are also nearing completion.

A significant amount of work is underway to provide guidance to schools and centres where needed. This has been welcomed by school principals and senior leaders. The Chief Executive commended the commitment of the teachers involved in the provision of teacher professional judgements; the way in which they have engaged in the process; and for their diligence in fulfilling this obligation.

Work is also progressing on the provision of arrangements for private candidates and for protecting vulnerable private candidates.

General

The Chief Executive advised that discussions were underway on arrangements for the November 2020, January and Summer 2021 examinations series across the 4 jurisdictions.

The development of a 'Restart' strategy (post-Covid-19), and discussions with the Chief Regulators were underway to identify and understand where the differences across the 4 countries may occur and plan accordingly, given the significant dependency of when and how the schools will reopen. These discussions were at an early stage.

The Chief Executive confirmed that the Permanent Secretary had issued a letter advising on the working groups that would be taking forward a variety of work-streams, to include the re-opening of schools. He was representative on the working group and would obtain the necessary information from DE and PHA guidance in order to prepare appropriate advice for Council consideration.

The Director of Education and Head of Regulation are considering other issues including unit modules and how they can be delivered in the options available.

The Chief Executive confirmed he had written to the Permanent Secretary (DE) on 21 May 2020 in regards to the programme strands being discussed at DE's 'Restart' Programme Board meeting. CCEA would have an input to all strands as appropriate.

A Council member said it would be important for CCEA to be proactive in CCEA seeking a view from DE on what schools will be required to do in terms of health and safety provision, social distancing measures and other arrangements to be put in place in advance of re-opening. An early understanding of what the pressures from the business sector would also benefit CCEA in business planning moving forward.

The Chief Executive advised that DE is considering the 'Safe Return' strand of work. In discussion with the Chief Executive of the Education Authority (EA), they agreed it would be important for both CCEA and EA to have a shared understanding of the PHA advice to ensure appropriate arrangements can be made. He confirmed he had written to the Permanent Secretary (DE) asking to be kept informed of the PHA advice as it is released.

A Council member, whilst recognising the significant amount of work being undertaken in regards to the examinations, sought clarification on whether time would be set aside for the Council to consider the curriculum offer, a consistent approach for all with a syllabus that meets the needs of learners over the next 12 months. The Chair advised that time would be set aside for Council to take a view on the curriculum, however at present the priority was the arrangements for the 2020 examinations. In terms of other issues, he stated that CCEA had to operate within its authority limits and address the organisational priorities.

The Chief Executive shared a graphic outlining the strands being set up by DE. He gave an overview of the different types of work under way. He assured members that CCEA would be involved in those areas of work within its remit and an appropriate governance structure had been put in place on each strand.

Members welcomed the developments in this area.

Regulation

The Chief Executive confirmed that the consultation on the Appeals Process closed on 21 May 2020. To date over 600 responses had been received. Options will now be developed for presentation to the NI Assembly Education Committee on 3 June 2020, and following this, to Council for consideration and ratification.

The Chair and Head of Regulation will also attend the Education Committee session with the Chief Executive on 3 June.

Minor amendments have been made to the Head of Centre Guidance, and the Guidance for Private Candidates has been released on the website. A clause on Conflicts of Interests has also been included.

Assessment

The Chief Executive confirmed that statutory assessment has been temporarily stood down, with a flexible approach being adopted in regards to reporting. This decision was welcomed by CCEA.

Curriculum

Work continues with the Education Authority (EA) in producing different strands of resources to support home learning.

Communications

The Chief Executive advised that work was underway on providing information on Vocational Qualifications, and communication on the Appeals process. He was conscious of the media interest around CCEA on teaching time and the transfer test, and confirmed these were being monitored to ensure that CCEA's role and responsibilities are stated clearly.

The Chair stated there was a need for a clear communications strategy to be put in place for the appeals process to ensure expectations are managed and a clear understanding of the procedure.

This concluded the Chief Executive's report to Council.

FOI Requests

C/138/1

Members noted the most recent FOI requests.

4 Minutes of the previous meeting held on 23 April 2020

The minutes of the previous meeting held on 23 April 2020, were proposed by Mrs Christine Harpur, and seconded by Dr Ana Kerr, as a true and accurate record. A copy would be made available for the Chair to sign once normal business arrangements resume.

Action points

Members noted the status of the action points.

Minutes of additional Council Covid-19 Briefing Meetings

The Chair advised that the following meetings had been convened to appraise Council of the current situation in regards to arrangements and mitigations for Covid-19.

29 April 2020

The minutes of the previous meeting held on 29 April 2020, were proposed by Dr Les Caul, and seconded by Ms Patricia Slevin, as a true and accurate record.

6 May 2020

The minutes of the previous meeting held on 6 May 2020, were proposed by Mrs Kathleen O'Hare, and seconded by Mrs Paula Leitch, as a true and accurate record.

13 May 2020

The minutes of the previous meeting held on 13 May 2020, were proposed by Mr Robert Thompson, and seconded by Mrs Christine Harpur, as a true and accurate record.

5 Correspondence

The Chief Executive drew attention to the following correspondence :

- Ministerial Direction on Vocational Direction
- Internal Audit Business Case
- Ministerial Direction under Article 78(3) of Education (NI) Order 1998
- Circular to CEs of ALBs : Review of Relationships between Departments and ALBs
- Ministerial Direction under Article 101 of the Education and Libraries (NI) Order 1986 and Article 78(3) of the Education (NI) Order 1998
- CCEA Examination Appeals Consultation

He drew attention to the Ministerial Direction under Article 101 of the Education and Libraries (NI) Order 1986 and Article 78(3) of the Education (NI) Order 1998 (13 May) providing cover to direct CCEA to continue with the work instructed to do so. The Chief Executive sought and received confirmation from members that there were no objections on CCEA continuing with the work as instructed (under this article).

Vocational Qualifications

The Chief Executive advised that additional resource had been provided to Regulation and this was proving successful in progressing the work in regards to Vocational Qualifications. He confirmed that DE and DfE were considering the working relationships between the two departments with a view to making decision making powers more equitable.

A Council member expressed concern at the pace of change in Vocational Education and suggested that CCEA consider how this responsibility could be taken forwards in light of COVID-19.

The Chief Executive confirmed that it was at present being handled on a regulatory basis, however recognised the difficulties of dealing with VQs. He advised that prior to COVID-19 CCEA was undertaking a 'Future of Vocational Qualifications' piece of work for DfE, but since COVID-19 this work had been suspended by DfE. The Chief Executive stated that this work was central to providing a fit for purpose Vocational Qualification solution for Northern Ireland.

The Chair asked that CCEA's role in supporting vocational education be explored, and where necessary additional support and resource provided.

A Council member asked that in taking this work forward, care be taken not to lose the work already completed to create parity between vocational and academic qualifications, in particular assessment and the ability to work with employers in regards to work placements.

The DoE assured members that the Awarding Organisation would be keen to offer high quality vocational qualifications and confirmed that a significant amount of feedback had been received in favour of a mix of qualifications to support blended learning in schools, however additional resource would be required to take this work forward.

The Chair agreed that time be set aside to explore the main issues in regards to vocational education, in order to provide advice when requested to do so.

6 Audit

Audit & Risk Assurance Committee Minutes : 29 April 2020

Members noted the minutes of the ARAC meeting held on 29 April 2020.

Covid-19 Update and Contingencies

The Chief Executive confirmed that this item had been covered under his report at Item 3.

Corporate Risk Register 2020/21

C/138/2

The DoFCS drew attention to the detail of the paper, and confirmed the CRR had been reviewed by the ARAC at its meeting on 29 April 2020. She advised that the document was live, and assured members that the risks were continuously reviewed by all managers to assess the risk environment, ensuring risks are identified and mitigated as they arise in the current situation.

The Chair of the Committee confirmed that a substantial report was provided at the ARAC meeting by the DoFCS who very clearly set out the identification of risk. He assured members that all matters identified have been acted upon, however urged the continuance of vigilance during monitoring, and being as proactive as possible. He wished to commend the DoFCS and her team for the work carried out on the CRR.

COVID-19 Risks

The Chief Executive confirmed that the risks outlined in CR2 were at the highest level and continued to be managed and mitigated as far as possible at the present time.

No new cases of sick leave in relation to Covid-19 had been confirmed in regards to CCEA staff and this was welcomed. Appropriate measures would be taken on all 3 sites to ensure staff can return to the building when it is safe to do so.

The deployment of business to remote working was proving successful, however plans for a new normal were being considered as it was evident that this would continue for some time. It was, however, essential for the business to continue to operate.

Thinking has begun on plans for exiting lockdown following the announcement of the Government's 5-Stage Plan. The Chair stated the importance of Council discussing the exit plan to lockdown before implementation.

Members noted the information provided.

7 Regulation

The Chair welcomed Miss Clare McNicholl, Regulation Manager, to the meeting.

For Approval

Final Report Modern Foreign Languages Review (GCSE)

C/138/3

The Head of Regulation introduced this item and advised that the review had been initiated by DE. A high level expert statistician was appointed to lead the review of CCEA Awarding Organisation's grading of GCSE Modern Languages in regards to French, German, Irish and Spanish. Stakeholder views were also sought through an online survey.

The Regulation Manager gave a comprehensive overview of the way in which the review was conducted, and summarised feedback received on the 4 criteria, as follows:

Criterion 1 : Statistical Analysis

- French and German appear severe, Spanish average, Irish lenient.

Criterion 2 : Potential negative impact on the education system in NI caused by perceived severe grading

- Entries for GCSE languages have definitely decreased. The reasons for this were not limited to grading, with content and difficulty also raised as factors.
- Number of young people taking degrees in languages not decreasing rapidly.
- No shortage of new qualified languages teachers in NI.

Criterion 3 : Dissatisfaction with the current grading in NI

- Opportunity that making a change would lead to an increase in entries – evidence not found to support this assumption (ref: Ofqual A Level English Literature).
- Risks in regards to stakeholders views.
- Parity amongst 4 languages and with England.

Recommendations

She advised that an adjustment to grading was not recommended at this stage; however, it was recommended that a more fundamental review of GCSE languages should be conducted to :

- Investigate more fully the reasons why young people do not study them.
- Review the content/structure/purpose and assessment of GCSE languages – similar to the review taking place in England.

Also recommended as part of the review, specific to Irish, was an investigation into the nature of the cohort.

A Council member raised a number of points for clarification. The Chair asked her to provide detailed comments to himself and the Chief Executive for consideration outside the meeting.

The Chief Executive confirmed the Terms of Reference of the Review had been set by DE, and the work had been carried out within these parameters. He agreed that the recommendations would be taken forward and any points members wished to provide would also be considered.

Members were content with the explanations provided on the points raised, and asked for clear communication on the reasons for not making changes once DE had accepted the report.

The report was approved for issue to DE.

The Head of Regulation thanked members for their input, and wished to place on record her thanks to Miss McNicholl for the significant amount of work carried out on the review/report.

Dr Caul left the meeting at this point.

8 Finance

For Information

Update :Examination Fees – Summer 2020

C/138/4

The DoFCS drew attention to the detail provided and advised that CCEA proposes to charge for entries for the 2020 series and invoices should be issued to centres, however will not collect late fees, amendments and withdrawals. The paper has been issued to DE for consideration, and following feedback will be revised in the context of any financial surplus that may be accrued.

She confirmed that schools have already been allocated a budget for examinations fees and therefore the funds are available to settle their invoices to CCEA.

An updated paper would be provided at the Council briefing on 27 May 2020.

Members were content with the information provided.

Update : Contract for Services

The DoFCS advised that the approach and range of options for payment to senior examiners were still under development. A paper would be brought to Council for consideration once all of the information was available.

She stated that the examiners were in contract and had already completed a portion of the work. She clarified that the contract was for a period of 11 months and therefore not treated as continuous service.

The DoE expressed concern at not being able to recruit sufficient examiners in the future, should no payment be proposed and suggested that a token payment be considered as a good will gesture. She said that there is an element of risk in that to lose relationships with markers would threaten the stability within the examinations system, and recognised the similar challenges facing the other Awarding Organisations.

Members sought and received clarification on a range of matters and urged caution with the use of public money. The Chief Executive assured members that CCEA would progress this within the scope of delegated authority and seek legal opinion where appropriate.

The Chair asked for an options paper to be drafted and brought forward to Council as appropriate.

9 Any Other Business

A Council member wished to place on record Council's recognition of the fatigue officers have faced over this period of time, and thanked the Chief Executive for the way in which he was encouraging staff to take leave as and when possible.

A Council member sought clarification, on whether staff would be permitted to carry forward a larger portion of leave into the next year, given the current circumstances. The Chief Executive advised that this had not yet been considered, however he would monitor the situation and make variations if required.

The Chief Executive confirmed that he would issue an email to all staff encouraging them to take leave to safeguard mental health, and time away from working at home to ensure work/life balance. He confirmed that Business Managers would manage their teams to ensure critical activities continued to be adequately resourced and leave approved when required.

Members were content with the information provided.

10 Date of Next Meeting

The Chair advised that Council briefing meetings would continue on a weekly basis. The next Council business meeting was scheduled for Wednesday 24 June 2020 at 1.30 pm.

