

COUNCIL

Minutes of the one hundred and eighth meeting of Council held on Wednesday 23 October 2013 at 10.00 am in Room 115, CCEA HQ, Clarendon Road, Belfast.

Present : Mr T Carson (Chairman) Mrs J Mussen
Mr M Donnelly Mr R Thompson
Mr J Wilkinson Mr E Cullen
Mrs M Crilly Mrs R Cowan
Dr P Cunningham

Mr R Hanna (Interim Chief Executive)
Ms AM Duffy (Director, Qualifications)
Miss R Kennedy (Business Manager, Curriculum & Assessment)
Mr J Daly (Financial Services Manager)

Miss N Kennedy (Manager, Council Secretariat)

The Chairman welcomed members to the meeting.

1 Apologies

Apologies were received from Mrs C Harpur.

2 Chair's Business

Appointment of New Council Members

The Chairman advised that there had been an administrative delay in the pre-appointment Access NI checks for new Council members. It was hoped they would be on board for the December meeting.

FOI Requests

Members noted the most recent FOI requests.

Stage 2 Examination Appeal

The Chairman reported that he was required to inform Council of any Stage 2 Examination Appeal. *Information has been redacted under s. 40 (Personal information) of the Freedom of Information Act 2000 as disclosure would breach the right of individual(s) under Principle 1 (Fair processing) of the Data Protection Act 1998.* The appeal focused on the application of the mark scheme.

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The panel concluded that on the basis of the evidence provided and confirmation that CCEA had followed all the processes and procedures as required by the Code of Practice and had applied them properly in arriving at a judgement of the candidates' performance, the appeal was refused.

The Chairman confirmed an action plan had been drawn up and implemented to address some general recommendations suggested by the panel for improving information provided to schools across all subjects. Members noted the information provided.

Report on Meeting with Ofqual : 16 October 2013

The Chairman confirmed he had met with the Chair and Head of Regulation of OfQual and discussed a range of issues. Ofqual are keen to continue engagement with CCEA and he has agreed that the Chairs and Chief Executives would meet to discuss future developments.

He commended CCEA's level of research conducted on the Review of GCSE and A Level Qualifications and stressed the importance of continuing with this to ensure CCEA has a strong evidence base on which to form recommendations.

Clarification was sought on whether CCEA's relationship with Ofqual would change going forward. The Interim Chief Executive confirmed that there was regular contact with colleagues in Ofqual as CCEA continue to offer qualifications in England and Wales. He stated the importance of maintaining relationships going forward.

Members would be updated on the nature of Regulation in Northern Ireland once Ministerial decisions on policy have been made.

3 Minutes of previous meeting held on 11 September 2013

The minutes of the previous meeting held on 11 September 2013 were proposed by Mr John Wilkinson and seconded by Mr Martin Donnelly as a true and accurate record. A copy was signed by the Chairman.

Action Points

Members noted the status of the actions and were updated as follows:

Computer Based Assessment :The Chairman confirmed he had raised issues with DE and sought assurances at the GAR meeting on 19 September.

Qualifications Technology Roadmap : The DoQ confirmed that DfP had approved the business case and formal approval of funding from DE was now required.

Correspondence : The Chairman confirmed that CCEA had received approval for the pay remit for Business Managers(2012/13) and revised documentation for Directors had been submitted to DE.

He informed members he had requested a meeting with the Permanent Secretary to progress the appointment of a permanent Chief Executive as DE had commissioned a Hay review on the role before recruitment could begin.

Members expressed dissatisfaction at the current situation.

The Chairman of the Audit and Risk Committee confirmed that the delay in this appointment had been placed on the Corporate Risk Register.

DE Representative

The Interim Chief Executive informed Council that attendance at Council is at DE's discretion. It was suggested that should any significant issues emerge DE be approached.

4 Correspondence

Members noted correspondence in relation to :

- *Commissioning Letter for SEN Schools Guidance : (Letter from D Edgar (DE) to R Hanna (20 September 2013).*
- *Process of commissioning and approval of CCEA's Annual Work programme and Financial Plan :(Letter from Chairman to K Godfrey (DE) – 24 September 2013; and K Godfrey's response – 8 October 2013).*
- *CCEA Business Plan :(Letter from K Godfrey (DE) 27 September 2013. The Interim Chief Executive confirmed that all actions were complete and on time.*
- *Notification of appointment of Interim Chief Executive to SELB: (letter from P Sweeney to R Hanna 30 September 2013).*
- *Pay Remit Approval Process and Guidance 2013/14 : (Letter from L Montgomery (DE) to CEs of NDPBs – 3 October 2013).*

The Interim Chief Executive advised that DE were processing CCEA's pay remit and the work was almost complete. He expressed his dissatisfaction that approval had not yet been received for general staff who were contractually entitled increments for 2013/14. Representations would continue to be made.

5 Governance and Accountability

Minutes of Governance and Accountability meeting held on 19 September 2013

The Chairman advised that progress had been made on a number of issues raised.

Members noted the information provided.

Date of next meeting

The next Governance and Accountability meeting was scheduled to take place on 14 January 2014.

6 Finance and Planning

Report on the Finance Committee : 25 September 2013

The minutes of the Finance Committee meeting held on the 25 September 2013 were provided for members' information.

The Chairman of the Committee drew attention to the detail of the minutes and reported on the following :

- *Correspondence*: members discussed the correspondence between the Interim Chief Executive and Director of Education Workforce Development (DE) re outstanding pay remits.
- *Interim Finance Report as at 31 August 2013* : An overall overspend of £240K was reported at this time (an overspend of 2% against DE net funding target). This position was appropriate for this time of year.

Members were updated on the range of CoPE activity underway and 6 Corporate Policies were approved by the Committee.

Finance Report as at 30 September 2013

C/108/1

The Finance Manager (FM) drew attention to paper C/108/1 and confirmed an overall overspend of £196K against budget at this time. He advised that over and underspends were included in the October monitoring round.

£886K was declared in the October monitoring round. Members noted the detail provided on bids and reduced requirements.

It was confirmed that the Interim Chief Executive had introduced regular budget holders meetings for monitoring budgets across the organisation. He confirmed the principal focus at this time was to look forward to year end with a view to achieving a year-end position within the 1% tolerance.

Members sought clarification on a range of issues and were satisfied with the explanations received.

Statement of Financial Position as at 30 September 2013

C/108/2

Members noted the information provided.

7 Audit

Audit & Risk Committee Report :9 October 2013

The minutes of the Audit & Risk Committee meeting held on 9 October 2013 were provided for members' information.

The Chairman of the Committee drew attention to the detail provided in the minutes. He advised that members expressed concern about the 3rd party involvement particularly in CBA and the QTR business case. The general point of view expressed was that once 3rd parties become involved the demands made on CCEA to take complete responsibility proved increasingly difficult. He asked that this be raised at the next GAR meetings by the Chair.

He reported that due to delays in the procurement process a contract has not yet been put in place for Internal Audit Services. This was included in the Corporate Risk Register and the recent Quarterly Assurance Statement.

It was confirmed that this procurement closed on 22 October and the award scheduled for 24 October. Members welcomed this development.

Updates were provided on :

- Non-compliance with CCEA's purchasing arrangements (April – Aug 13): members noted an increase on this time last year.
- Single tender actions : the DE observer was content with the way in which CCEA progressed STAs.
- 2012/13 Annual Report and Whole Governance Accounts
- Internal Audit Activity
- NIAO : report to those charged with governance
- DE Update
- Statutory end of key stage assessment.

The main issues discussed were :

- *Quarterly Assurance Statement & CCEA's Corporate Risk Register* : two new risks have been added to the CRR : *Failure to ensure appropriate management arrangements are in place in the absence of the Director of Corporate Services; and Delays in the recruitment of a substantive Chief Executive*

The Chairman confirmed he had progressed mitigation against the risk in the delay of appointment a substantive Chief Executive and informed Council it was unlikely that the post would be filled before March 2014.

- *Risk Management of operationalization of On-screen marking and e-moderation* : these processes would move into normal operations for the Summer 2014 examinations. Committee also expressed concerns about the delay of approval of the QTR business case.
- *Computer Based Assessment* : members noted the DE instruction for the CBA pilot to proceed in all volunteer schools despite recommendations from CCEA and C2k that the number should be reduced to 85 given the unanimous feedback from schools asking for the same level of support that was given to the pre-pilot schools. Members noted the mitigations put in place to help reduce the risks and expressed significant concern about the risks and dependencies given that many of these were outside CCEA's control. The Committee asked for the position to be noted as 'unacceptable'.

Members noted the information provided.

Clarification was sought on the risk of appropriate management arrangements being in place in the absence of the Director of Corporate Services. The Interim Chief Executive assured members that all of the functions of the DoCS were being managed by additional responsibilities across a number of well qualified Business Managers. These arrangements will be in place for a period of 6 months. He confirmed the arrangements were running effectively.

Clarification was also sought whether a corporate health check of the organisation had taken place. The Interim Chief Executive confirmed that the staff survey would be launched in the coming weeks, which is part of a much broader staff engagement, development programme. This also included health and well-being initiatives for all staff.

8 Education

Education Committee Report : 2 October 2013

The minutes of the Education Committee meeting held on the 2 October 2013 were provided for members' information.

The Chair of the Committee advised the Minister will consult on CCEA's recommendations on the Review of GCSE and A Level Qualifications during the autumn/winter term. It was hoped that a statement would be available early in the new year.

She reported on the following :

- *Computer Based Assessment and Assessment Arrangements* : were on the agenda for today's meeting.
- *Implications for CCEA on GCE/GCSE policy changes in England* : the committee asked for a briefing on all developments across the different jurisdiction so that they can gain a full understanding of issues and their impact going forward.
- *SEN Qualifications provision : entry level update* : members commended the work to date in this area and recognised the importance of continued engagement with the business sector.
- *Entitlement Framework* : 5 GCE, 2 GCSE and 4 QCF Level 1/Level 2 specifications have been accredited with information events taking place during October and November on each subject.
- *Presentation on Item Level Data GCSE Mathematics* : members were impressed with the significant development in this area. (The Chairman asked for a copy of the presentation to be issued to Council members).

A Council member said this type of data would be invaluable to schools. The Interim Chief Executive advised that the data would be managed carefully before dissemination into schools and confirmed that teachers and principals had been invited to an event to share this information.

The Chairperson wished to place on record her thanks to the Director of Qualifications and her teams for an error free summer examinations series and to the Business Manager, Regulation & Accreditation and his team for the substantial amount of work carried out on the Review of GCSE and A Level Qualifications.

Computer Based Assessment

C/108/3

The Business Manager, Curriculum, Assessment and Reporting (CAR), gave a high level overview of paper ***C/108/3*** and updated members on the current situation on the pilot of computer based assessments (NILA and NINA).

She advised that as a result of feedback from the pre-pilot CCEA and C2K proposed to DE that the number of schools involved be reduced to 85 to allow similar support to be available to schools during the pilot. CCEA were instructed to continue with the 190 schools.

She confirmed that the same level of support was not available to schools due to lack of resources, however officers would gather observational information on how the pilot is working. She advised that teachers had been trained and the pilot was being phased in.

Clarification was sought on whether plans were in place for the transformed schools. It was confirmed that planning was underway and these schools would participate in the pilot towards the end of the autumn term (November).

The Interim Chief Executive stated that the recommendation had been made on a number of occasions, formally, informally and reinforced at a meeting of the steering group, however, DE made their position clear and this was communicated to the Interim Chief Executive in a phone call from a senior official.

He advised that he made his concerns about the responsibilities of the SRO to the senior official and confirmed that he had no decision making authority on this matter.

He assured members that CCEA staff continued to work to full capacity to ensure the pilot is managed effectively.

Members expressed concern at the way in which the recommendation by CCEA and C2K had not been accepted by DE and wished to state the fact that CCEA was now in an 'impossible position' and asked the Chairman to make DE aware of Council's view.

Members stressed the importance of keeping a record of all documentation and a clear, complete audit trail.

Independent Review

The Interim Chief Executive confirmed that the Minister had indicated there would be a further independent review of CBA (Minister's statement 21 May 2013). CCEA has been invited to contribute. The review will begin on Monday 18 November 2013.

End of Key Stage Assessments

C/108/4

The Business Manager (CAR), drew attention to paper C/108/4 and advised that DE had considered the findings of the Evaluation Report and CCEA's recommendations. As a consequence, the Minister has announced he will make changes to the assessment arrangements for the 2013/14 academic year (Appendix 4) , in particular :

- Using ICT will be deferred for at least 1 year, although schools wishing to carry out the assessment and moderation will be given the option to do so; and
- the date for reporting outcomes to CCEA will move to later on in the school year (May).

She advised that CCEA continue to engage with the Unions on aspects of the arrangements, however communication to schools on the latest position and invitations to support events are being finalised with DE.

Members noted the information provided.

9 Any Other Business

Approval of CCEA PRP Schemes for 2012/13 and 2013/14

The Interim Chief Executive drew attention to tabled paper C/108/taled and advised that Council approval was required for the schemes before CCEA can forward to DE for final ratification. He confirmed that CCEA was also required to submit legal advice to DE with the schemes.

Members expressed concern that the 2012/13 Scheme had not been approved within the appropriate timeframe and asked that arrangements be put in place to ensure this does not happen going forward.

Following discussion and clarification on a range of issues members **formally approved** the PRP Schemes for 2012/13 and 2013/14.

It was confirmed that the HR department would be responsible for presenting the policies to DE.

Interim Arrangements

The Interim Chief Executive updated members on the interim arrangement he had put in place to cover the responsibilities of the Director of Corporate Services. He confirmed that he was directly responsible when instances arise where there were clear conflicts of interests.

10 Date of Next Meeting

The next meeting was confirmed as **Wednesday 11 December 2013** at 10.00 am.

The Chairman thanked members and officers for their contributions to the meeting.