

## Northern Ireland Council for Curriculum, Examinations and Assessment

Minutes of the eighty-second meeting of Council held on Thursday 26 November 2009 at 14.00 hours in the Slieve Donard Hotel, Newcastle.

**Present :**

Mr D McKee (Chairman)	Mr M Bowen
Mr D Thompson	Ms M Crilly
Mrs H McClenaghan	Dr M Brown
Mr N Downing	Mrs H McClenaghan
Mrs D Black	Mr J Collins
Mr J Wilkinson	Mr J Clarke

Mr N Anderson (Acting Chief Executive)  
Mr M Quinn (Director of Corporate Services)  
Ms AM Duffy (Director of Qualifications)  
Mr M Fegan (Chief Finance Officer)

Miss N Kennedy (Manager, Council Secretariat)

### Introduction

The Chairman welcomed members to the final meeting of Council and thanked them for their attendance.

#### 1 Apologies

Apologies were received from Ms M Watson; Ms C McKinney and Mr R Hanna.

#### 2 Chairman's Business

The Chairman advised that the main focus of the meeting was the reports coming from the Chairs of each of the committees and the latest financial position and discussion on the 2010/11 budget submission.

##### *Minutes*

Minutes of the Regulation, Qualifications and Lifelong Learning and Business Committees which met on 14 October and 18 November respectively, were tabled for members' information.

##### *Malpractice Case*

The Chairman reported that CCEA received a Stage Two Malpractice Appeal from *(Information has been redacted under s. 40 Personal information of the Freedom of Information Act)*.

The panel consisted of two Council members: *(Information has been redacted under s. 40 Personal information of the Freedom of Information Act)* and an independent member: *(Information has been redacted under s. 40 Personal information of the Freedom of Information Act)*.

The Chairman advised that following the presentation of all of the evidence the panel deemed that the penalty being awarded was too high under the circumstances. An appropriate penalty was agreed and all issues successfully resolved.

The panel recommended that a review of this area take place to ensure penalties awarded were consistent with the level of malpractice.

The Chairman wished to place on record his thanks to the officers involved for the way in which they had handled this sensitive case.

#### *End of Committee Reports*

The Chairman confirmed that the Chairs and Officers of each committee were asked to prepare these reports for the benefit of the new Director of the Curriculum, Assessment and Examinations Directorate (ESA). Mr Richard Hanna (Director of Education Strategy, CCEA) has been appointed as Director Designate and is familiar with all of the issues and it is hoped that he will take the issues highlighted in the reports forward as appropriate.

### **3 Minutes of previous meeting held on 1 October 2009**

The minutes of the previous meeting held on 1 October 2009 were proposed by Mr Jim Collins and seconded by Mr Martin Bowen as a true and accurate record. A copy was signed by the Chairman.

Members noted that the action points from the previous meeting had been completed.

### **4 Education Strategy**

In the absence of the Chairperson of the Curriculum & Assessment Committee and the Director of Education Strategy, the Acting Chief Executive gave the following report.

#### *Minutes of the Curriculum & Assessment/Council Meeting : 21 October 2009*

The Curriculum & Assessment Committee and Council met to discuss draft advice on the Formative Record of Progress and Achievement. It was confirmed that the amendments suggested by members were included in the final advice and this was approved and submitted to DE on time.

#### ***End of Committee Report : Curriculum & Assessment Committee***

***C/82/1***

The Acting Chief Executive informed members that the report included the work of the Curriculum, Assessment and Reporting Directorate over the last full operational plan. He advised that since the final draft the risk surrounding InCAS has been included.

Members accepted the report.

#### ***End of Committee Report : Learning for Life and Work Sub-Committee***

***C/82/2***

The Chairperson advised that the report highlights and recognises the radical shift in thinking for teachers and educators in this area. The work of the sub-committee covers the four areas of Learning for Life and Work which are central to the Northern Ireland Curriculum.

She wished to place on record her thanks to the officers for their support and direction during her time as Chairperson.

Members accepted the report.

### **5 Qualifications**

#### *Minutes of the Regulation, Qualifications and Lifelong Learning Committee Meeting : 14 October 2009*

The Chairman of the Committee wished to place on record his thanks to Ms Anne Marie Duffy for her support and direction on all committee issues and to Miss Noleen Kennedy for servicing the committee.

He reported on the following :

*Occupational Studies* : interim advice has been sent to DE outlining different options for consideration. A full review of this area has also been recommended to ensure the suite occupational studies qualifications are developed appropriately for the Entitlement Framework.

*Regulation* : GCSE Science : members noted the outcomes of the consultation carried out on the proposals for revisions to the criteria. They were satisfied that no controversial issues had arisen, however further discussions with the regulators were required before agreeing the criteria.

GCE Mathematics : members noted that a further consultation was required which would include face to face meetings with teachers to seek their views and agreement on the revised proposals for A Level and Further Mathematics.

*Specifications revision* : five additional GCSE subjects which were not part of the original review are being revised and will have functionality embedded within the proposed specifications. The Chairman commended the way in which the process had been conducted and thanked the officers for all their work in this area.

Members also noted an increase of 8% market share and additional income of £325K for the first entry AS Examinations (revised specifications).

*First Award of AS 2009* : the main issue discussed was the maintenance of standards between legacy and revised awards through a series of measures put in place by the Regulatory Authorities.

Assurances were given that issues raised were being thoroughly investigated and carefully managed.

*Examinations Standards Project* : members noted the main outcomes of the study, in particular, CCEA awards consistently in relation to prior attainment. Members asked for the results to be externally verified to ensure credibility.

*Entitlement Framework*: members received a brief update on the work carried out to date. It was agreed that this would be taken forward by the Director Designate of the CAE Directorate, ESA.

*SEN Focus Group Update* : members noted that 2 meetings of this group had taken place since the last committee meeting and proposals would be coming forward to the appropriate forum for ratification early in the new year.

***End of Committee Report: Regulation, Qualifications & Lifelong Learning C/82/3***

The Chairman of the Committee advised that the report had been drawn up by the Senior Officer and agreed by him. It was then signed off by the Chairman of Council and the Acting Chief Executive and will form part of the overall hand over document to the Chief Executive Designate of ESA.

Members accepted the report.

The Chairman of Council commended the way in which the complex issues dealt with by this committee had been handled and recognised that there were major issues requiring further debate on how progress can be made in the Curriculum, Assessment and Examinations Directorate, ESA.

## 6 Finance

*Minutes of the Business Committee Meeting : 18 November 2009*

The Chairman of the Committee drew attention to the minutes which had been issued in advance and tabled for members' information.

He advised that the finance and budget items were on the agenda for this meeting and reported on the following :

*Information has been redacted under section 36(2)(b)(ii): Information to which this section applies is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information would, or would be likely to inhibit the free and frank exchange of views for the purposes of deliberation.*

*InCAS : members received a report on an error in the InCAS software in relation to General Maths and a Standardised Scores error. (Information has been redacted under section 36(2)(b)(ii): Information to which this section applies is exempt information if, in the reasonable opinion of a qualified person, disclosure of the information would, or would be likely to inhibit the free and frank exchange of views for the purposes of deliberation.)*

DE have asked for a series of follow up measures to be put in place and an audit of CEM's systems to take place and be reported back on by the end of December. Council will be made aware of the findings of the report.

*PSE Report : (Information has been redacted under s. 40 Personal information of the Freedom of Information Act).*

### **End of Committee Report : Business Committee**

**C/82/6**

The Chairman of the Committee advised that he and the Chief Finance Officer had agreed the report to go forward for approval to the Chairman of Council and the Acting Chief Executive. This report would form part of the overall handover document to the Chief Executive Designate, ESA.

Members accepted the report.

The Chairman of the Committee wished to place on record his thanks to the staff who supported him during his time in the Chair and for a 'job well done'.

### **General Issues**

The Chairman of Council advised that he had written to the Permanent Secretary on 23 October outlining issues outstanding and setting out the schedule of remaining CCEA meetings. To date he had not received either an acknowledgement or reply. He stated that there were significant issues which needed to be resolved before CCEA was subsumed into ESA.

The issues outstanding are :

- Approval of the TMT Pay Scale
- Approval of payment for PRP

- Severance for those officers who have indicated they wish to retire or take redundancy

At this point the Chairman of Council wished to place on record his thanks to the Acting Chief Executive who had made every effort to progress these issues with a departmental representative at several meetings.

The Acting Chief Executive said that although no formal notification had been given, the address at the Association of Education and Library Boards Conference on 18 November indicated that it was unlikely that ESA would come into being on 1 January 2010 and that if this were the case this would have implications for his staff.

He advised that he had issued letters of notification to the Directors (whose contracts ended on 31 December 2009) as prior approval from DE had not been sought. Formal approval to continue with these arrangements beyond 31 December has now been sought.

Members sought clarification on their position as at 31 December 2009. The Acting Chief Executive said that he understood that Council's term of office would end at that time. However he was aware that options for continuing with governance arrangements were being worked on.

Members expressed their dissatisfaction with the way in which CCEA were being treated and the possibility that could be no 2<sup>nd</sup> tier in January 2010.

It was suggested that the Chairman and Acting Chief Executive seek an urgent meeting with the Permanent Secretary.

On the issue of PRP members were advised that CCEA were currently in breach of contractual arrangements on 2 different areas as the contracts do not mention DE's involvement in the process.

The Chairman of Council asked the Acting Chief Executive to seek legal advice on CCEA's position with regard to contractual and PRP issues.

He advised that there were significant management structure issues which required discussion by the Business Committee and called a meeting for 10.30 am on Friday 27 November 2009. An invitation was extended to any other Council member who was available at that time. He confirmed that this would be a single item agenda and the meeting would be closed.

The Chairman of Council advised that a meeting of the Remuneration Committee would be convened as soon as possible to allow for the internal approvals process for PRP. The Acting Chief Executive clarified that any decisions made by the Remuneration Committee would remain pending until formal notification to proceed to payment is given by DE.

### ***Finance Report as at 31 October 2009***

***C/82/4***

The Chief Finance Officer reported an overall underspend of £683K at this time. The two main areas are :

- £320 relating to Curriculum, Assessment and Reporting projects and delayed DE decisions around assessment policy.
- £370K relating to print savings.

CCEA have also indicated that there will be an approximate £750K hand back as part of the December monitoring round. Whilst DE has accepted this they have asked CCEA to retain £50K to honour the work required once the assessment arrangements have been finalised.

If these arrangements are not finalised then DE have accepted that the funding will be returned in the February 2010 monitoring round.

Members noted that the Business Committee scrutinised the information at its November meeting.

### **Budget 2010/2011**

**C/82/5**

The Chief Finance Officer reported that DE is required to save £29M out of revenue and £10M out of capital across the Education Sector. He explained that although the budget for next year would be ESA's CCEA had a responsibility to put submit a draft budget for consideration to DE and ESAIT.

A Council member expressed concern at the cut as there was a significant amount of development work required and needed to continue in schools. He sought an assurance that this budget had been through the appropriate scrutiny. It was confirmed that the budget had been discussed in detail by TMT. By taking out the GCSE specifications there would be no increase for this year and therefore a flat budget was being proposed.

It was also confirmed that all top priorities would be honoured.

The Business Committee discussed the budget at its meeting in November and recognised that it had been scrutinised carefully and that this was the most cost effective proposal CCEA could submit.

Members ratified the budget.

## **7 Corporate**

### *Minutes of the Audit & Risk Committee Meeting : 11 November 2009*

The Chairman of the Audit & Risk Committee drew members' attention to the detail provided in the minutes. He advised that Mrs Katrina Godfrey from DE had attended the meeting. The main issues discussed were :

*Chairman's Business* : TMT Pay Issue and InCAS were discussed.

*Non-compliance* : no instances of non-compliances with the purchasing policy above £1,500 and one non-compliant purchase order below £1,500.

*Fraud Report* : no issues to report.

*Items 7, 8 and 9* : referred to the Audit and Assurance Reports and members were happy with the information provided.

Anything outstanding would be taken forward by the appropriate Directorate in ESA.

*Risk Register* : this was a living document which evolves as time progresses and will continue into ESA. Members commended the document.

*Audit Strategy for the IFRS Accounts* : all work had been completed in this area.

The Chairman of the Committee wished to place on record his thanks to Mr Martin Quinn, Mrs Marisa Getgood and Mrs Pauline Bowden for their support during his term as Chair.

### **End of Committee Report : Audit & Risk Committee**

**C/82/7**

The Chairman of the Committee advised that he had agreed the report which had been signed off by the Chairman of Council and the Acting Chief Executive. This will now form part of the hand over document which will be presented to the Chief Executive Designate of ESA.

The Chairman of Council thanked all of the Chairs for their contributions to the work of the committee and Council during their respective terms.

## **8 Any Other Business**

The Chairman of Council wished to place on record his thanks to all members of Council for their support and commitment to the work of the Council over the years. He wished to thank Mr Neil Anderson and Senior Officers for their guidance and direction on the many issues debated and to Miss Noleen Kennedy for her support to him, members of Council and for the arrangements for all of the meetings held.