

CCEA

COUNCIL MEETING

**Minutes of the 153rd Council meeting held Thursday 29 September 2022 via MS Team and in-person (room 115 CCEA HQ)
1.30pm – 3.30pm**

Present:

Mr T O'Reilly (Chair)	Mrs P Leitch
Mrs S Sellars (Vice Chair)	Dr L Caul
Mr B Wilson	Ms M Corrigan
Prof. P Hanna	Mrs C Fitzsimons
Mr H McCarthy	Mr R Smyth
Mrs A Kingsley	Mrs D O'Connor
Mr N Wardlow (Apprentice)	

Mrs L Scott (Interim Chief Executive Officer: ICEO)
Ms A Swann (Temporary Director of Education TDoE)
Mr J Daly (Temporary Director of Finance & Corporate Services TDoFCS)
Mrs S King (Head of Regulation HoR)

Mr Ray Caldwell (DE Observer)

Ms Jacqui Burns (Temporary Manager, Council Secretariat)

MINUTES

The Chair welcomed Council Members and Senior CCEA Management Team to the meeting.

1. Apologies:

Apologies were received from:

Mrs Kathleen O'Hare and Mrs Patricia Slevin

2. Conflict of Interests

There were no conflicts of interest declared at this meeting.

3. Chairs Business

The Chair welcomed members back to the first Council meeting of the academic year and said that despite the various challenges that the Council have faced, there was now an opportunity to reset and return to focusing on the work that the members joined the Council to do.

The Chair congratulated and introduced the new members of the senior management team who had stepped into their roles since the previous Council meeting in June. He introduced Mrs Leah Scott as Interim Chief Executive Officer and Mr John Daly as Temporary Director of Finance and Corporate Services. The Chair also introduced Mr Nathan Wardlow who has joined CCEA's Council as a Boardroom Apprentice for the coming year.

The Chair reminded members that there would be a closed session after the open governance meeting.

The Chair informed members that in accordance with guidance issued by NIAO on effective public sector Boards; the Department of Education had asked that he provided individual written assessments. The Chair said that these would be issued to members for feedback and there would be an opportunity to provide their own input to the assessment.

C/154/1 Council Meeting Schedule

The Chair presented a paper the purpose of was to allow Council to discuss a draft schedule of 2022/23 meetings and as well as attendance options given the use of TEAMS has proven effective. Council members were aware of the significant increase in the number of meetings both due to the pandemic and since the formation of the new Council. This had led to concerns amongst the by senior management team relating to the servicing of these meetings as well as the schedule of meetings over the past 18 months being well more than the expected time commitment for Council members as outlined in their letter of appointment.

He outlined the four options within the paper, and he then opened the floor for discussion.

Council members welcomed the commitment for Council to get back to the work they joined Council to do and the opportunity to input on future ways of working.

Members debated the importance of in-person attendance versus online with some members highlighting the added value from meetings in person whilst others felt the ability to attend on-line helped with their job and other personal commitments.

After discussion it was agreed that Council members would attend Council meetings in-person and that Committee meetings could adopt a hybrid approach allowing members the option to either attend in person or online.

Proposer: Hugh McCarthy

Secunder: Brian Wilson

Council members then debated the four options outlined in the paper regarding 'Future Schedule of Meetings'. including Councils decision-making processes and at which meetings decisions should take place. It was agreed that Council Briefings did not facilitate a decision-making process and therefore their need was not necessary. They also discussed the purpose of Council was and what information they required. It was suggested that only major key issues should be listed at the top of the agenda with operational issues listed below as they are not a matter for Council to discuss.

Council agreed upon Option Two:

Option Two: Retain the number of Committee meetings but reduce the number of Council meetings to six by:

- Removing any briefing sessions for Council or
- Creating a single Council agenda featuring combined governance / briefing items by increasing the length of meetings to a full afternoon.

This option would mean council members attending a total of 13/14 meetings

Proposer: Les Caul

Secunder Anne Kingsley

A Council member also suggested that the times for meetings be changed from the middle of the day to either early morning or late afternoon. It was agreed 10am or 3pm would be best. Committees would agree the timing for their meetings at their next meeting.

C/154/2 and C/154/2a Draft Terms of Reference for Independent Review of Roles and Responsibilities

The Chair presented this paper to Council with its purpose to agree the Terms of Reference set out in C/154/2a and to implement any agreed recommendations as well as agree a procurement process to identify an independent reviewer following Ministerial approval. The Chair said that he would like to have these agreed in advance of a new Chief Executive Officer.

Council agreed that they were content to go forward with the draft Terms of Reference.

Proposer: Philip Hanna
Secunder: Sarah Sellars

C/154/3 Correspondence

A Council member commented that a piece of correspondence referred to attachments but that they were not included. Council Secretariat to ensure that all staff who provide correspondence is aware that attachments are included when submitting correspondence.

4. Ratification of Council Minutes – Thursday 26 August 2022

Two minor inaccuracies recorded at the meeting.

1. Apologies were not recorded from Ms Majella Corrigan
2. A comment made by the Vice Chair under correspondence was inaccurate and should be removed.

It was agreed that once these changes have been applied, that the minutes are a true reflection of the meeting on 26 August 2022.

Proposer - Paula Leitch
Secunder – Philip Hanna

5. Interim Chief Executive Verbal Update

Mrs Leah Scott (ICEO) provided a verbal update to Council members.

She thanked the Chair and Council members for their support since beginning her new role as Interim Chief Executive Officer. She congratulated CCEA staff for the success of the 2022 examination series and informed Council that this resulted in good and balanced media coverage. Leah informed members that work had begun on the 'Advanced Information' requirements for 2023 and that Amanda Swann (TDoE) would present on this topic later in the meeting. Leah informed Council that assessment arrangements was the focus of discussions at the recent Principals briefing held on 20 September.

Leah informed Council members that CCEA received a request from the DE to submit an options paper with recommendations and proposed timeframe in response to Key Area 3.4 iv (A Fair Start - Final Report and Action Plan) She informed that CCEA had submitted the options paper and have had several discussions with the DE on the next steps. A formal response is expected from the DE in the coming weeks.

Leah also said that the CCEA Curriculum team continued to engage with DE on areas of word identified as priorities. These include CPR, Period Dignity as well as Sexual Relationships. They also continue to lead on important aspects of the curriculum including

- Fair Start Programme Board
- Digital Skills Programme Board
- Irish Medium Programme Board

- Computer Adaptive Testing

Leah informed members that the Finance and Corporate Services team continued to engage with Trade Unions regarding the ongoing cost of living crisis as well as the adaptations to new ways of working i.e., Hybrid working arrangements. She informed that NIPSA representatives had written to Senior Management with a list of issues.

Leah informed that the Hybrid Pilot had concluded and that findings from a recent staff survey were encouraging and in support of the model.

Leah congratulated staff and management on the successful re-accreditation of the Investors in People silver standard and expected a good turnout for the event that will be held on 13 October. She also congratulated the HR team for their efforts in being shortlisted for their 'Staff Well-being Initiative'.

Leah reported that the Regulation Team continued to support the CEO and work with other jurisdiction regulators on the approach to standards for summer 2023. She said that the team were also working closely with the qualifications team on developing advice sought by the Department of Education.

Leah also reported that the Regulation Team were working on plans for the evaluation of Vocational Qualifications (VQ's) delivered for 2021-22 and the longitudinal evaluation for the COVID impacted years are in the final stages for submission to DfE. Leah noted that Mrs Sharon King (HoR) would deliver a paper at the meeting on advice to DfE on the regulation of VQ's in 2023.

The Chair invited members to provide feedback or ask questions in relation to the update.

Council members agreed that the 'Principal Briefings' were a positive communication strategy as they always received helpful feedback and should continue their bi-monthly schedule. Members spoke about the vital relationship with schools that they provide as they showed CCEA and Centres working together in partnership. Members also agreed that it was important that CCEA Regulation are supported in continuing the three-country agreement.

The Chair asked the ICEO what stage CCEA were at in providing their advice to DE on 2023 recommendations. The ICEO said that they were under considerable pressure to release this as soon as possible as OfQual have announced their advice and an announcement from Wales was imminent. She said that it was important to inform Council that they need to ensure that what they propose is deliverable. The ICEO stated that advice will need to go out in advance of 15 October and therefore Council would be asked to meet before then to discuss and approve the proposed advice. Council agreed to this.

6. Finance

The Chair of the Finance Committee, Mr Brian Wilson provided a verbal update of the Finance Committee meeting that took place on 15 September 2022.

The Chair introduced Mr John Daly (TDoFCS) to present reports **C/154/4** and **C/154/5** to members for information purposes.

C/154/4 Finance Update (including finance report and statement of financial position)

John reported that the current financial position shows an underspend of £1.1m (7.7%) which is outside the agreed DE target of 1%. He reported that the main variances are linked to examinations conduct and earmarked funding and that senior officers are working with the Department to manage this through the in-year monitoring rounds

John also reported on some future inescapable pressures in 2022/23. These include sharp rises in cost of living / fuel and will need to be factored in when assessing funding requirements. Additional costs relating to the provision of advanced information will require funding from the Department as well as business case approval.

C/154/5 Finance Report – Final Outturn

John reported that in the final audited outturn CCEA was underspent by less than the one percent and therefore met the target set by DE in 2021/22 allocation letter.

C/154/6 Budget Pressures 2022-2025 Recurrent Funding Information Gathering Exercise – Department of Finance Refresh Request August 2022

Mr John Daly presented this paper to Council for approval.

John reported that DE commissioned the initial 2022-2025 exercise in July 21 and has requested various other updates since then, the last of which was reported to Council in June 2022. He said that it was important to note that CCEA had not included costs relating to activities linked to 'A Fair Start Programme' or 'Transition of Young People into Careers 14-19 Action Plan'. He reported that based on the estimates and underlying assumptions, CCEA would face a funding gap of £16.408m over the next three years. This figure was previously reported to be £13.967m.

John informed Council that DE are conducting a separate exercise regarding inflationary pressures such as energy on all public bodies to help predict funding.

Council approved the paper.

Proposer – Anne Kingsley

Seconder – Hugh McCarthy

7. Audit and Risk

The Chair of the Audit and Risk Committee, Rob Smyth provided a verbal update on the meeting that took place on 22 September 2022.

C/154/7 Corporate Risk Register – August 2022

Mr John Daly (TDoFCS) provided an overview of the CRR to Council members.

John summarised the activity on the residual scores of the eight corporate risks since the previous review.

John informed Council that the residual scores of three risks had changed and that five remained the same. Those with changes were:

CR2 Failure to ensure adequate processes and resources (including human, physical and financial) to support the provision of quality services and products including digital solutions) across all CCEA functions (including managing third party dependencies).

Residual score has decreased from 16 to 8

CR5 Failure to comply with Governance arrangements including data, data services, cyber security, GCOR, Quality Standards, Health and Safety, Equality and HR Legislation.

Residual score has decreased from 16 to 12

CR8 Failure to effectively manage the Corporate Governance and management arrangements in CCEA.

Residual risk has increased from 9 to 12

Council members were satisfied with the report and approved the revised Corporate Risk Register.

Proposer – Majella Corrigan

Secunder – Les Caul

8. Education

Ms Amanda Swann presented to Council information on proposals for advanced information and advice 2023.

Amanda said that managing stakeholders' expectations would be a difficult task and that CCEA are conscious that it must not mislead learners regarding the purpose or content of the advanced information. Amanda also stated that a business case has been written to provide bespoke backup papers.

The Chair opened the floor to members for feedback and questions. A Council member asked if there was a potential issue around fairness if some learners take modules earlier. Amanda said that yes this was the case, but to do nothing would be worse.

The Chair said that a formal Council meeting will be arranged in early October to approve the advice set out regarding standards for 2023.

C/154/9 CCEA - A Fair Start Options Paper

Ms Amanda Swann presented this paper to Council members for information only.

Amanda informed Council that DE had written to CCEA in June 2022 and commissioned them to take forward work in respect of 'A Fair Start Report' (key action 3.4) relating to refresher training for teachers. CCEA have written back with three options. CCEA's preferred option is number three:

'To refresh and reformat curriculum guidance and develop and deliver e-modules to provide the refresher training for teacher.'

Ray Caldwell (DE) said that the paper had been received and that a response would be sent to CCEA in due course.

9. Regulation

C/154/10 Draft DfE Policy Advice – Arrangements for assessing and awarding VTQ's for 2022-23

Mrs Sharon King (HoR) presented this paper.

Sharon informed Council that DfE has asked CCEA Regulation for advice on what arrangements should be in place for the assessment and awarding of VTQ (Vocational & Technical Qualifications) for the forthcoming academic year. Sharon explained that this advice must align with OfQual so that standards are maintained and to protect the portability of qualifications for NI learners. Sharon said that she had spoken to DfE who agreed with the OfQual alignment.

Council member discussed the differences in the approach between GQ's (General Qualifications) and VTQ's and in particular regarding the differences in standards A Council member said that there was a perception that VTQ's did not experience the inflation in grades that GQ's received. The ICEO said that all qualification facilitators are on a journey back to normality and fairness.

The Chair stated that there was some ambiguity regarding what CCEA's wider role in relation to VTQ's. Sharon explained that CCEA regulates VTQ's on behalf of DfE as these are non CCEA exams. It was agreed that CCEA's relationship with DfE would be discussed at a future meeting.

Council members approved the advice.

Proposer – Paula Leitch
Secunder – Hugh McCarthy

10. Remuneration Committee

The Chair provided a verbal update on the Remuneration Committee meeting that took place earlier on the day. He gave an update in discussions regarding pay remits as well as actions on Directors pay / pay level. He also provided an update on the Job Evaluation where there was agreement that CCEA should progress with the development of a business case.

He also informed Council members that REMO approval was received for the performance objectives of the ICEO.

11. Policies and Strategies

C/154/11 Estates Strategy

The Chair invited Mrs Leah Scott (ICEO) to present this strategy for approval to Council members.

Leah informed that the current accommodation arrangements pose many limitations including environmental. A Council member asked if a timeline had been developed in terms of sustainability with the hope of being Carbon Neutral. Leah responded that there is a section of the environment and sustainability but that they had not gone as far as Carbon Neutral.

A Council member asked if the ICEO anticipates needing less space with the introduction to new ways of working. Leah informed that a space utilisation study had been conducted and that savings would be made regarding the requirement for less space.

Council approved the Estates Strategy.

Proposer- Anne Kingsley
Secunder – Philip Hanna

C/154/12 Peoples Strategy

Mrs Leah Scott presented the Peoples Strategy to Council members for their approval.

Leah said that this was a strategy that she greatly supports. A Council member asked if the Trade Unions have been consulted on this strategy. Leah explained that they have been kept up to date from beginning to end.

Council members approved the Peoples Strategy.
Proposer – Phil Hanna
Secunder - Donna

C/154/13 Whistleblowing Policy

Mrs Leah Scott (ICEO) presented this policy to Council members for their approval.

Leah confirmed that the policy had already been presented and approved at ARAC and as in line with best practice it is now presented to Council members for approval.

Council members confirmed their approval.

Proposer – Donna O’Connor
Secunder – Hugh McCarthy

12. Any Other Business

Mr John Daly (TDoFCS) informed Council that CCEA have been involved with the ICO regarding their investigation into several AO’s and Regulators relating to examination practice during COVID. He said that the ICO do not plan to enforce any sanctions and they have not yet published their recommendations.

A Council member asked if it was a publication to the public or for us to sense check. John said that it is for us only with our own separate abstract but that the ICO will put the full report on their website. Mrs Sharon King (HoR) said that OfQual legal have pushed back on some of the issues experienced by this exercise.

13 Date of Next Meeting

Thursday 24 November at 10am

14 Below the Line

The following papers were provided to Council members for information purposes only and were not discussed at the meeting:

Finance Committee minutes – 15 June 2022

Audit and Risk Committee minutes – 21 June 2022

15 CEO Recruitment – CLOSED SESSION

Minutes to be provided separately