

CCEA

COUNCIL

Minutes of the one hundred and fortieth meeting of Council held on Wednesday 5 August 2020 at 10 am, via MS Teams.

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

Mr J Edwards (Chief Executive)
Mrs L Scott (Director, 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 reminded them of the protocols for participation.

1 Apologies

Apologies were received from Mr C McKinney; Mrs M Kinghan; and Mr B Wilson.

2 Conflict of Interests

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

3 Chair's Business

Chair's Report to Council

Update – Ofqual, Qualifications Wales (Quals Wales), and the Scottish Qualifications Authority (SQA)

The Chair confirmed he had spoken to the Chairs of Ofqual, Quals Wales and SQA on an individual basis in July. Discussions were informative with the general consensus of day to day running of the businesses had been achieved satisfactorily in light of the Covid-19 crisis, but also the knock on effect it continues to have on the business of the organisations.

Ensuring an appropriate communications strategy for each organisation continues to be challenging, in that care must be taken to ensure consistent messages are released into the public domain. Information will also be shared between Chairs as appropriate.

The Chair confirmed that all were in agreement of the importance of maintaining standards and equitability across the jurisdictions as far as possible, there was also concern amongst the Chairs in regards to a potential drift in standards across the jurisdictions given the challenges with the alternative arrangements put in place for awarding summer examinations.

The Chairs have agreed to hold bi-annual joint (virtual) meetings to continue to inform and discuss matters of mutual interest.

General

The Chair confirmed that he had completed his annual appraisal, and would remain as Chair until 31 January 2021. He took the opportunity to emphasise the increased level of Council activity and the commitment from members throughout the period March to present. DE recognised the continued support from Council members to the organisation.

He advised he had raised the issue of remuneration for Council members, which was duly noted by DE. The Chair said he would draft a business case to present to DE for presenting to the Minister for proposed remuneration.

Discussions also took place on the ALB review, the recruitment timeframe for a new Chair, and new Council members. The Chair emphasised the importance of these appointments being made before 31 January 2021.

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. However, since the last meeting, daily updates have been provided by the Chief Executive to the Chair, on high-risk issues and other important matters.

This concluded the Chair's report to Council.

A Council member sought clarification on the 'potential drift in standards' across the 3 jurisdictions. He recognised the challenges ahead given the decisions on alternative assessment arrangements. There was a real possibility of disparity between the 3 jurisdictions and it was important CCEA was prepared for this, and be in a position to defend actions taken. This will not become apparent until the grades for A and AS Levels are released into the public domain.

He stated that the Council had invested a significant amount of voluntary time (on a weekly basis) discussing and advising on the alternative assessment arrangements and that Council should be prepared to stand over the decisions made.

The Chair recognised the points made and commended the rigorous approach taken by the Executive Team, supported by Council. He stated that CCEA would be ready to defend its position should the need arise. He believed that the decisions taken were based on evidence to support the best interests for our young people and to maintain standards year on year as much as possible in the current circumstances. He expressed the importance of maintaining the integrity of the organisation and the education system in Northern Ireland

The Chief Executive confirmed that Council had been regularly briefed and participated heavily in holding the team to account during the process to decide on the alternative assessment arrangements for the provision of GCSE, A and AS Level grades for summer 2020. He recognised that there would be differences of opinion, however was content that CCEA had complied with direction from the Minister to maintain Northern Ireland standards and performance, and with other jurisdictions as far as possible.

Commented [JE1]: Would suggest that the decision was uniform, but that differences were considered while reaching that decision. Therefore the point is differences in opinion only.

Chief Executive's Situation Report

Awarding

A Level : The Chief Executive reported that A and AS Level files were being finalised and forwarded to UCAS to meet the deadline. He confirmed that this had been considerably challenging and difficult work. He commended the staff who strived to address the raft of challenges encountered and submit the files on time.

JCQ would release their data on Saturday 8 August, in advance of release of issue of results on Thursday 13 August 2020.

GCSE : The Chief Executive advised that again a considerable amount of work had been completed, with team working through all challenges, including a number of queries at macro-check to issue results on Thursday 20 August 2020.

Scottish Position

The Chief Executive referred to the media coverage of the Scottish decision, after they announced that grades would be awarded solely on the basis of teacher assessed grades. He drew the distinction between Scotland and Northern Ireland qualifications. He noted the comments in regards to Appeals, and advised that CCEA would monitor the situation and mitigate as appropriate any issues arising.

Members sought and received clarification on a number of matters in particular, was there a communication CCEA could put in place to mitigate headlines before they emerged. The Chief Executive confirmed that the Scottish position had been discussed. He advised that in a normal year cases would be dealt with, however in recognition that this was not a normal year, confirmed that should the need arise the Appeals process could come into operation for CCEA candidates, who could pursue an appeal through the appropriate centre. He confirmed that it was not usual practice for CCEA to comment on individual cases.

A Council member raised the issue of standardisation and the need to ensure there was a full understanding that the data provided was meaningless without standardisation, to avoid extensive criticism. The Chair concurred with this point. The Chief Executive assured members that an information video would be released (week commencing 10 August) to candidates and centres to explain standardisation and how it works.

Curriculum

The Chief Executive confirmed that work continued within the Standards and Learning Group (DE Restart) Programme to jointly review adjustments required to curriculum resources (already in existence) to ensure they will fit within the Restart Programme. He confirmed that he and the Director of Education had met with DE to review the draft business plan.

Resourcing

The Chief Executive reminded members of the decisions taken in regards to payments for Contract for Services. He confirmed business cases had been prepared and submitted to DE for consideration. To date no response from DE has been received. He confirmed that the issue had been pursued by the Director of Finance & Corporate Services, and that he had also written to DE seeking a decision on payments for examiners as this had been identified as a risk to CCEA business. DE has indicated they are awaiting information from the Department of Finance (DoF). The Chief Executive expressed concern at the delay and the risk to organisation's reputation given that this issue would be out of CCEA's control.

A Council member strongly suggested that the Chair write to the Minister citing the information from the Chief Executive and seeking direction/decision.

A Council member further suggested if a communication could be issued to examiners advising of the status of the matter. The Chief Executive confirmed that examiners were aware of the situation, and would prefer not to issue any further information at this time. His preference would be for DE to provide direction on this matter.

The Chair, in taking all suggestions on board, was of the view that the Chief Executive should write to the Deputy Permanent Secretary expressing Council's dissatisfaction and deep concern about the lack of decision, and potential risk to CCEA. Should no response be forthcoming he would write to the Minister on behalf of Council. The Chief Executive agreed to communicate with the Deputy Permanent Secretary as a matter of urgency.

Regulation

The Head of Regulation continues to keep in contact with the Regulators from other jurisdictions in regards to the Appeals Process. The Chief Executive confirmed that CCEA has agreed their position, however OFqual continued to consider the scope of its process.

He advised that notification had been received from Ofqual and Institute for Apprenticeships of their intention to conduct a full review of non-general qualifications. The Head of Regulation has notified the Department for the Economy of potential disruption to the NI market and asked for the matter to be referred to the Higher Education Branch for further discussion.

He confirmed that the item would be brought to the Regulation Committee for discussion.

Estates

The Chief Executive confirmed that work continued for a phased return through hybrid working arrangements from 1 September 2020, in adherence to the PHA guidance. He advised that an inspection of the building in regards to social distancing and hygiene requirements had been conducted by the team with himself and the DoFCS.

This concluded the Chief Executive's report to Council.

FOI Requests

C/140/1

Members noted the most recent FOI and DPA requests.

4 Minutes of previous meeting held on 24 June 2020

A Council member drew attention to page 2 of the minutes in regards 'CCEA to collate a data repository for resources for online learning to assist with curriculum planning' and asked that this be revised to 'resources linked to specifications'.

With this amendment the minutes of the previous meeting were proposed by Mrs Paula Leitch, and seconded by Mrs Christine Harpur, as a true and accurate record. A copy would be available for the Chair to sign once normal business arrangements resume.

Action Points

The Chief Executive updated members on the status of the action points. Members noted that the constitution of the Education Committee would contain Council members only with focus groups being held with practitioners throughout the year. The Chair asked for representation from FE colleges on the focus groups.

NI Assembly Education Committee

The Chief Executive informed members that he had been asked to present the outcomes for GCSE to the NI Assembly Education Committee on 20 August 2020. The matters will be in regards to standardisation and technical in nature and the technical support team will be available remotely should clarification be required.

The live link will be forwarded to members should they wish to view the meeting.

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.

1 July 2020

Mrs Harpur asked for the minutes to be amended to include her attendance. With this amendment, The minutes of the meeting held on 1 July, were proposed by Mrs Christine Harpur, and seconded by Mrs Paula Leitch, as a true and accurate record.

21 July 2020

The minutes of the meeting held on 21 July 2020, were proposed by Ms Patricia Slevin, and seconded by Mrs Paula Leitch, as a true and accurate record.

A Council member asked if a facility could be set up whereby important comments could be captured. The Chief Executive confirmed that the minutes should reflect accurate discussion however it is a question of balance as some discussions have been wide ranging. However, if members feel that valid points are missing then these will be taken on board and progressed appropriately.

A Council member raised the additional point of matters being discussed at the large number of Council meetings over the summer months, that should be progressed by the Education Committee and asked that these be reviewed and actioned.

The Chair agreed to discuss the relevant actions/comments with the Manager of the Council Secretariat.

5 Correspondence

The Chief Executive drew attention to the following correspondence :

- Examination Appeals – Consultation Feedback + J Edwards Response (He confirmed that an increasing level of correspondence was being received on this issue).
- D Dodds, Minister for the Economy
- CCEA Initial Financial Plan 2020-21
- 2020/21 Resource Budget – CCEA's Development Of Materials To Support Active Citizenship And Promoting Lawfulness
- Letter of Comfort CCEA Regulation Funding
- Letter of thanks to J Edwards from H Cousins.

- 2020/21 - Capital Budget Allocation + J Edwards Response

Members noted the information received.

6 Governance & Accountability

Governance & Accountability Review – notification of next meeting – 1 September 2020

The Chair confirmed that the next DE/CCEA GAR meeting was scheduled for 1 September 2020, a report would be provided at the next Council business meeting.

Retirement of Permanent Secretary (DE)

The Chair confirmed that Mr Derek Baker, Permanent Secretary (DE) would retire on 1 November 2020. There would also be a number of additional retirements in the coming months, which would impact upon the relationship between DE and CCEA.

7 Education

For Information

Proposed Qualifications Adjustments for Qualifications for 2020/2021

C/140/2

For Consideration

The Director of Education (DoE) drew attention to the detail provided. Members were reminded of the discussion held, and decision made at the Council briefing on 21 July 2020 on Option 7b. The DoE referred to the decisions already taken in regards to the number of commitments for the 2020/21 cohort in respect of GCE and GCSE qualifications detailed on pages 1 and 2 of the paper. She provided a detailed overview of the reasons for the proposed amendments and adaptations to the GCE and GCSE qualifications for 2020/21.

Members sought and received clarification on a number of points, and agreed to bring further proposals forward for further discussion should the need arise.

Members asked that the information be issued to schools as quickly as possible to allow them to timetable accordingly. The DoE confirmed that information will be available once the consultation is launched and should assist schools in their planning.

The Chief Executive confirmed that he had raised his concerns about a time delay in the approval of the consultation from the Minister with a senior DE official, and was assured that a decision was imminent.

Members were content with the proposed subject amendments and adaptations in order to Progress Option 7b.

Dr Kerr left the meeting at this point.

For Consideration

The DoE confirmed a significant amount of work had been completed to formulate arrangements for the appeals process following CCEA Regulation's Consultation. She advised that she continued to work with colleagues at JCQ to ensure CCEA's process is as fair and accessible to all schools and colleges, and to align with Ofqual's guidance where possible.

She drew attention to the detail of the paper and gave an overview of the following:

- Extraordinary Regulatory Framework
- Summer 2020 Appeals – the focus, who can appeal, grounds for appeal (3 fold);
- Key stages of the appeals process;
- Timescales
- Administration of Appeals
- Appendix 1 : Condition G5 (GQCov5) sets out the condition that addresses the Appeal (under the General Conditions of Recognition); and
- Appendix 2 : JCQ Appeals Guidance for Summer 2020 is currently in draft form.

The DOE recognised that as this was not a normal year the expected volume of appeals was between 8,000 and 80,000, and in preparation for the worst case scenario teams of experts (to include Council members) would be recruited to assist with reviewing evidence submitted for the initial review stage to ensure decisions are made quickly, effectively and fairly. She confirmed that A level appeals would be prioritised where a candidate is dependent on a re-calculated grade for a university place. These commitments will be honoured as per previous years.

Further work was required to ensure the guidance provided to Heads of Centre and candidates was as clear and explanatory as possible.

The Chair recognised the possibility of a significantly high number of appeals and welcomed the clarity of the information provided.

Members sought clarification on a number of matters to include whether they would be a charge for the appeal. The Chief Executive advised that this matter was under consideration as to whether they would be a charge or no charge.

The DoE advised that there was a need to ensure sufficient capacity was provided to manage the anticipated high volume of appeals, and that they is a consistent approach across centres. CCEA officers would work with schools to ensure the initial review is completely as quickly as possible. The Chief Executive concurred with the DoE and confirmed that the quantum of appeals would be monitored closely.

A Council member sought clarification on who was responsible for signing off the appeal. The DoE advised that the CCEA Awarding Organisation (AO) made the final decision at Initial Review Stage, and advised that appropriate plans would be put in place to deal with different scenarios. Independent Reviewers would also be asked to make recommendations. The Chief Executive explained that the EPRS standard process would continue to apply, with a panel consisted by CCEA Regulation. Should an appeal move to Stage 2 then the full panel would be constituted from Council members and an Independent Review. The Panel would then have the final decision.

Members were content to ensures the position, with the caveat that the process was kept under review.

The Director of Education left the meeting at this point.

8 REGULATION

For information

The Chair advised that paper C/140/5 would be taken in advance of paper C/140/4.

Vocational Qualifications Progress : Summer 2020 Awarding

C/140/5

The Head of Regulation drew attention to the detail provided in paper C/140/4 and advised that CCEA was on schedule to issue results on the agreed dates. 100% of Essential Skills outcomes have been processed with awarding completed.

She confirmed she would be writing to UCAS and IUA on the awarding arrangements for 2020 to set out the confidence that the Regulator had in regards to both General and Vocational Qualifications, and to ensure clarity that the currency provider is the same as previous years.

Members noted the information provided, and were content that operations were on target and to schedule.

Vocational Qualifications 2020/21 Planning & Arrangements

C/140/4

The Head of Regulation confirmed that a discussion paper had been presented to the Department for the Economy (DfE) Task and Finish Group set up to progress matters. She confirmed that CCEA Regulation continued to work closely with DfE officials on the work of the group. DfE will give CCEA Regulation direction to implement this area of work.

Mrs O'Hare left the meeting at this point.

The Head of Regulation drew attention to the detail of the paper provided (to include the factors and principles shaping VTQs and assessment in 2021 outlined in Appendix 1), and advised that CCEA would align its principles of delivery and assessment with England to ensure a consistent approach for providers, and support validity and portability of the qualifications.

Ofqual will consult on the flexibility of assessments and through DfE CCEA Regulation will encourage centres to participate in the consultation.

A Council member sought clarification on whether there were gaps between what should be done in Northern Ireland and what was being said in regards to the three jurisdiction qualifications. The Head of Regulation confirmed that CCEA Regulation had greater flexibility for Northern Ireland only qualifications, however there was a compromise in the 3-country qualifications. She stated the importance of the content of all Vocational Qualifications remaining the same.

Members noted the information provided.

9 AUDIT

For Consideration

Corporate Risk Register : Summary : July 2020

C/140/6

The Director of Finance and Corporate Services (DoFCS) drew attention to the summary and advised that overall the risk environment remained very high. She confirmed that mitigations continued to be managed, and CCEA was in the high-risk category as the issue of results approaches.

A Council member sought and received confirmation that the level of risk was being managed effectively. The DoFCS confirmed that the risk register was under constant review, to ensure all risks were managed carefully given the high-risk environment. She assured members the CRR was a living document and was at the forefront of all processes. The Chief Executive concurred with this position. The Chair confirmed he was content that all risks were being managed competently and commended the clarity of reporting. However, he asked for the risk appetite to be reviewed during the Autumn.

The Chief Executive outlined the challenges and consequences for CCEA and the whole education system, and assured members that officers continued to be vigilant in identifying, dealing and mitigating risks as they arise. He reminded members that CCEA continued under uncertainty given the unprecedented times of Covid-19. He urged caution of the word in the CRR – 'Fatigue' and as the risks continues to evolve it was important to maintain agility awareness of fatigue amongst the workforce.

The Chair wished to place on record his thanks to the Executive Team and responsible officers for the immense effort and quality of work produced, and also the agile reactions to changes at very short notice. He expressed concern at the stress the organisation was under, and as time progresses, this continues.

For Information

Final 2019/20 Report to those Charged with Governance (RttCwG) C/140/7

The DoFCS confirmed that the audit had concluded with an unqualified audit opinion without modification. She confirmed that the two recommendations had been addressed and closed out. The final report was presented to members for information.

Dr Caul wished to commend and congratulate all staff involved in this achievement and asked the DoFCS to pass on Council's thanks to the team and all staff involved for the enormous effort made in achieving this position.

10 FINANCE

For Information

Final 2019/20 Budget Position C/140/8

The DoFCS drew attention to the information provided and advised of an underspend of £320K (1.6%) outside the 1% DE target. She confirmed that the Covid-19 crisis had impacted severely on the position with approximately £230K not being realised as a result.

Members recognised the challenges facing the organisation and noted the final 2019/20 budget position.

Finance Report as at 30 June 2020 C/140/9

The Financial Services Manager (FM) advised of an underspend of £233K (4%) at this time. He drew attention to the detail of the information provided and advised on the variances due to different working environments. Budget holders have been asked for feedback and re-profiling based on Covid-19 restrictions through to year-end with a more up to date position being presented at the next Council meeting. The Capital budget was on target.

Members noted the information provided.

Statement of Financial Position as at 30 June 2020 C/140/10

The DoFCS advised that the information was provided in line with best practice, with no issues to report.

Members noted the information provided.

11 PLANNING AND PERFORMANCE

2020/21 Draft Business/Operational Plan

The Chair confirmed that this item had been deferred to the next appropriate meeting.

The Chief Executive advised that DE wished to align the work of other bodies with CCEA, in particular the Curriculum. Once feedback had been received the revised plan would be presented to Council for ratification.

12 Any Other Business

The Chair asked for a verbal update on the Estates Strategy

Estates Strategy – Progress

The DoFCS was pleased to report progress on the Business Case, with the draft under review to resolve issues with CPD, LPS, DE and CCEA. She anticipated the revisions would be complete and business case submitted by September 2020. CCEA's leases are due to expire in Summer 2021, however it will be possible, as tenants to enter into negotiations given the likelihood of market disruption due to Covid-19.

She reported that :

LPS personnel on the project has changed as they repurposed staff to review different areas as a result of Covid-19.

SIB undertook a utilisation study to review the space on a more permanent basis with caution against making decisions based on the current situation. There will also be an opportunity for more flexible and remote working, however space will be required to observe safe and social distancing guidelines.

The Estates Officer has undertaken an assessment of the Clarendon building in the context of social distancing measures to assist in staff returning to work.

Whilst recognising the significant amount of progress, the DoFCS was aware that a significant amount of time would be required for government departments to consider the Business Case, once finalised.

The Chair thanked the DoFCS for the update.

13 Date of Next Meeting

The Chair confirmed the following dates :

Council Briefing : 25 August at 1.30 pm

Council Business Meeting : 24 September 2020 at 10.00 am

Meeting arrangements will be confirmed in due course.

