

**MINUTES OF PROCEEDINGS OF THE FINANCE AND GENERAL PURPOSES COMMITTEE OF THE EDUCATION AUTHORITY HELD ON 7 JUNE 2016 AT 2.00 PM IN FORESTVIEW**

**1. PRESENT** Dr I McMorris (Chair)

Fr T Bartlett	Mrs N Lappin
Mr J Craig	Ms S O'Connor
Rev R Herron	Mr R Pollock
Sir Gerry Loughran	

**2. IN ATTENDANCE**

Mr G Boyd, Ms J Bill, Mrs C Duffield, Ms S Long, Mrs J McAllister, Mr R McGreevy, Mr P O'Neill and Mr A Kennedy.

The Chair welcomed Mr J Craig to the EA and to his first meeting of the Committee and also welcomed the return of Mrs N Lappin.

**3. APOLOGY**

An apology had been received from Ms N Toman and Mrs P Carville.

**4. DECLARATIONS OF INTEREST**

The Chair reminded Members of the requirement to declare interests during the course of the meeting.

**5. MINUTES OF MEETING HELD ON 17 MAY 2016**

The minutes of the meeting held on 17 May 2016 were approved as an accurate record on the proposal of Ms O'Connor, seconded by Rev Herron.

**6. MATTERS ARISING FROM THE MINUTES**

**6.1 TIMING OF COMMITTEE MEETINGS DURING THE MONTH (7.2)**

A commitment was given to Members at the May meeting of the Committee that consideration would again be given to the most appropriate time to convene a monthly Committee meeting to align with the financial reporting to DE.

Ms Bill reminded members of the background to this issue where the Committee had previously agreed to meet on the first Tuesday in the month with the exception of the January meetings, which will be the second Tuesday in the month. Ms Bill reported that the current schedule of dates for the Committee created some difficulty in terms of alignment with the MEMR submission dates for the Department of Education and wanted to seek the views of Members with regard to moving it back to the second Tuesday in the month.

A tabled paper was provided to Members which set out the MEMR submission dates and their alignment with the scheduled Board and Finance and General Purposes Committee

dates. After considerable discussion, it was agreed that there would be no change to the scheduled dates and in the event that a scheduled date needed to be revised, then the views of the Committee would be sought on a case by case basis.

## **7. CHAIRPERSON'S BUSINESS**

### **7.1 ANNUAL EMPLOYMENT MONITORING RETURN**

It was reported that this item would be addressed under Agenda Item 7.3.

### **7.2 HOME TO SCHOOL TRANSPORT - CONSISTENT APPLICATION OF ELIGIBILITY CRITERIA**

The Committee previously agreed that the matter would be considered at the June meeting and Members were reminded that the Chair of the Board also gave an undertaking that any contentious matter would not receive consideration until the political appointees took up office on the Board. It was confirmed that this item would be deferred for this committee meeting, to give officers time to consider new information and to widen the scope of the review. Ms Long confirmed that there were a range of transport related matters that required further consideration and proposed that the majority of issues be taken collectively to a future meeting of the Committee for Members' consideration. It was agreed that this matter will be placed on the agenda of a future meeting of the Committee.

*Action: Ms Long to bring proposals to a future meeting of the Committee that collectively encompasses a range of Home to School Transport regional alignment issues.*

### **7.3 REPORT ON SOCIAL CLAUSES**

A report on Social Clauses would be presented to the Committee at its meeting on 6 September.

### **7.4 LMS UPDATE**

It was reported that this item would be addressed under Agenda Item 6.

### **7.5 OFFICE ACCOMMODATION AT FORESTVIEW**

*(Fr Bartlett entered the meeting at 2.15 pm.)*

#### **Accommodation at Forestview Update**

Mr O'Neill reported to Members that the extension to the current lease arrangements at Forestview was approved by the Department of Finance (DoF) in May 2016. The approval by DoF was predicated on the understanding that the EA would move to alternative public sector accommodation, away from the current private sector provider. Mr O'Neill confirmed that in accordance with DoF Guidance and best practice, this would require the development and submission of a business case to DoF by August 2016. It was also reported that the lease for one unit on the second floor at Forestview would be terminated by July 2016 and the staff relocated to the ground floor unit previously occupied by the staff in the former YCNI. Members noted the approach.

## **Regional Location and Administration Accommodation Strategy**

Mr O'Neill reported that the Permanent Secretary had instructed the EA to review its accommodation and undertake a regional location strategy and as a consequence, two strands of work now needed to be taken forward:

- the Administration Accommodation element; and
- the Optimal Location element.

He confirmed that the Administration Accommodation element will provide an evidence base and understanding of the role of the individual within the office, how they operate and what percentage of the time each requires office facilities in the course of their day to day work. The exercise will also capture the amount of time they spend out of the office supporting schools, students and other stakeholders.

Members were also advised that the Optimal Location for the accommodation element of the exercise would map school needs and the support that the EA supplies to meet that need. The extent and frequency of the services delivered will depend on the type of service, as will the geographic footprint of members of staff.

Mr O'Neill set out the approach and timeline for the completion of the exercise and confirmed that the combination of both strands of work will provide the EA with a range of options and costings for the consideration of the Committee and EA Board.

Ms O'Connor tasked senior officers to ensure that the exercise would also explore and develop opportunities for flexible working arrangements for staff, particularly those staff where 100% of their time was out of the office in support of schools. She also asked that consideration be given to partnering with other public sector organisations in the development of the accommodation strategy, particularly where it presented opportunities to release savings and improve the optimal location for staff in support of schools to minimise travelling time.

*Action: Mr O'Neill to develop two strands of work for the consideration of Members:*

- *An Accommodation Strategy for Administrative Staff; and*
- *The development of a regional Location Strategy*

## **8. FINANCE**

### **8.1 BUDGET 2016/17 : UPDATE (6.1)**

On the proposal of Mr Pollock, seconded Mr Craig, the Committee agreed to consider this item in committee.

The Committee considered the verbal update from Ms Bill.

On the proposal of Mr Pollock, seconded by Rev Herron, the Committee agreed to resume the meeting.

The Chair reported that, while in committee, Members were updated on the discussions the EA Chief Executive and Director for Finance and ICT had with DE regarding the 2016/17 Budget. He confirmed that DE had formally raised a range of questions in

relation to the Draft Budget submission and that officers were in the process of responding to all of the issues raised and would continue to engage DE with a view to providing all of the necessary assurances sought. Members were advised that it was hoped to finalise the draft budget prior to the end of June. It was agreed that a further meeting of the Committee would be required to ratify the draft budget in advance of the June Board meeting. Members were also advised of the bids submitted to the June Monitoring round.

**Actions:** *Chief Executive and Director for Finance and ICT to continue to liaise with DE to seek agreement on the draft budget. Officers to provide briefing on the draft budget to new and returning political members of the Committee. Budget to be presented to a meeting (date to be confirmed) of the Finance and General Purposes Committee and the Board on 30 June;*

## **8.2 DEFICITS AND SURPLUSES : UPDATE (6.2)**

Ms Bill summarised the key elements in the paper before Members regarding deficits and surpluses in school budgets. Members were advised that the definitive surplus and deficit position of schools would not be known until the process for LMS had completed which was normally at the end of June but could run later and therefore the information conveyed in the paper was based on the two previous years' opening and closing positions, the latest information available at May 2016 as a very early indicator of the current 2016/17 and the latest information on redundancy requests.

Ms Bill outlined the 2016-17 budget position for schools and drew attention to the £10m reduction on the previous years' allocation and the fact that there is no provision in the allocation for annual pay and non-pay inflation or changes in National Insurance which came into effect on 1 April 2016.

The process for the preparation and approval of three year financial plans was outlined, as were the arrangements in place by the EA for the management of deficits and surpluses. Comparisons were drawn on the schools surplus position for the 2014/15 year against the 2015/16 position and Ms Bill confirmed that the surplus outturn was some £19m higher than the estimate at the start of the 2015/16 year. It was also confirmed that the deficit actual outturn position for the 2015/16 year was some £4m lower than the estimate at the start of the year. Estimates were also provided for the 2016/17 year. Ms Bill reported that as at 25 May 2016, 169 teachers are to be made redundant in Controlled and Maintained Schools with effect from 31 from 31 August 2016, releasing an estimated savings of £3.5m. Members were advised that the early estimates were suggesting that deficits are increasing and surpluses reducing.

In response to questions raised by Members regarding the range of support available to schools in a deficit position, Mr Boyd confirmed that Mrs Lappin was leading a significant piece of work in this regard with Officers of the EA and that the final recommendations from this Working Group are likely to be reported on in the early Autumn.

Following discussions on the status of the approval for the three year financial plans for individual schools, it was agreed that further information would be made available to the Committee setting out those plans that were signed off and those that could not be signed off.

**Action:** Officers to provide a report to the Committee regarding the status of all financial plans for individual schools.

## **9. HUMAN RESOURCES**

### **9.1 REDEPLOYMENT POLICY (7.1)**

Mrs Duffield presented the report\* (FGP/6/16/7.1) for information purposes. It was confirmed that the procedure had been equality screened and Members' attention was drawn to the fact that the Trade Unions after initially just noting the policy, have recently indicated that they wished to make formal comment on it and therefore, it is subject to ongoing consultation with the Trade Unions. Mrs Duffield advised that it was a tool to support the management of change and restructuring and is aimed at safeguarding the interests of staff and minimising compulsory redundancy as far as possible, by ensuring that as far as possible, the EA will seek to maintain the employment of individuals in posts that are broadly comparable with their substantive contractual employment whilst also taking into account the personal circumstances and preferences of individuals in an effort to minimise hardship and domestic disruption, where employees are redeployed.

*(Ms O'Connor, Mr Boyd and Ms Bill left the meeting at 3.00 pm.)*

### **9.2 SCHOOL MEALS ABATEMENT (7.2)**

Mrs N Lappin declared an interest in this matter.

Mr McGreevy outlined the background to the report\* (FGP/6/16/7.2) following a previous paper to the Committee on 5 April 2016 on the contribution from staff on duty for school meals supervision. The paper was not discussed at that time as it was agreed that further consideration would be given to the implications arising from the introduction of the National Living Wage on 1 April 2016.

He confirmed that the issues regarding terms and conditions of employment and the NIAO recommendation to review guidelines to more adequately recover the costs of preparing meals have now been considered and that a range of options were included in the paper for Members' consideration. It was also reported that following the new NJC pay award which positively impacted on staff in the Catering Service and which was back dated to 1 April 2016, this mitigated the risk of the EA breaching the terms of the National Living Wage. Mr McGreevy confirmed that the implications of the introduction of the National Living Wage have been considered in this revised paper prepared by the Catering Managers. Ms J McAlister, Catering Manager, Belfast Office presented the report and having responded to a range of questions from members, the Committee agreed to endorse Option 4 on the proposal of Rev Herron, seconded by Mr Pollock.

*'Option 4 - Seek amendment to the Collective Agreement to increase the 30p to a level which does not impact on the National Living Wage – calculated at 50p and to seek to maximise the number of 50ps collected.'*

**Action:** Officers to progress work and next steps for Option 4 and to keep the Committee informed of progress.

*(Mrs McAlister left the meeting at 3.20 pm)*

### **9.3 ANNUAL EMPLOYMENT MONITORING RETURN (7.3)**

#### **9.3.1 TEACHER EXEMPTION (7.3.1)**

Mrs Duffield presented the report\* (FGP/6/16/7.3.1) and confirmed that it was prepared in response to a question from a Member at a previous meeting of the Committee. Whilst it is accepted that the 'teacher exemption' remains in place, the Member had asked whether the EA should take a decision to unilaterally proceed to monitor the religious denomination and community background of the EA's teachers.

*(Mr Craig left the meeting temporarily at 3.25 pm)*

Mrs Duffield reported that the legislation identifies that this matter should be addressed through the ECNI and the legislators (Government) and specifically in this case the OFMDFM and then for all employers to move together at the same time as changes are made to the legislation. Members were advised that if the EA were to move unilaterally to collect information on the religious denomination and community background of teachers, the EA would have to:

- Set out the purposes and benefits for collecting such sensitive information and undertake a privacy impact assessment.
- When such purposes and benefits are established, discussion and consultation would be required with ECNI and the Information Commissioners Office, consultations with unions, Governors in schools, equality screening etc.
- There would need to be an appropriate analysis of resource requirements and the establishment and/or possible procurement of an IT system to hold and monitor the teaching workforce monitoring data, all of which would give rise to additional costs which are currently not budgeted for.

Rev Herron declared that he was the Member who first raised the issue and confirmed that he accepted the advice set out in the paper. Fr Bartlett thanked C Duffield for the comprehensive paper on this issue and confirmed that the ECNI had been in touch with CCMS on the matter and sought clarity from Officers with regard to whether the ECNI had been also been in touch with the EA. Mr McGreevy confirmed that the ECNI had not been in contact with the EA regarding this matter.

*(Mr Craig re-entered the meeting at 3.30 pm)*

#### **9.3.2 OVERVIEW OF WORKFORCE DATA (7.3.2)**

Mrs Duffield presented the report\* (FGP/6/16/7.3.2) detailing a high level analysis of the data contained in the EA's Fair Employment Monitoring Return. It was confirmed that this was the first Fair Employment Monitoring Return provided to the Equality Commission NI (ECNI) in advance of the statutory deadline of 1 May 2016. Mrs Duffield reported that the Return contained an analysis of the support staff and peripatetic teachers employed by the Education Authority and reminded Members that Teachers are not monitored as this is not a requirement of the Fair Employment Order 1988 and Fair Employment (Monitoring) Regulators (NI) 1999 as amended. Mrs Duffield provided a high level analysis of some of the key information contained in the return.

(Mr McGreevy left the meeting at 3.35 pm)

## 10. OPERATIONS AND ESTATES

### 10.1 TERM SERVICE CONTRACTS - EXTENSION (8.1)

Procurement Guidance [FD (DFP) 10/15] which had issued on 25 November 2015 required all contracts, contract extensions and procurement projects to be supported by suitable appraisals and business cases.

The Committee noted the paper\* (FGP/6/16/8.1) setting out the arrangements to extend the current Building Maintenance Term Service Contract (Lots 1 and 2) and the Mechanical and Electrical Term Service Contract (Lots 1 and 2) in the North Eastern area.

### 10.2 TENDERS (8.2.1)

On the proposal of Mr Pollock, seconded by Rev Herron, the Committee agreed to consider this item in committee.

The Committee considered tender reports\* (FGP/6/16/8.2.1 and 8.2.2).

On the proposal of Rev Herron, seconded by Mr Pollock, the Committee agreed to resume the meeting.

The Chair reported that, while in committee, the recommendations concerning the following tenders had been approved:

On the proposal of Rev Herron, seconded by Mr Pollock:

- *Goods and Services*  
70114 and 70122.

On the proposal of Mrs Lappin, seconded by Mr Pollock, the following tenders\*\* had been approved:

- *Goods and Services*: 70152.

The following tenders had also been noted:

- *Construction Works* – Cft EANI-312; Cft EANI-314; Cft EANI-315;

### 10.3 LAND AND PROPERTY TRANSACTIONS (8.3)

**Granting / Renewal of Leases / Wayleave Agreements:** Collegiate Grammar School; Ebrington Primary School; and Land Set Aside for Grant Aided Primary or Nursery School (Section 76 Agreement) between Beragh Hill Road, Upper Galliagh Road and Skeoge Link Road, Derry/Londonderry).

**Grant of Easement / Licence Agreement:** Ebrington Primary School.

The Committee agreed, on the proposal of Mrs Lappin, seconded by Fr Bartlett, to recommend that the Board should progress the transactions as set out in paper\* (FGP/6/16/8.3).

**11. ANY OTHER NOTIFIED BUSINESS**

Mrs Duffield drew attention to a planned Workshop for Members to consider and progress the Senior Management (Assistant Director) Structure on the 28 June at 12.15 pm in the Antrim Board Centre. Mr Craig confirmed his unavailability for the 28 June Workshop.

**12. DATE OF NEXT MEETING**

The next scheduled meeting would be held on 6 September 2016. However, Members were asked to note that depending on discussions with DE on the Draft 2016/17 Budget, it was anticipated that there would be a further meeting of the Committee prior to the EA Board Meeting on the 30 June relating to the approval of the 2016/17 Budget.

The meeting ended at 3.40 pm.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

\* Paper circulated    \*\* Paper tabled