

Transferor Representatives' Council

Comments to the Department of Education regarding
The Review of Public Administration (RPA) Policy Papers



19th January 2007

The Transferor Representatives' Council welcomes this process of consultation and the opportunity to offer our considered reflection on these RPA policy papers.

We offer the following points:

Positive comments

1. The TRC commends the Department for the involvement of key stakeholders in the development process of these policy papers, and believes that this partnership model is a useful precursor for future engagement.
2. The TRC welcomes the recognition of the Protestant churches as 'an important leading voice for the current controlled sector' (Paper 4, para 13).
3. The TRC welcomes the inclusion of Transferors as members alongside Trustees, NICIE, GBA, CnaG and others on the Education Advisory Forum (Paper 4, para 2).

Negative comments

1. As churches we are alarmed that the spiritual dimension is absent across these papers especially in the ethos and values statement of Paper 2, Annex A. By contrast the 1986 Order states - *'it shall be the duty of each board, so far as its powers extend to contribute towards the spiritual, moral, mental and physical development of the community by securing that efficient education throughout those stages is available to meet the needs of its area'*.
2. We note that that the Board of the Education and Skills Authority will be 'appointed by the Minister on merit for the skills and experience they bring', (Paper 5, para 7). As Transferors have had the right to representation on local education authorities and area boards since the transferring of Protestant schools into state control, the TRC believes that under the new proposals the right of representation on the authoritative body is being removed.
3. Paper 5, para 20 poses major difficulties for transferors, because at present, transferors have nomination rights for all controlled primary and secondary schools. This proposal will effectively remove transferor rights of nomination for new controlled schools provided by the state, most likely all built since 1947.

We understand that the Department has been advised that it is not legally possible, in forming new legislation under Equality provisions, to afford the status of foundation governor, to churches in schools which they never previously owned. The view of the TRC is that this should be independently tested as it represents a significant loss of transferors' rights conferred by earlier legislation and decades of custom and practice. Initial estimates indicate that in some areas this loss of transferor rights of nomination will be very significant

The public perception of this loss will be seen as a huge inequality for Protestants, given that the Catholic Church will still have foundation governor status on all maintained schools including all new schools. Following the Bain proposals, the ESA may be required to develop ideas for collaboration; these will have greatest potential if there is engagement at a local level through the community influence of church governors. Due to the nature of religiously divided schooling in NI, without church governors on schools, moves towards collaboration may be hampered.

Transferors believe that this issue goes to the heart of the vision for education, and the importance of a spiritual dimension to governance. The proposals take no cognisance of the fact that church involvement in schools is a formal recognition of a contribution to a spiritual aspect to education and in the ethos of the school. In addition, much has been made in the policy papers of the need for effective governance of schools. Good leadership is vital on a school board of governors; over the decades transferors have provided strong and consistent leadership, and contributed a long term community interest. If the proposals are implemented without amendment many schools especially in the post-primary sector may not have access to that community-focussed and willing group of church representatives.

The hoped-for strong interest in being a community governor may be misguided. A recruitment process can be very off-putting for people who might otherwise be willing volunteers.

4. We note the key concept in the relationship of schools with the ESA is 'maximised supported autonomy' (Paper 2, para 4). In the Controlled sector we do not detect any desire for an increase of autonomy by Boards of Governors.

Particular concerns

Many of our concerns arise from the absence of specific information. For example:

1. There is no indication of the level of local support and services for schools. Schools will need to be assured that centralisation of administration will not lead to a loss of local provision of services.
2. Paper 20 dealing with proposals for the ownership and management of the controlled schools' estate has not yet been published. Clearly church transferors would have an important involvement in this body given their commitment to, and investment in, the controlled schools estate through historic transfer arrangements.
3. Details of the role of the Education Advisory Forum (Paper 4, para 2) are sketchy. We note that a Review of Advice project has begun to look at details of the form and function of the Forum. It is essential that there is full consultation with stakeholders on any proposals which follow the outcomes of this review.
4. Paper 4, para 14 indicates a strong argument to provide sectoral support. We look forward to the proposed engagement with DE mentioned in Paper 4, para 15 to agree arrangements for such support.
5. Clarification is needed concerning accountability and autonomy throughout the proposals.
6. It is noted that the relative proportions are not disclosed in the proposals for categories of school governors (Paper 5, para 20).
7. Paper 15 proposes introducing charges to parents for the provision of school transport. The TRC is concerned about the impact of this proposed charge on the rural community and would like to know how this can be done without having equality implications.
8. It is proposed that the responsibility of recruitment and selection of staff in future will be held by the school alone (Paper 7). Whilst we agree that appointments of staff are best made at a local level, we are concerned that there must be built-in quality control mechanisms especially around senior appointments.

Conclusion

The TRC has attempted to be positive in its response and acknowledges that such a review is required. However, the Council has serious concerns that the established contribution of transferors especially in governance is being substantially eroded by the application of some proposed policies. There appears to be a contradiction in the stated objective of strengthening the capacity of church transferors as an important leading voice in the controlled sector, while at the same time diminishing their role in governance.

The Council needs to be persuaded that following this review, services to schools will be delivered in a more efficient way and that resources will be released to improve the quality of services at the frontline.

We look forward to further engagement on the further outworking of these policies and assure the department of our continued commitment as an educational partner.