

NCSE Council Meeting 21st February, 2018
104th Meeting of the Council

Trim Castle Hotel, Trim

Attendance: Council Members
Eamon Stack (Chairperson)
Sheelagh Drudy (Deputy Chairperson)
Eithne Fitzgerald
Helen Guinan
Joe Hayes
Don Mahon
Marion Meany
Johnny Murphy
Antoinette Nic Gearailt
Tom O'Sullivan (present items 1- 6)
Finian O'Shea
Anne Tansey (present items 1- 6)
Áine Lynch (present items 5- 12)

Also in Attendance: Teresa Griffin, Chief Executive (present items 2- 12)
Mary Byrne, PO, Head of Special Education (present items 2- 5)
Jennifer Doran, PO, Board Secretary (present items 2- 12)
Sé Goulding, PO (present items 2- 4, 7- 9, 11 and 12)
Ray Jordan (item 7- 9)

1. Private Council Session- Update on Appointments

- The Chair gave an update on the process of the Chief Executive Officer appointment. An appointment Board has been established by the Public Appointments Service. It was agreed that there would be a private meeting of the NCSE Council on the 15th March to make an appointment following the recommendation of the Board.
- The issue of other potential upcoming vacancies at the NCSE was discussed.

2. Reminder – Declaration of interests (standing governance item)

The Chairperson reminded members about declaring interests, as per the Code of Conduct for Council members. There were no items to declare.

3. Draft Minutes of the meetings on 5th/6th December and 30th January and matters arising

The minute of the two meetings was accepted. There were no matters arising.

The publication of Council minutes, which is now a requirement under the Code of Practice was discussed following consideration in previous Council meetings. Council approved the publication of minutes on the website. However, the note of discussions relating to the development of policy advice will not be published until the policy advice has been published. As these discussions are part of the deliberative process, publishing information relating to a

report that is not yet complete would not be in the public interest while it is still subject to the deliberative process.

4. Chief Executive Report

The report was circulated in advance to members. A number of further updates were provided.

- There was a meeting with the Minister on 20th February to discuss the Working Group Report on Additional Care Needs. The report was positively received.
- There have been a number of briefing meetings with stakeholders regarding the general proposals arising in the Comprehensive Review and these have been generally well received.
- The DES 2018 Action plan was recently launched and the NCSE actions within it were noted. In relation to the target number of SNAs included in the Plan, Council were informed that to date, the number of SNA allocations received is similar to the number this time last year. There is one more week until closing date.
- An outline of the NDA's review of the Comprehensive Employment Strategy (CES) to date was provided. This has tracked the trends in the rate of employment of people with various disabilities. The role of various government departments was also reviewed with a recommendation that there be one lead department on the CES.

5. Draft final report of the NCSE Comprehensive Review of the SNA Scheme

A draft report was circulated in advance of the meeting. This incorporated the feedback from the last meeting and issues arising out of further engagement and consultation with stakeholders. It was noted that the final report will be copy edited and proofed and will contain all the final appendices. It is also intended to produce an explanatory booklet for parents and schools which has yet to be developed. Some comments/suggestions were made as set out below.

- It was suggested to include a description of the NCSE specialist teams and to outline in more detail how SNAs support therapy programmes and behavioural needs rather than care needs.
- The text could be clarified to indicate that the Inclusion Support Assistant is a targeted support allocated to the school to assist the child within the school context.
- A clearer labelling of recommendation 5 to indicate the first part of the recommendation refers to special schools and the second part refers to special classes would be helpful along with an explanatory note regarding the role of diagnosis in the context of these classes/schools.
- Clarification should be provided that a mainstream school supporting a student with very complex medical needs may, where necessary, apply for additional supports under exceptional circumstances.
- Supports for deaf/hard of hearing students are referred to within the 'additional care needs' section of the report. Some people in the Deaf community may object to deafness being described as a 'care' need as they view deafness as a cultural difference rather than a disability. As such, it may be preferable to refer to this group of students as having 'support' rather than 'care' needs.
- A clear definition of care needs is required to distinguish these from other needs such as those addressed by therapy staff or support received for communication needs by for example deaf/hard of hearing students. It would be important to note that all the

needs are not within child - many arise at school/staff level that requires accommodation.

- The definition of care needs, along with a list of other definitions should be included at the beginning of the report as an aide memoire to the reader. A definition of inclusion would also be helpful to include, which acknowledges the positive contribution of people with disabilities to society.
- It was suggested to place a greater emphasis on the importance of the scheme in developing students' independence where this is possible and that the language and concept should include resilience and empowerment.
- It would be helpful to include at the beginning of the report, some of the points in the conclusions section on page 51 regarding the impact of this change and Ireland not being the only country with the challenges identified.
- In section 4.1.2 regarding roles and responsibilities, it should be clarified that these are existing requirements arising from other agencies such as the Teaching Council and they are not new demands being placed on schools from the NCSE. Clarification that the words 'blunt instrument' relates to the scheme and not individual staff would also be important.
- In preparing students for post-school life, schools need to be aware of students' ultimate destination and the level of supports that will be available there.

Council approved the draft report pending consideration of the issues raised during the discussion.

6. In-school Therapy Support Demonstration Project

An update paper was circulated on the In-school Therapy Demonstration Project and noted by members. Further updates will be provided as the project progresses.

7. Audit & Risk Committee Report

An update was provided on the A&R Committee meetings held on 8th and 21st February. A draft minute of the meeting on 5th February was circulated with the papers and noted by Council.

A draft specification for the procurement of NCSE internal audit services was discussed and approved at the A&R Committee meeting. The A&R Committee recommended the specification for Council approval. Council approved the specification.

8. System of Internal Control

8.1 Review of Effectiveness of System of Internal Control (SIC)

A paper was circulated to Council on the review of effectiveness of the NCSE System of Internal Control in 2017. The paper included a report on the assessment of the NCSE SIC by the executive. This report was considered the A&R Committee as part of its review of SIC and it recommended to Council that it is in order for it to agree the draft statement on the annual review of SIC for the annual accounts.

Council reviewed the SIC and was satisfied with regard to its effectiveness in 2017. It was suggested that under item 4 (of the executive report), the additional controls in place regarding the number of RT and SNA allocations, which are regularly reported to Council, should also be included.

8.2 Draft Statement of Internal Control

Following the completion of the review of the SIC, a draft statement on the review of effectiveness of the SIC is required in the 2017 accounts along with the signature of the Council Chairperson on behalf of Council.

The draft statement was reviewed by the A&R Committee at its meeting on 5th February and at a meeting just before the Council meeting. The Committee noted that one of the standard controls in relation to grants as per the DPER template was missing and should be inserted. With this insertion, the A&R Committee recommended the statement to Council.

Council approved the draft statement including the insertion of reference to the omitted control.

9. Finance Committee Report

9.1 Operational budget

The 2018 operational budget was circulated in advance.

Council was informed that the executive estimated the operational budget for 2018 to be €15.99m. The budget allocated by the DES was €14.87m. However in the letter of allocation, the DES stated that the breakdown between the pay and non-pay cost allocated was incorrect. It also stated that it was not possible to provide for additional funding required for the full year costs attached to the new Support Service but that additional non-pay funding may be provided during the year.

Council recognised that there was a significant variation between the NCSE request and the DES allocation and noted that the DES had made an error in the breakdown of the allocation. Council also noted that the NCSE could not commit to or incur expenditure, which would exceed the budget allocation granted.

Council noted that this does not appear to be in line with normal Government accounting procedures and directed the executive to engage with the DES in relation to the Council draft budget provided no commitment is entered into which will exceed the 2018 allocation from the DES. Council requests a further update at the April meeting.

9.2 Schedule of payments over €50k

Council notified the planned expenditure in excess of €50k for the year ahead and approved the initiation of RFTs for this expenditure. RFTs will be presented to Council on the individual RFTs throughout the year for approval.

9.3 Bank authorisers

Council noted the updated list of approved bank authorisers.

9.4 Approval of 2017 accounts

9.4.1 Draft accounts

The Finance Committee met on 20th February to discuss the draft accounts. They requested the inclusion of clarification points to explain some of the figures and on that basis, recommended the draft accounts to the Audit and Risk Committee.

The Audit and Risk Committee met that morning prior to the Council meeting to consider the draft accounts. They requested some further clarification points to be included and on that basis recommended the draft accounts to Council for approval.

Council approved the draft accounts.

9.4.2 Governance Issues

The funding to the two services that came into the NCSE in 2017 came via two sources- the DES prior to the integration and the NCSE after transition.

In order for the C&AG to review the accounts, both agencies have been requested to send the NCSE their full year accounts, which will be sent to the C&AG with the NCSE overall accounts so they have the full NCSE expenditure figures. This is a once off occurrence as all of the funding to the agencies in the 2018 will come from the NCSE.

The two sets of accounts will not arrive for another few weeks. Therefore, Council were asked to approve our accounts as is and permit the chairs of the Finance, Audit and Risk Committee and the Council Chair to meet to review the full suite of accounts in advance of sending them to the C&AG.

Council approved the process for the Chairs to meet and requested that a note of the meeting of the Chairs be sent to Council for noting.

10. Draft Children Protection Policy and Statement

Three documents relating to child protection and welfare were circulated with the papers and the context for the work was outlined.

It was suggested to source the definition of a child in the Information Guide and also to note that bullying includes all forms of bullying.

With regard to the on-line training available from Tusla, it was suggested that staff be requested to confirm they have completed the training and provide a copy of the certification to the NCSE as a confirmation of the completion of training.

The maintenance and confidentiality of records is very important. It was suggested that the submission of forms and reports to head office should be reconsidered to minimize electronic trails. The current system of submitting hard copies would support this.

Council approved the documents pending the suggested amendments.

11. Draft RFT for Council External Review

A draft RFT was circulated to members.

The external review of Council performance is a new requirement in the Code of Practice and the process was previously agreed by Council.

Council approved the draft RFT.

12. AOB

Council members require further assistance in using the T&S system. NCSE support will be available before and after the next Council meeting to provide training to members as required.

Sé Goulding will be leaving the NCSE next month having worked for the NCSE for fifteen years. Council members thanked Sé for his extensive work and commitment to the organisation and in particular the support provided to the Council and Finance Committee during that time. Members wished Sé well in his new position.

Eamon Stack
Chairperson
, 2018

Teresa Griffin
Chief Executive
, 2018