

NCSE Council Meeting 11th & 12th December, 2018
110th Meeting of the Council

Trim Castle Hotel, Trim

Attendance: Council Members
Eamon Stack (Chairperson)
Sheelagh Drudy (Deputy Chairperson)
Eithne Fitzgerald
Helen Guinan
Johnny Murphy
Tom O'Sullivan
Anne Tansey
Don Mahon
Joe Hayes
Antoinette Nic Gearailt
Áine Lynch (present items 1- 9)
Marion Meany (present items 1-9)

Apologies: Finian O'Shea

Also in Attendance: Teresa Griffin, Chief Executive
Mary Byrne, PO
Jennifer Doran, PO & Board Secretary
Mary McGrath, PO
Tadgh O'Leary, PO
Liam Coen, AP (present item 13)

1. Good practices in special education, presentation by Kinsale Community School

A presentation was provided by the Principal and Deputy Principal for Kinsale Community School to outline good practices for inclusion developed in their school.

A number of points were discussed on foot of the presentation:

- A broader concept of inclusion that incorporates students with needs beyond those with SEN was noted.
- As a big school, KCS has access to a wide range of subjects. This is important as it allows the school to cater for students with a variety of needs. Subject options would be more limited if the school were smaller.
- The school considered that some of the original design structure of the ASD special classes was not necessary such as the large locked doors separating it from the rest of the school; the doors are kept open.
- The school noted that if teachers receive CPD, gain experience in teaching students with complex SEN and realise the success that can be achieved with students, they can overcome anxiety and fear often associated with teaching students with complex needs.
- The importance of all schools acknowledging their role in supporting all students in the community was noted.
- The school indicated that the decision to enroll students with very complex needs should be judged on what the expected experience and outcomes for the student will be and not on whether the school can accommodate the student.

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. Report of the CEO Performance Committee

The Committee met in advance of the Council meeting. The Committee noted that 2018 was a particularly challenging year for the organisation and found that the CEO's performance was consistently satisfactory throughout the year.

4. Draft minutes of the meeting on 31st October and matters arising

Brunswick is misspelt under item 5 in the 2nd last bullet point.

Under matters arising and in relation to item 6, it was suggested that the process of follow up and the role of schools in preparing students to exercise their adult decision making capacity should be considered as part of the work in this area.

Actions	Person
1. Amend minutes	JD
2. Consider points above re work related to assisted decisions	MMcG

5. Chief Executive Report

The report was circulated in advance. A number of further updates were provided on the day.

- It was suggested to remove the necessity to report on SET allocations as a standing item and report on it only as additional allocations are made. This was approved by Council.
- The appointment of new Council members via the PAS process was delayed with the appointment of the new Minister but the closing date for PAS was 3rd December. Members will be notified as soon as the outcome is known.
- Under item 2.1.1, an update on the teaching allocations appeals and review process was requested. There is nothing outstanding for last year and there are 20 new requests for a review. This is the end of the current round of reviews as school allocations will be re-calculated for the next round. There has been no delay in the appeals process this year.
- In relation to the risk on the management of staffing allocations, Council expressed concern about the governance and oversight challenges which arrangements with the Education Centres continue to pose. The concern was also raised at the Finance Committee meeting. Management has written formally to the DES on this matter.
- ***Information under this item/point relates to an ongoing legal process and is thus not being published.***
- It was suggested that trend data in terms of allocation of resources should be analysed in the context of demographic data and be reported in the CEO report on a quarterly basis.

Action	Person
3. Remove report on SET allocations from CEO report & report on trend data quarterly.	MMcG

6. Update on NCSE expansion

An update was provided on the expansion and change management process to date. No sanction for the permanent regional structure has been received yet, so the SLA with the Education Centres has been extended until 31st March to continue their service. A number of

meetings with the centres have taken place to progress transition issues in the interim. Some of the ICT infrastructure has already moved and on the 18th December, the library moved from Cork on schedule.

7. **Research Committee Report and research report for sign off**

The draft report was circulated with the papers. The Committee Chair introduced the report, the context for it and the significance of the findings for ITE and inclusion in Ireland. Some of the main findings were outlined.

- The Committee met on 26th November to review the report and recommend it to Council for approval subject to a number of minor amendments as noted in the minutes of the meeting circulated with the report.
- Council noted the importance of the findings from the research and discussed how these could be more widely disseminated. It was noted that the Teaching Council have been involved in and very supportive with the research. The Teaching Council has engaged in a lot of consultation recently with ITE partners and established a working group to look at ITE and the role of different partners.
- It was suggested that further dialogue and engagement with the various sectors on the research would be a useful next step. Council was informed that a policy dialogue with policy makers has already been planned for the 18th December. It will involve a presentation from the researchers on the findings and a presentation from Dr. Marleen Pugach, a presenter on the topic at last year's research conference.
- It was suggested that the topic remain core to the Council's work and that it may feature as a theme again at a future Research Conference.

Council approved the publication of the research report subject to the amendments to be made as per the Research Committee's recommendations.

The Committee congratulated the NCSE on the organisation of the research conference and the Chair thanked fellow members of the Committee for their work during their time on the Committee.

Action	Person
4. Finalise report with research team and prepare for publication	JD

8. **Training and induction for the incoming Council**

An outline of the training and induction provided originally to the currently Council was provided. Members were asked to give their views on the training and consider what role they could contribute to the induction process for new members.

- It would be useful to create a map of special education and the wider education system and where the NCSE lies within the system. Acronyms should not be used. This could form a useful background document that could be provided for reading prior to the first meeting, along with key policy documents, both national and international as relevant.
- A note of what the current Council has addressed in terms of key achievements, work in progress, recommendations/issues already set for the new Council as per the DES agenda and possible new areas for the Council would be useful.
- The level of detail on governance was overwhelming and the corporate governance guide was intimidating. A more precise and short outline would be helpful. It was noted that training on governance is important and necessary but its delivery could be simplified.

- The school visits were great to get a sense of reality of how education happens on the ground and to situate Council's work.
- It was proposed that current Council members could share their experience with new members.
- It was noted that there were too many presentations the last time and that less could be provided by the IPA. Presentations from other front line staff such as SENOs to discuss what they do would be useful.
- The overnight stay on the first two day meeting should be considered highly desirable as its importance for members to get to know each other.

9. Audit & Risk Committee report

9.1 Chairperson's report

The Chairperson's report was circulated with the papers. The Chair summarised the main activities covered by the Committee throughout the year.

- It was noted that there was only one exceptional item in the year which related to the once off consolidation of the accounts.
- Data protection has become the new high risk item in the risk register and should be reported on at each meeting.
- The Chair indicated that in his opinion, oversight and management within the NCSE in terms of governance, audit and risk is in good order. Council asked if it would be useful to establish a Governance Committee in the next Council. The Chair indicated that governance is the responsibility of all Council members and that many governance items are already addressed by the ARC.
- The Chair has served two terms and will be stepping down from the position as is good practice after two terms. He expressed thanks to the Chair of the Council, members of the ARC and the executive.
- The Council Chair thanked the ARC Chair for his work. The formal appraisal of the Chairperson took place on 4th December and the outcome of this review was considered satisfactory. The process and the outcome was noted and signed by both Chairs.
- The executive thanked the Chair for his work over the two terms and the guidance and experience brought to the role in this time.
- Finally, all members noted the extensive role and support provided to the Committee and Council from the recently retired PO Ray Jordan. Members thanked him for his service and wished him well in his retirement.

9.2 ARC Committee minutes

The September and October minutes were circulated with the papers. Another meeting took place on 4th December and an update from this meeting was provided.

9.3 Final Risk Register

A slightly revised risk register was circulated with the papers that incorporated the feedback from the last Council meeting.

Council approved the proposed risk register.

9.4 Draft internal audit programme 2019- 2021

A draft internal audit programme for the next three years was circulated with the papers. It was suggested that the SNA review may be take place earlier than scheduled and it was noted that the programme is reviewed annual by the ARC and can be addressed in this context.

Council approved the draft programme.

10. Finance Committee

10.1 Expenditure to date

The finance report was circulated with the papers along with the minutes from the previous Committee meeting. The Chair summarised the proceedings from the meeting that took place in advance of the Council meeting.

The Committee noted that the arrangement with the two education centres is not desirable in the long term and presents governance and oversight challenges. Subject to DES approval, it is intended to replace the staff in the centres with NCSE staff to ensure a more efficient operation of financial and other systems.

It was noted that further savings may be identified in expenditure in the education centres.

Council noted the expenditure to date as presented.

10.2 Draft budget 2019

A draft budget for 2019 was circulated with the papers. It was noted that for 2019, the greatest increase in non-pay relates to the therapy demonstration project, which will now be treated in total as non-pay, as per the most recent direction from the DES.

Council approved the draft 2019 budget.

It was noted that the 2017 Accounts were signed by the CEO and Chairperson on the 11th December and submitted to the C&AG that afternoon. The C&AG notified the NCSE that the statements were certified on 12th December.

11. Admissions to School Act

11.1 School Information Map

The new school information map launched on the NCSE's website on 11 December and a demonstration on the map was provided. The interactive map allows users to easily identify primary, post primary and special schools in an area. Schools with special classes can also be identified. Users can click on individual schools to obtain information on school type, special classes and contact details for school and relevant SENO.

11.2 Trends on SNA allocations

A presentation was provided to Council on trends in SNA allocations and teacher allocations along with data on Assistive Technology and Transport applications.

A number of requests to breakdown the data further were sought. This included greater analysis based on age profile and categories of disability other than ASD. It was also suggested to do some further analysis on the trends and compare it against trends in population data to see if there are any correlations between changes in applications and population trends.

Further analysis will be undertaken and more presentations of this nature will be provided to members in future.

11.3 Protocols in relation to the Admissions to School Act

The draft protocols were circulated with the papers. A number of comments were made:

- Council was concerned that fee paying schools are not included in the requirements of the Act.
- It was suggested that there should be an even distribution of classes across the school population. It is not desirable for the same schools to have a disproportionate number of classes at the risk of other schools not opening classes.
- An example of how forecasting could be done in an area where there is an identified need was provided to illustrate how the protocols might work. The figure of 2% used for children requiring special classes was queried. It was explained that this relates to the population percentage of those in specialist provision including special schools and special classes.
- It was noted that there should be no expectation that children in special classes in primary schools should automatically require a placement in special classes in post-primary schools.
- Council was broadly happy with the protocols as presented.

Action	Person
5. Conduct further analyses on trend and population data	MMcG

12. Strategy and Policy Committee report

The Committee met in advance of the Council meeting and the items covered in the meeting will be addressed as part of the presentations provided under item 13.

13. Special Schools and Classes Policy Advice

Two presentations were provided on the research and consultation undertaken to date. It was noted that the research strand is at a very early and preliminary stage.

Some points were made on foot of the presentations:

- The absence of Irish research material (including from Northern Ireland) is disappointing, particularly given the growth of Irish PhD studies in special education. It was noted, however, that PhD material would not appear in academic database searches unless published in articles in journals. Thesis databases were not searched as part of the research strand work.
- There is Irish material which, while not meeting the inclusion criteria, would provide important contextual information for the policy advice. Consideration should be given to including such Irish material as background context.
- It will be important to note the size of any special classes in studies from which evidence is used.

In addition, an overview of the study visit to New Brunswick to inform the advice was provided and a detailed paper on the visit was circulated to members on the day.

Some additional points were made relating to the New Brunswick visit:

- Initial teacher education takes four years and an extra year for a Masters degree is required to become an education support teacher.
- The District Support Team provides training and coaching as required as part of continuing professional development.
- There is a similar role in the system to SNAs under the supervision of the teacher, with a forty hour on-line training programme available for this role.
- Allocation of additional support was primarily on the basis of enrolment rather than on the basis of need. This means that schools with the greatest levels of need do not always receive the greatest levels of support.

- Teachers consider they are facilitators of learning rather than leaders of learning. The interests of the child are used to engage the child in learning.
- Parents in New Brunswick are generally very satisfied with the system although some parents of students with ASD continue to seek ASD-specific settings. It was striking that parents of students without SEN do not have an issue with the inclusion of children with SEN in the school. Instead they consider that their children benefit from experiencing an inclusive school as this builds an inclusive society.
- In NB inclusive education is regarded as a human rights issue. Similarly education is a key cornerstone of human rights in Ireland and in this context it might be timely to include the human rights commissioner in our discussions.
- It was noted that there are systems and structural issues in Ireland that would make it difficult to implement such a system here, including societal and cultural issues.

Council were asked if the executive could invite the former Minister for Education in New Brunswick and a principal in the area to give a presentation to the next Council to hear more about the education system. It was suggested that our Minister for Education and Skills should be invited to hear the presentation also. It was also suggested that other stakeholders may be interested such as the DCYA.

Council approved the request to invite the former Minister and principal.

14. 14.1 2018 Work Plan end of year review

The end of year review report on the work plan was circulated with the papers.

An update was sought on the status of the implementation of the new School Inclusion Model. The DES is reflecting on how best to allocate the €4.75m allocated to the phased introduction of the model in 2019 and has developed an action plan for its implementation. Further updates will be provided as the DES progress this.

Council noted the review of the work plan.

14.2 2019 Work Plan

A revised 2019 work plan was circulated with the papers which incorporated feedback from the previous Council meeting.

While the possible actions arising from the Disability Act have yet to be determined, it was noted that the actions in strategic goal 4 may need to be reviewed during the year as the implications become clear. The second three year action plan for the comprehensive employment plan will be published soon, so there may also be implications arising from this.

Council approved the 2019 Work Plan.

15. Customer Charter

A draft three year plan was circulated with the papers. The plan was developed using the guidance and template from DPER. The executive intend to simplify and shorten the plan for publication, subject to Council approval, to make it more customer friendly. Council provided the following feedback:

- In the list of customers, add offices and agencies to the DES as per other government departments. Include Boards of Management and management bodies in the list under bullet three.

- On page 6, reference which guidelines are being referred to in bullet 4 e.g. NDA guidelines?
- On page 7, under point 10, reference is made to Irish here but ISL is now also an official language since 2017. It would be useful to check with DPER regarding reference to this. The requirements for ISL are not as extensive in terms of publications etc. as they are for the Irish language.

Council approved the Charter and Action Plan subject to the amendments above and the production of a shorter version for the website.

Action	Person
6. Finalise the Charter and publish shorter version	JD

16. AOB

16.1 Dates for 2019 meetings

The following dates for meetings in 2019 were agreed. The additional seventh date is to allow for a possible extra meeting on policy advice if needed, so both May and June may not be needed.

30th January – a two day meeting on 29 & 30

20th March

15th May

26th June

11th September

30th October

11th and 12th December

It was suggested to provide the DES with these dates as soon as possible so they can notify new members of the dates for the year ahead.

Action	Person
7. Send Council dates to DES	JD

16.2 Delegated functions

The executive noticed that the responsibility delegated to the CEO to make adjustments to sub heads within non-pay budget lines was not included in the delegated functions list.

Council approved the update of the delegated functions list to formally incorporate this function.

The Chairperson thanked members for their contribution work and commitment over the terms of Council. The CEO and executive staff were also thanked for their work to date. At the close of business on day 1 of the meeting, the CEO had thanked all Council members for their support and guidance to her and the Executive over their terms of office and wished them well in future endeavours.

Joe Hayes
Chairperson
30th January 2019

Teresa Griffin
Chief Executive
30th January 2019