

NCSE Council Meeting 30th October, 2019
115th Meeting of the Council

Trim Castle Hotel, Trim

Attendance:

Council Members

Joe Hayes (Chairperson)
Don Mahon (Deputy Chairperson)
Antoinette Nic Gearailt
Clodagh Ní Mhaoilchiaráin
Deirbhile Nic Craith
Pat Goff
Eileen Daly
Dharragh Hunt
Eamon Clavin
Áine Lynch

Apologies:

Carol Cuffe
Peter Archer
Anne Tansey

Also in Attendance:

Teresa Griffin, Chief Executive
Mary Byrne, PO
Michelle McConnon, (item 12)
Jennifer Doran, PO & Board Secretary
Tadgh O'Leary, PO

1. Council private session

The Council met in private session to evaluate its performance, as part of the annual governance requirements. A copy of the report from the self-evaluation process was circulated to members for discussion at the meeting.

Members generally agreed that the Council was meeting objectives, had performed adequately and inducted new members efficiently and productively. The possible merits of more private meetings was discussed but, on reflection, the view was that the existing provision was adequate.

Council felt that meetings functioned well, that members felt free to contribute and that decisions were followed through on and implemented. The meeting considered the merits of training for Committee chairs, the value of school visits and greater outreach and the possible merits of an annual 'away day'.

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.

The Chair congratulated Don Mahon on his appointment as Chairperson of the European Agency for Inclusion and Special Needs Education. The appointment will be ratified by the Board of the Agency in November. This further strengthens the link between Ireland, the NCSE and the Agency.

3. Revised Terms of Reference for Committees

Four of the five Council Committees reviewed their Terms of Reference. The revised terms were circulated with the papers. The Finance Committee terms will be amended in line with the suggested amendment to all terms re the inclusion of the declaration of interests note. The CEO Performance Committee have yet to meet and will review the terms at the next scheduled meeting.

Council approved the revised terms for the Committees.

4. Draft minutes of the meeting on 11th September and matters arising

The draft minutes were approved with no amendments. A number of updates on actions and matters arising were outlined.

- Action 1: The NCSE Progress Report on Special Schools and Classes has been revised and designed. Some small changes were required and the DES agreed that the report would be submitted to them the end of this week. It is expected the report will be published at the time of the Research Conference. Public consultation will commence shortly after with education and other stakeholders which will involve some face to face engagements, written submissions and an on-line survey. It is expected to complete a number of these consultations before Christmas. Council offered assistance with these session as required.
- Action 2: Completed.
- Action 3: The letter has been sent to the Minister. Council were informed that the DES will be conducting a review of special schools and classes separate to our own review.
- Action 4: Completed.

5. Chief Executive Report

The report was circulated with the papers. There were a number of further updates added at the meeting:

- There was an error in section 3.1.5 in the fourth paragraph, the sentence should read: A model of practice has been agreed for behaviour practitioners working with NEPS and work will shortly begin on agreeing a model of practice for SLTs and OTs.
- The Work Plan progress report was circulated with the report. It was noted that most actions are expected to be achieved. The only area that will not be achieved is the identification of the implications for NCSE arising from the implementation of Part 2 of the Disability Act. This is because to date the NCSE has not been informed of the outcome of legal advice sought by the DES. Therefore, it is still unclear what will be required from the NCSE.
- In relation to section 3.2 regarding continuing to sponsor an NCSE BT Young Scientist award, it was agreed to continue to sponsor it this year and to ask the Research Committee to consider it for the future.
- The NCSE is in discussion with the DES regarding the reference to a new SNA allocation model which was announced as part of the 2020 budget and what this will mean for the NCSE. In addition, DEPR have indicated that they would be seeking a review of the special education transport scheme.
- A copy of a survey conducted by the National Principals Forum about special education provision in primary schools was circulated to Council for information. This is a group of principals but they have no formal establishment.

6. Strategy and Policy Committee report

The minutes of the Committee meeting on 18th October were circulated and the Chair summarised the main items discussed at the meeting.

7. Feedback on the Portuguese visit & update on policy advice

A delegation from the DES and the NCSE went on a study visit to Portugal to meet with senior officials from the Portuguese education system and to visit schools. Portugal introduced a new law in 2018 to move towards compliance with the UN Convention and are in the process of changing their special schools into resource centres for mainstream schools. They are also moving towards full inclusion of all students in mainstream classes in mainstream schools.

A full report on the visit will be provided at the next Council meeting and the learning from the visit will contribute to the development of the NCSE's policy advice on special schools and classes.

An update on the policy advice was provided under item 3 above.

Action Point 1: MB to finalise report from Portuguese visit.

8. Presentation from parents- experiences from special and mainstream settings

Two parents of children with special educational needs were invited to share their experience of the education system with Council members.

The first presentation was from a father of a 12 year old boy with a moderate Intellectual Disability, ASD and severe epilepsy who has been attending a special school. The second presentation was from a mother of a man who is now 26 years of age, with Asperger's syndrome and other needs, who attended a mainstream school.

The remaining information under this item/point relates to an ongoing deliberative process and is thus not being published at this time.

9. Corporate procurement plan & Compliance report

A revised Draft Corporate Procurement Plan was circulated with the papers. Council approved the Plan.

A report on compliance with procurement guidelines for services procured by the NCSE for the first half of the year was circulated with the papers. This is the first compliance report on procurement- quarterly reports will be submitted to Council in future. These areas of non-compliance were noted; some of which have been previously identified through audits. The NCSE do not incur any fees for non-compliance. The executive are working with sections to address the issues and improve compliance levels.

Council noted the issues raised in the report.

10. Work plan 2020

Council were asked for initial views on the work plan for 2020 on the basis of the 2019 plan. A number of areas were highlighted for consideration.

- The regional support service needs to further develop its identity and how it works and for this to be made more explicit in next year's plan. The system is not generally aware of its existence and how it operates. In particular, how are behaviour supports provided and what is available?
- Could research be done to see what happens to students with SEN after they leave school. Particularly those in special classes; what are their transition pathways?
- Can we track how many students transfer to mainstream classes from special classes? What planning is taking place to support the transition?

- For children without a school placement and on home tuition, can we collect data to see how long are they receiving home tuition and what other activities they are involved in. Do we know how these students are faring on the scheme and what other supports would be useful or required to support these students?
- How is the significant amount of money allocated to SEN in schools being spent and is it being used efficiently? Is this something the regional teams could focus on more?

11. Audit and Risk Committee

The ARC minutes were circulated with the papers and the deputy Chair outlined the items that were addressed at the meeting.

The Committee reviewed the Internal Audit Charter and a revised draft was circulated to members for approval. Council approved the Charter.

An update on the four top risks was provided to Council. There were no major issues to highlight.

12. Operations update

Council were provided with an update on special school and special class provision in the Dublin 15 area. An update on special class provision in Cork was also provided.

The regional managers have developed a planning forecast tool to identify and plan for the establishment of special class placements. The tool is expected to provide a 3- 5 year planning forecast.

To date, nine requests have been received for a SET exceptional review. The SET allocation letters for additional posts for developing schools will be allocated today.

Operations engaged with parents over the summer and identified good practice in this area, which will be used to embed such practices around the country to develop transition planning. The team are considering developing CPD and in-school support around parental engagement and transition planning.

Ninety-eight appeals were received. Of these, three were upheld, forty-two were not upheld and the remaining appeals have yet to be finalised.

13. Finance Committee report

The September Committee minutes were circulated and the Committee met again in advance of the Council meeting.

The finance report was circulated and Council noted the expenditure to end of September. This expenditure review identified a number of pay and non-pay savings which were outlined in the finance report.

Council approved the identified savings and to notify the DES of these. Additional savings may be identified in the October and November reviews and Council may be asked to approve these in advance of the December Council meeting if required. A further update on expenditure will be provided at the December Council meeting.

14. Research Committee meeting

The Research Committee met on 23rd October. The minutes will be circulated at the next Council meeting.

The Committee reviewed its terms of reference as noted under item 3 above.

A draft report on the literature review for the special schools and classes policy advice was circulated and members are to submit their views by 6th November. A second draft incorporating further information and evidence from additional questions will be circulated once completed.

Members were also provided with an update on projects to date and the research conference.

15. Communications and media

The Research Committee met to consider three matters relating to communications- how effective our communications is; how active we should be in our communications activities; and what elements of our activities should be independent from the DES. A paper outlining the discussion was circulated to members and noted:

- The Committee didn't feel the NCSE has a reputational issue or crisis. The NCSE is generally seen as being an effective body.
- While there is a general understanding of the role of the NCSE, our role is changing and this is not widely understood or known and should be promoted.
- One of the key messages for the NCSE and the DES is the investment in special education. It is considered that this is not a widely known fact and that the perception is that special education is still underfunded. The regionalised structure would provide the opportunity to communicate this message to stakeholders more directly, rather than using the media.
- There was consensus that our engagement with the media is generally more reactive to issues that arise, with the exception of our planned media engagement around our policy advice. It was noted that if we are to engage more proactively, this can be costly and can draw the NCSE into other areas, so this should be considered carefully.
- The group were clear that the NCSE is independent when it comes to our research and policy advice but not so with operations. It was suggested that defining our independence and its parameters with the DES may be helpful.

Council considered these issues. It was suggested that we should more actively engage with the education sector through the management bodies by setting up a structure at Secretary General level to keep the sector informed about what it happening and to input into our work. This could be organised to occur twice a year.

The approach to managing the publication of the Progress Report on the policy advice at the Research Conference was outlined.

Action Point 3: MMcG to consider how to engage with the management bodies.

16. AOB

16.1 Consultative Forum.

The first meeting of the Consultative Forum took place on 16th October. The topics covered were the UN Convention, the policy advice on special schools and classes and support services engagement with parents.

The Chair of the Forum outlined that the group engaged very well on the topics of discussion. Minutes of the meeting will be circulated at the next Council meeting.

It was agreed that the Chairperson will provide feedback to Council after each meeting as a specific item on the agenda. This feedback will outline where these issues are being addressed and if they need to be allocated to a Committee.

16.2 Legal case

Information under this item/point relates to an ongoing legal matter process and is thus not being published.

16.3 Brexit

The NCSE have been engaging with the DES planning team around Brexit to plan for areas that may be effected. The main issue for the NCSE is around data sharing but the issues are not major.

16.4 Correspondence received by the Chair

The Chair received a letter from Nicolas Ryan Purcell who produced a film about ASD and his experience and journey through life. The Chair replied to the letter and agreed to notify Council about the film. Council noted the contact made and film.

16.5 Dates for meetings in 2020

A list of proposed dates for meetings in 2020 will be circulated to members following the meeting.

Joseph Hayes
Chairperson
11th December, 2019

Teresa Griffin
Chief Executive
11th December, 2019