



Northern Ireland  
Assembly

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**COMMITTEE  
FOR EDUCATION**

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**OFFICIAL REPORT**  
(Hansard)

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**Inquiry into School Councils:  
Departmental Briefing**

16 November 2011

**NORTHERN IRELAND ASSEMBLY**

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**Members present for all or part of the proceedings:**

Mr Mervyn Storey (Chairperson)  
Mr David McNarry (Deputy Chairperson)  
Ms Michaela Boyle  
Mr Conall McDevitt  
Miss Michelle McIlveen

**Witnesses:**

Ms Eve Stewart ) Department of Education  
Ms Linda Wilson )

**The Chairperson:**

Linda and Eve, you are very welcome. I am sorry for the delay and for holding you back. We have had a presentation from the Children's Commissioner, and we want to raise a number of issues with you. If you have some comments to make, please proceed. We received your briefing paper.

**Ms Linda Wilson (Department of Education):**

The effective participation of young people — that is, the opportunity to influence processes and decisions about their lives and to bring about change — is an important consideration in the Department of Education's (DE) approach to education.

As part of the Department's school improvement policy, Every School a Good School, DE

wants a greater focus on engagement in schools, particularly with pupils. The involvement of young people is now identified as an indicator of effective performance, and it is also a specific goal in promoting engagement among schools and pupils, parents, families and communities.

As part of the school development planning process, schools are required to demonstrate that there is a commitment to involve young people in discussions and decisions in school life that directly affect them and to listen to their views. A schedule to the regulations identifies arrangements to consult and take account of pupils, parents, staff and others in the preparation of the plan.

Together Towards Improvement sets out the inspection framework; the Education and Training Inspectorate (ETI) introduced that process to enable schools to self-evaluate. One indicator of quality leadership and management is the encouragement of learners' involvement in discussions, decisions and aspects of school life that affect them directly, thus ensuring that the student voice is represented. That is underpinned by other parts of the process, which, for example, include shared evaluation of teaching and learning and stakeholder involvement. Paragraph 5 of our briefing paper sets out examples of effective pupil engagement in addition to school councils. It highlights a number of ways in which pupils might be involved. It includes strategic examples, such as involvement in the governance and management of schools, input in classroom teaching through assessment and class-led form work, and the use of various methods to canvass pupils' views.

During a school inspection, the Education and Training Inspectorate will seek to identify good practice and examples of positive pupil engagement. The Every School a Good School policy refers to the provision of a resource to support school councils specifically and to encourage all schools to set up councils or other fora to ensure that pupils have a voice in decisions on the running of their school. In that respect, DE has referenced the Northern Ireland Commissioner for Children and Young People's (NICCY) Democra-School guidance on its website.

An effective school council can make an important contribution to pupils' educational development. However, there are other ways to engage effectively with pupils. School councils are one of a number of means for schools to engage with pupils. Although DE supports the concept of school councils in principle, the key aim is to encourage all schools to find meaningful ways to give pupils a voice that can be heard. In that context, the Department would not seek to

be prescriptive, but rather encourage, facilitate and promote means of effective and meaningful pupil engagement.

**The Chairperson:**

Thank you for your presentation and briefing paper. Will you clarify something for us? The Children's Commissioner has just informed us that, after discussions with the Department over the past number of years, DE was in the process of introducing guidelines on school councils but has now decided not to do so until the outcome of our inquiry is published. Do you agree that it would be helpful if the Department were to share its current thinking on those guidelines, so that, as we continue with our inquiry, we will end up with something that is meaningful, useful and has buy-in from everybody about how we proceed on the issue?

In your presentation, you refer to a requirement for schools to evaluate participation, the exchange between pupils, and so on. However, paragraph 4 of your briefing paper states:

"The Education and Training Inspectorate does not evaluate individual aspects of pupil engagement such as school councils".

There seems to be a disparity. On the one hand, departmental documents provide encouragement to schools. On the other hand, the inspectorate decides not even to evaluate the merit, value or worth of that process. Do you think that that needs to be changed?

**Ms L Wilson:**

As I understand it, the inspectorate does not specifically evaluate whether a school has a school council. It looks at whether there is meaningful pupil engagement. The inspectorate would say that, as it goes about its work, it talks to pupils, observes how schools operate, how classrooms are run, how pupils behave in and contribute to class, and so on. It would take the view that, although it does not evaluate it specifically, it looks for it, comments on it and sees whether it is part of the school process.

**Mr McNarry:**

Chairman, I am not too sure that you got an answer to your question.

How long have you been working on the issue?

**Ms L Wilson:**

I came to DE in September 2009.

**Mr McNarry:**

Is it true — I ask only because I understand that it might be — that a draft document has been in circulation in the Department since February?

**Ms L Wilson:**

We have a very rough working document, which we pulled together following discussions with NICCY. The document needs further work, and it needs to be set in a wider context. We had helpful engagements with NICCY, which provided some useful steers. I then discussed the matter with departmental colleagues, who put other points of view to me, such as whether the issue was school councils or ensuring effective pupil participation by a variety of means. If a school council is working well, it can be highly valuable. However, the Department does not want a school council to be tokenistic, with the focus being on process rather than outcomes. It was clear from speaking to colleagues that there are issues around setting the matter in a wider context.

**Mr McNarry:**

Since September two years ago, you produced, in February, a rough draft. Could the Committee see that rough draft?

**Ms L Wilson:**

Yes, certainly.

**Mr McNarry:**

We would be obliged if you would pass that down to us. I appreciate and follow your line of thinking. Now that we know that you have a rough draft that is likely to be on guidance, is it true that you are holding back on its publication and are waiting for the outcome of the Committee's inquiry?

**Ms L Wilson:**

The Minister is embarking on a major programme of work and reform. He will decide the

priorities and the work that the Department has to take forward and make decisions about that.

**Mr McNarry:**

Are you telling us that the Minister does not see that as a priority?

**Ms L Wilson:**

I am not commenting on what the Minister's priorities are.

**Mr McNarry:**

Is your interpretation of what the Minister has said to you that it is not a priority? Those are your words, and they will be in the Hansard report.

**Ms L Wilson:**

What I am saying is that the Minister decides the priorities for the Department, and he is looking at an ambitious programme of work for the Department. That will set the priorities for the Department.

**Mr McNarry:**

Do you think this issue will be included?

**Ms L Wilson:**

That is a matter for the Minister and the permanent secretary.

**Mr McNarry:**

Paragraph 7 of your briefing paper, headed "Way Forward", states:

"it was ... agreed that a school council in every school was not necessarily the goal, but that the focus should be on participative structures which were appropriate to schools."

What do you mean by:

"participative structures which were appropriate to schools"?

**Ms L Wilson:**

Paragraph 5 of the paper lists various methods through which pupils can engage and participate.

We want schools to decide which participative structures are the most appropriate for them. It will be slightly broader than simply saying that a school council is required and that that is the be-all and end-all.

**Mr McNarry:**

I know what you are saying. However, if you are saying that a school council structure is not necessary, what type of structure do you think is an appropriate alternative to a school council, and how would that materialise within the setting of the needs of children?

**Ms L Wilson:**

It is an important structure. There are other methods of pupil engagement. For example, there is the opportunity to use classes to investigate pupils' views about specific school issues. Those could come up with ideas for change or whatever.

**Mr McNarry:**

How would they be structured or channelled? Do you cover that in the draft document?

**Ms L Wilson:**

No. We do not cover it in detail.

**Mr McNarry:**

Therefore, you have presented a list of possible examples, from A to K, but you have nothing to back it up.

**Ms L Wilson:**

Some of those examples happen in schools, but whether they are formal structures is a separate issue. I understand that the normal practice is for schools to have a class teacher, with whom specific issues can be discussed. In some cases, those are more structured than in other schools.

**Mr McNarry:**

When a school council does not exist, the Department would encourage a school to work with pupils to advance any one of examples A to K. Does your draft document have a view of example E:

“pupil input to reviewing applications for teaching posts”?

**Ms L Wilson:**

No, we do not have a view as such. I am advised by the inspectorate that that can happen.

**Mr McNarry:**

Are you aware of that happening in any school?

**Ms Eve Stewart (Department of Education):**

We are not aware of it personally, but we have been advised by the inspectorate that it is aware of it happening.

**Mr McNarry:**

Do you think that you could find out for us from the inspectorate the schools of which it is aware?

**Ms L Wilson:**

I could certainly ask it for more information.

**Mr McNarry:**

That would be very helpful. Has a costing been done for resourcing school councils or some structure that you have not put together yet that would enact examples A to K?

**Ms L Wilson:**

No. There are no costings in the Department for any of those examples or for school councils. Obviously, we are aware that school councils would be an additional burden on schools, but we have no costings.

**Ms Stewart:**

The guidance, which is very rough, focuses solely on school councils. It does not focus on wider participation.

**Mr McNarry:**

I wonder what you have been doing for two years. Every question that I have asked you relates to the briefing paper. It is your briefing. It is very extensive, and it is very helpful to the



Committee. I wonder, particularly in this day and age, whether the costings are significant or negligible. They could be important. As you say, we do not know whether the Minister feels that school councils are a priority, but that is a key issue as to the Minister's thinking. I am trying to link that with the absence of costings, which would be helpful. I am surprised, to be frank, that you have not done any costings. I am trying to link the absence of that to the presentation of this extensive document, and yet the news that greets us today is that you have stopped and delayed any declaration of policy guidance until the Committee reports on its inquiry. I find that astonishing.

**Ms L Wilson:**

I can say only that the Minister sets the priorities. Obviously, if he —

**Mr McNarry:**

Was the decision to delay based on your interpretation of how the Minister is thinking?

**Ms L Wilson:**

I do not think that it is a matter of delaying; it is recognising that we would wish any guidance that we produce to be informed by the work of the Committee and to take that into account.

**Mr McNarry:**

You have been at this for two years. The Committee expects any guidance that you produce to be useful to us.

**Ms L Wilson:**

I can say only that the work in the Department is taken forward as it is prioritised at any particular time in its workload.

**Mr McNarry:**

I understand your difficulties.

**The Chairperson:**

Will you confirm two things for me? First, was it communicated to NICCY that the work was being suspended pending the outcome of our inquiry?

**Ms L Wilson:**

A letter has issued from the Minister to the Children's Commissioner to explain that.

**The Chairperson:**

Obviously, we will have sight of that letter at some stage.

**Ms L Wilson:**

Yes.

**The Chairperson:**

Secondly, if it is the intention and the purpose of the Department to be informed by the work of the Committee, would I be right in saying that the reverse could also be the case? We could also be informed by the work of the Department, but that could only be on the basis of the information that the Department supplies to us. Even though, in your definition, the Department has only a rough guide, it would helpful for us to see where the Department is in relation to the matter.

**Ms L Wilson:**

I am happy to share that with you.

**Mr McDevitt:**

It is encouraging that a lot of work seems to be going on, particularly by the inspectorate. I take it from your answers to David that examples A to K are practices that the inspectorate has found in schools. In other words, it is not a made-up list, and the inspectorate has come across such examples.

**Ms L Wilson:**

That is my understanding. The inspectorate is looking for such examples.

**Mr McDevitt:**

It would be helpful when considering examples K and E, which David is interested in, if the inspectorate could give us some feedback about the reality of those practices? We need to confirm how many schools are doing A, B, C, D, E, F and G. We also need to know whether any qualitative analysis has been carried out and the inspectorate's view on what represents best practice.

On the broader issue of benchmarking, as you worked your way through the matter over the past couple of years, what other regions of the UK or member states of the European Union have you looked to as examples of best practice and of achieving full participation for our young people and children in schools?

**Ms Stewart:**

We have not really got to the stage of benchmarking. We have looked at the position in the UK, and we are still not 100% certain of the position there. We know that Wales has a statutory duty for schools to have school councils, but, to be honest, we do not yet know what the position is in England, Scotland and the Republic of Ireland; we are trying to get that information. We have not looked any wider than that.

**Mr McDevitt:**

We may be able to help you with that. What is your best professional view of the strength or validity of the statutory duty that operates in Wales?

**Ms Stewart:**

I do not have experience of what is happening in Wales, and I have not spoken to officials or professionals there. However, I am aware of the position in Northern Ireland, and I know that, when the Education Bill was being drafted, NICCY asked for a statutory duty to be included in it to require all schools to have school councils. However, the Minister at the time took the view that to be prescriptive about school councils, and to require every school to have one, would carry a great risk of school councils becoming tokenistic and mechanistic. They would not work in the way that the Minister and the Department would want them to work, and it was agreed that work would be progressed to try to encourage schools to have school councils.

NICCY has useful information, and its Democra-School guidance is very good. Schools have access to it, and the Department put that guidance on its website as a resource for schools to use.

**Ms L Wilson:**

From the discussions that I have had with the inspectorate, I know that it thinks that school councils operate effectively when children are used to participating in many other ways and when participation runs through schools and is built into their ethos. If you are taking that slightly

broader view, I suppose that the question is what would a statutory duty be about or around?

**Mr McDevitt:**

If you took your A to K menu of participation vehicles or points, statutory duty could be about giving statutory effect to many of those, in many ways providing the architecture and the substance around which a council would operate. That would avoid the risk of a council being set up and treated as a token exercise because, perhaps, the culture of a school is not participative. Do you have an opinion on that? That list is very interesting and is broader than I expected. I am exceptionally encouraged by some things I read there; that level of participation may be only in a small number of schools, but surely a statutory duty framed around that level of participation could be very positive.

**Ms L Wilson:**

There is always a debate around statutory duty, but one that is more broadly based and focused on participation would, to my mind, be a better approach than one that is narrower, partly because it allows for greater creativity and development.

It strikes me forcefully about the entire sector and young people that the agenda of participation is moving fast. Society being what it is, young people's needs are developing at a rate that none of us can imagine. One reason that attracts me to flexibility is that people can respond; people are not locked into legislation that states that schools must have something that will not be relevant five, seven or 10 years in the future. Broader participation that allows scope for local solutions, creativity, new thinking and new developments would be much more in line with my thinking. The debate on whether a statutory duty is needed is a separate issue.

**Mr McDevitt:**

I will leave it at that, Chair. I have the analogy of society needing democracy but not needing a parliament to deliver democracy.

**The Chairperson:**

That is a novel idea.

**Mr McDevitt:**

It would be anarchy.

**Ms L Wilson:**

That is not what I intended to say.

**Ms Stewart:**

Although there may not be a statutory duty, and the Department and the Minister will have a view, as part of the school development planning process whereby schools have to produce a three-year development plan and review it every year, one indicator for effective performance is that a school has to show a commitment to engage with young people, and the inspectorate, under its inspection framework —

**Mr McNarry:**

Do you think that that would save school closures if they threw it in now?

**Ms Stewart:**

Pardon?

**Mr McNarry:**

Do you think that that would save any school from being closed if they threw it in now?

**Ms Stewart:**

Are you being serious?

**Mr McNarry:**

I am being serious, because schools are closing in my constituency. I am being very serious, because I am dying to save them.

**Ms Stewart:**

I do not know. The pupils' views should probably be considered and taken into account. I do not know whether that would make a difference. Schools must meet certain viability criteria.

**The Chairperson:**

You referred to the effects and benefits of school councils. We received extensive and useful information from NICCY earlier. Is the Department aware of any research that has been

conducted? Are some of the assertions in your briefing paper made on the basis of research?

**Ms L Wilson:**

I do not know for sure. The inspectorate is clearly engaged in issues concerning young people and participation. We do not have data on school councils, and we do not have a structured evaluation of school councils in Northern Ireland, how well they operate and what they are achieving. That is important so that we can get an idea of what does and does not work.

**The Chairperson:**

Linda and Eve, thank you very much. No doubt we will return to subject as the inquiry progresses.