
NORTHERN IRELAND ASSEMBLY

Monday 1 February 2010

The Assembly met at 12.00 noon (Mr Speaker in the Chair).

Members observed two minutes' silence.

ASSEMBLY BUSINESS

Mr Speaker: The Acting First Minister and deputy First Minister wrote to me this morning to advise me that, due to exceptional circumstances, they will be unavailable to appear at Question Time as scheduled today. Members will know that Question Time to the Office of the First Minister and deputy First Minister (OFMDFM) was scheduled to take place at 2.30 pm, followed by questions to the Minister of the Environment at 3.00 pm. Following discussions this morning with the Whips, it has been agreed that, when the Business Committee meets tomorrow, it will reschedule for next week the questions that were due to be answered by OFMDFM today. Question Time for the Minister of the Environment will be brought forward to begin at 2.30 pm today. Given the circumstances, I ask the House for its understanding.

COMMITTEE BUSINESS

Mr Speaker: This morning, I received notification of the resignation, with immediate effect, of Mr Thomas Buchanan as the Deputy Chairperson of the Committee for Employment and Learning.

EXECUTIVE COMMITTEE BUSINESS

Work and Families (Increase of Maximum Amount) Order (Northern Ireland) 2009

The Minister for Employment and Learning (Sir Reg Empey): I beg to move

That the Work and Families (Increase of Maximum Amount) Order (Northern Ireland) 2009 be approved.

I am seeking the Assembly's approval of this Order, which is subject to the confirmatory procedure as laid down in the parent legislation, the Work and Families (Northern Ireland) Order 2006. It was made on 10 September 2009 and came into effect on 1 October 2009.

It will be helpful if I outline to Members the background to the Order. First, however, I note the resignation of Mr Buchanan as the Deputy Chairperson of the Committee for Employment and Learning and thank him for his co-operation in the short period that he has occupied that post.

In the 2009 Budget, the UK Government announced that they would increase from £350 to £380 the limit on the maximum amount of a week's pay used to calculate certain awards made by employment-related tribunals, including awards for redundancy or unfair dismissal, and other amounts payable under employment legislation by government — in this case, the Department for Employment and Learning in Northern Ireland — where an employer is insolvent. Northern Ireland has traditionally maintained parity with Great Britain in this area, and arrangements remain in place to ensure that payments in Northern Ireland keep pace with those in the rest of the United Kingdom.

The Northern Ireland primary legislation is framed in the same way as that in Great Britain, with the annual increase in the weekly limit generally being linked to the retail price index (RPI). However, on this occasion, in both Great Britain and Northern Ireland, a one-off power is being used to raise the weekly limit by an amount greater than the rate of the RPI and, as a consequence, to suspend the annual RPI-linked change that would otherwise have been required. If this suspension had not taken place, the effect of that annual change would have been to reduce the weekly limit from £350 to £340 due to the fall in the RPI.

Unfortunately, the current economic downturn has generated an exceptionally high level of redundancies, which has convinced me of the need to revise the basic entitlements of individuals who are facing the dreadful reality of losing their jobs. Inaction would result in redundancy payments being reduced at a time of considerable hardship. I am, therefore, seeking Members' agreement to this measure today to provide much needed entitlements in line with the rest of the United Kingdom.

The uprating from £350 to £380 was implemented across the UK on 1 October 2009. As the amount is used to calculate various payments and awards, including unfair dismissal awards and payments made to employees where their employer has become insolvent as well as statutory redundancy payments, this is a positive measure at a time of undoubted economic hardship. It ensures that people in Northern Ireland continue to have the same entitlements as their counterparts in England, Wales and Scotland.

An equality screening exercise has been carried out and has concluded that there are no differential impacts on section 75 groups. A regulatory impact assessment has ascertained that there are costs to employers in the region of £1.9 million to £2.7 million, with Exchequer costs of between £800,000 and £1.3 million. I emphasise, however, that, for the economy as a whole, those financial impacts, with the exception of one-off implementation costs of around £60,000, are offset by benefits to employees. Although there are associated costs for employers, I have looked and will continue to look for opportunities to reduce the regulatory burden on business in line with the principles of better regulation. My Department is considering deregulatory measures relating to employment agencies that would reduce the administrative burden experienced by employers. A fundamental review of mechanisms for resolving workplace disputes has just been completed, and I hope to announce proposals shortly that will reduce costs to employers and offer a wider range of alternatives to what can be lengthy and expensive tribunal proceedings.

I return to the matter at hand. The provisions of the proposed Order are considered to be compliant with section 24 of the Northern Ireland Act 1998, which is entitled 'Community law, Convention rights, etc.' I am grateful to the Committee for Employment and Learning and the Examiner of Statutory Rules for scrutiny of this statutory rule. I am also grateful to the Committee for its recommendation that the Order be confirmed by the Assembly.

Mr Speaker, you will recall that last week, sadly, there were two further significant announcements, as more than 400 people lost their jobs in manufacturing. That is of great distress to them and of great regret and concern to all Members. When we are considering the proposed Order, we must remember the circumstances in which many find themselves, particularly those who will be greatly challenged to find alternative employment. It may be asked why I have decided to increase the amount when the retail price index is falling. However, in addition to the argument based on parity, I must point out that those people are in the most vulnerable situation they will ever find themselves in throughout their career. The amounts involved are comparatively modest, yet they may contribute in some measure to

alleviating the financial distress in which many of those people will find themselves.

The Chairperson of the Committee for Employment and Learning (Ms S Ramsey): Go raibh maith agat, a Cheann Comhairle.

Like the Minister, I want to commend Thomas Buchanan, the former Deputy Chairperson of the Committee for Employment and Learning. I thank him for the help and support he gave me, as Chairperson, and I also say that on behalf of the Committee staff. I am getting a little worried: this makes three Deputy Chairpersons I have seen down during my time as Chairperson. Is it me? Should I take this personally? Keep bringing them on. Thomas is returning to the Health Committee, and, as a member of that Committee, I welcome his return.

On behalf of the Committee for Employment and Learning, I support the motion. The Minister has set out its purpose clearly, so I do not want to waste time repeating that. The Committee is conscious that the Minister has taken a sensible decision, in view of the economic downturn, to increase the weekly base for maximum payment beyond the rate indicated by the retail price index. The Committee commends the Minister for that.

The Committee considered the SL1 background note to the Order at its meeting on 9 September 2009 and agreed to support the proposed statutory rule at its meeting on 7 October 2009. Therefore, on behalf of the Committee for Employment and Learning, I support the motion.

Mr McClarty: I thank the Minister for outlining the measure. I, too, welcome the Order.

As the Minister has said, the measure ensures that statutory redundancy payments and various compensations due to employees do not decline in line with inflation at this time of recession. The Minister outlined that there will be some cost to employers and some to the Department. It will be noted that, in the circumstances, both figures are modest. That money will be going directly to people who have lost their job, and it will therefore help them if they are unemployed for a period, and it will, as a result, benefit the economy.

The measure is one that I am sure the whole House will welcome. When the Committee discussed it, no problems were found. I thank the Minister for his work on the matter.

Ms Lo: I support the motion and the approval of this Order. It is important not only that we keep parity with Great Britain but that Members show support for those facing redundancy or who have just experienced it and demonstrate that the House cares about those people. It would be unthinkable to decrease the maximum

amount payable from £350 to £340. Therefore, we warmly support the increase of £30 per week.

12.15 pm

The Minister for Employment and Learning: I have attended more rigorous debates. Before you came in, Mr Speaker, I sat alone in the Chamber wondering whether we would even get a quorum.

The Committee assessed the Order in considerable detail. Under the six-month rule, we had to bring the measure to the House before April. Therefore, we decided to bring it to the House at this stage. Consequential issues will arise from awards made at tribunals as a result of the Order, and those will work themselves through the system.

As I said, given the regrettable circumstances that we face, I am sure that many workers who are facing redundancy or reaching the end of their working life will find it extremely difficult to find a job with comparable wages. Therefore, any modest assistance that can be given at this stage will help those people to get through a difficult time.

I thank the Committee and Members for their contributions.

Question put and agreed to.

Resolved:

That the Work and Families (Increase of Maximum Amount) Order (Northern Ireland) 2009 be approved.

COMMITTEE BUSINESS

Statutory Committee Membership

Mr Speaker: As with similar motions, the motion on Statutory Committee membership will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Mr Thomas Buchanan be appointed as a member of the Committee for Health, Social Services and Public Safety; that Mr Jonathan Bell be appointed as a member of the Committee for Employment and Learning; and that Mr Jonathan Bell replace Mr Adrian McQuillan as a member of the Committee for the Environment. — [*Mr Weir.*]

PRIVATE MEMBERS' BUSINESS

Education Bill

Mr Speaker: The Business Committee previously agreed to allocate additional time to motions for which two or more amendments have been selected. As two amendments have been published on the Marshalled List, the Business Committee has agreed to allow up to one hour and 45 minutes for the debate. The proposer will have 10 minutes in which to propose the motion and 10 minutes in which to make a winding-up speech. The proposer of each amendment will have 10 minutes in which to propose the amendment and five minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

Mr McCallister: I beg to move

That this Assembly notes with grave concern the failure by the Minister of Education to secure consensus on the Education Bill; further notes the unacceptable nature of the Minister's interim governance and management arrangements; believes that these interim arrangements undermine the authority of this Assembly; and calls on the Minister of Education to urgently seek a resolution that is acceptable to all parties in the Executive.

Since the introduction of the Education Bill, the Ulster Unionist Party has outlined serious reservations about its content and general direction. In light of the Minister's initial proposals, we opposed the first Education Bill at Second Stage. Early in the process, we realised that the Bill had the potential to cause deadlock and confrontation. Unfortunately, we have been proven right.

At Second Stage of the Education Bill, my colleague Mr Basil McCrea said:

"I urge all other parties to reflect seriously on the practical, democratic and inclusive ramifications that the Bill will have for our entire educational system and for our society." — [*Official Report, Bound Volume 36, p10, col 2*].

I appreciate that other parties are coming to terms with how potentially disastrous the Minister's proposals are. However, I am afraid that much of the opposition has come too late. Instead of sending the Minister back to the drawing board at the earliest possible opportunity, we are now stuck in the quagmire of incompetence with an Education Bill that is bureaucratic and overly centralising. It will weaken the ability of schools to manage their own affairs and to achieve the best educational outcomes for children in Northern Ireland.

The parties have spent more than a week in talks dealing with an issue about which most people in Northern Ireland are not overly concerned. However, our education system is on the brink of collapse. People in the streets are confused about what motivates and drives their politicians, and they are right to question the commitment of certain parties to good government.

I will explain why we opposed the original Bill. The way that the Minister has handled the passage of the first Education Bill and the second education Bill has been nothing short of a disgrace. Her proposals have been ill thought-out, and the introduction of the first Bill before adequately thinking through the content of the second has been unsuccessful. Throughout her ministerial career, the Minister has claimed that she is all about change. However, when it comes to the crunch, she is unsure of the change that she wants. That is no way to run a Department.

The Education Bill will create the largest quango in Europe in that it will deal with the administration of an education system in a country that has a total population of 1.7 million citizens. The Minister has repeatedly stated that the education and skills authority (ESA) is being created to tackle educational underachievement. However, by reducing the abilities of a school and its board of governors to manage their own affairs, maintain the school ethos and make meaningful decisions, the Minister has again missed the crucial point, which is that educational underachievement must be reduced.

The Ulster Unionist Party originally supported a streamlining of the administration of the education system in Northern Ireland. However, the draconian powers that will be assigned to the ESA do not reflect the original proposals. The failed process has meant that, effectively, progress on the introduction of proposals for the second education Bill has been stalled. There are serious concerns that the Minister's proposals will ultimately remove the ethos basis of our schools in the long term. The Minister's treatment of the controlled sector has raised serious concerns about the entire review of public administration (RPA) project. We need equal representation from all sectors; no one sector should be above another.

The Minister has failed to get consensus, so she has decided to ignore the correct legislative process. By introducing interim governance and management arrangements, the Minister has, effectively, bypassed the House. In their respective amendments, the SDLP and the Alliance Party have sought to remove the reference to interim arrangements undermining the authority of the Assembly. However, both those parties are wrong, so we respectfully reject both their amendments.

The Minister has undermined the Assembly by giving authority over the reformed education and library boards to the chairperson-designate and the chief executive-designate of the ESA. We recognise that it is good practice for people to be appointed as designates in anticipation of forthcoming legislation, as was the case when the Health and Social Care (Reform) Bill was proceeding through the House. However, designates to bodies should not have power

over existing structures. That is what the Minister is proposing. Therefore, the Minister is bypassing both the House and the Committee structure in the Assembly, and she is doing a grave disservice to our democratic system.

When the Minister made her statement, the Ulster Unionist Party asked her a number of questions that she refused to answer. Many of those questions remain unanswered, so I will ask some of them again.

Mr O'Dowd: The Member's speech thus far has been full of broad and sweeping statements about the Minister bypassing legislation. First, which Act has the Minister bypassed? Secondly, the Member said that the Minister's ESA Bill removes the power and authority of boards of governors. I ask the Member to quote the clauses in the ESA Bill that remove those powers. Those clauses do not exist, but, if the Member knows different, I ask him to quote them. Secondly, is the Member aware that significant clauses of the ESA Bill are sponsored by his party colleague the Minister for Employment and Learning?

Mr McCallister: The Member made three points; he may have failed to count them all. He knows full well that the Committee has been treated disgracefully since the beginning of the process. Where is the Bill? If he was so confident about his arguments, the Bill would be in front of us. However, it is nowhere to be seen. When will the House debate the Bill? It should be debated in and sponsored by the House after having been through the Education Committee. It was tabled to come to the House in November 2009. It was pulled from the schedule then and again subsequently. Where is it today?

Questions are outstanding about the legal status of the chief executive and chairman designate. What powers do those offices have? Given that they have not been legally constituted, should they have any powers over existing structures? The Minister must answer those questions in the House today. We need answers to questions about the structures and the legal implications of all the mess and chaos that has been created. The Minister is proposing to give power to designate members of a body that does not legally exist. Do education and library boards or the new reform structures that the Minister has announced report back to a chief executive and chairman of the ESA, which is in shadow form and has no legal framework for existing? Such questions must be addressed.

Some other problems with the interim relations include the fact that people are leaving education and library boards either because of retirement or because their time is coming to an end. Can we guarantee that we can fill the positions adequately? The Minister has exhibited a mixture of shambles and authoritarianism;

that must stop if this place is ever to become a symbol of stable and good government.

To gain consensus, the Minister must go back to the drawing board on this issue. The ESA has the potential to completely alter education provision in Northern Ireland. It concentrates unacceptable powers with the Minister and is no longer merely a part of an RPA process of streamlining. It creates structures that will facilitate the greatest change in education in Northern Ireland for a generation. In the absence of consensus for her Bill, the Minister has decided to force reforms through by decree. Northern Ireland's political system will work only if all political parties value co-operation and have a desire to build consensus.

Mr Speaker: The Member should bring his remarks to a close.

Mr McCallister: It is obvious that some parties value decree and diktat more. However, we must all move to change that.

Mr Lunn: I beg to move amendment No 1: leave out all after the first 'Minister of Education' and insert

"and the Executive to secure consensus on the Education Bill; further notes the unacceptable nature of the Minister's interim governance and management arrangements; and calls on the Minister of Education and the Executive to agree urgently an acceptable resolution to allow the Bill to proceed."

We do not have enormous difficulty with the motion as it stands. However, we propose the amendment to make the point that the blame for the impasse lies not only with the Minister but with her Executive colleagues, perhaps even more so.

The ESA Bill is probably the most important of the 45 items that we believe are logjammed at Executive level. It seems to be an undisputed fact that the Executive have not had a single discussion on education for two years. That is a disgrace. As a result, there are two areas of chaos in the education system: the well-documented transfer mess and the failure to progress the ESA Bill, which is the subject of this debate.

(Mr Deputy Speaker [Mr Dallat] in the Chair)

The motion notes with grave concern the failure to ensure consensus. Our amendment would lay the blame on the Executive without letting the Minister off the hook entirely. There is no doubt that consensus has not been achieved on some aspects of the Bill, as John McCallister said. There are genuine concerns on the unionist side about the situation in the controlled sector and the rights of transferors, not to mention the usual suspicions that the maintained and Irish language sectors are getting a better deal.

Surely the way to sort out those matters and others is to bring the Bill before the House for full discussion and resolution.

12.30 pm

John McCallister said that the Committee for Education had, in some way, been sidelined on the issue, but we have spent more than a year scrutinising the Bill, and we have looked at it line by line.

Mr McCallister: Does the Member accept that the Committee was promised sight of the second Education Bill a long time before it arrived?

Mr Lunn: That is a fair point. We were promised the second Education Bill at the beginning of June 2009, but we did not receive it until the last day of September 2009. I agree that that is no way to do business. However, there were more than 100 amendments listed to the first Bill; it is not as if it has not been scrutinised. The Minister has also tried, more than once, to bring the first Bill to the Assembly. I ask: who is at fault? Who is holding it up?

A few weeks ago, when the Minister made her statement on that issue, we discussed the interim arrangements for continuity of administration of the system. My party has reservations about the temporary arrangements, about the limited number of appointees to the education and library boards and the possible illegality of the whole exercise. At the end of the day, the situation was forced on the Minister by Executive intransigence. The administration system had to be maintained in some form.

My party does not believe that the interim arrangements undermine the authority of the Assembly. We see them as a temporary expedient to cover a difficult situation. The bigger problem will arise if no resolution is found. Where do we go from here if we do not have the ESA? Do we go back to having a smaller number of education and library boards? We are heading for chaos again. The final part of our amendment merely changes the emphasis again, and lays the responsibility on the Minister and the Executive to allow the Bill to progress.

A tremendous amount of work and preparation, to say nothing of significant expenditure, has gone into making the ESA a reality. Given the attitude of the Ulster Unionists at the start of the process, when Basil McCrea vowed at a Committee meeting to fight the proposal tooth and nail, it is heartening to assume — by the wording of the motion, if not by the wording of Mr McCallister's speech — that that party is now prepared to consider the Bill's passage, even if it has to be suitably amended.

Mr McCallister: It has to be seriously amended.

Mr Lunn: OK. I will change that to "seriously amended".

I look forward to hearing the DUP's attitude to the situation, and particularly the views of the Chairperson of the Committee for Education, who has now joined us. Two weeks ago, during a Committee meeting,

Mervyn Storey announced, with what appeared to be considerable satisfaction, perhaps relish or even glee, that the ESA Bill was dead in the water and was not coming back. That is, more or less, a quote. The ESA is now central to the future of our education system, but it is being threatened with extinction without even being allowed to come into existence. I have not heard any concrete suggestions for an alternative, except for the status quo or some vague amendment to the existing structures.

Much has been said recently about the relevance of private Member's motions. I attended a Business Committee meeting not long ago during which Lord Morrow expressed the strong view that there were too many private Member's motions and that the Assembly was becoming a talking shop. I agree with him, but surely the lack of Executive business and legislation is making room for those motions.

Mr McCallister: Bring the Bill.

Mr Lunn: Bring the Bill. I hope that events elsewhere this week may provide the goodwill that is necessary to allow important business, such as the ESA Bill, to come before the House. I also hope that the motion before us, suitably amended by my party, will be discussed in a constructive way and that the message that goes back to the Executive and the Minister is that the whole House wants progress on the ESA.

Our education debates normally degenerate into a combination of Minister-bashing or justifying the Minister, with no winners or losers. Perhaps this debate will be different. Mr McCallister set a reasonable tone in his contribution, but if Basil McCrea had been here, it might have been different. The motion seeks consensus: in the Alliance Party, we have time to look at these things, and that word is derived from the Latin word *consentire*, which means to agree or to feel together.

I have a vision in my head, which may take some time to realise, of Basil McCrea, Mervyn Storey and Caitríona Ruane feeling together and agreeing, but we will have to wait for that. In the meantime, I ask the House to support our amendment.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Tá an-áthas orm leasú uimhir a dó a mholadh don Tionól inniu.

I beg to move amendment No 2:

"leave out all from 'believes' to 'Assembly;'"

The position surrounding the Education Bill is symptomatic of much that characterises the Executive; namely, the stasis that lies at the heart of government here. That leads to instability and concern among the general public and the agencies that are affected by the lack of agreement. The situation with the review of public administration is similar. It is holding up the

reform of local government and causing consternation among those affected.

As Trevor Lunn said, the Committee for Education devoted a great deal of time, including an extension to the normal period of examination, to ensure the proper scrutiny of every clause of the Bill. It is extremely disappointing to me, as a member of that Committee, and, I am sure, to colleagues, that the matter has not been progressed to date. The delay has caused a great deal of anxiety to the staff of the education and library boards and to those who work in and are responsible for schools. They are uncertain about what lies ahead, and they need certainty in this situation.

Many people have also raised concerns with us about the interim arrangements that are holding things together. On average, the interim boards have only six to nine members, made up of transferors, trustees and teacher representatives, but they are expected to govern the education and library board areas until the so-called transition boards come into place in February or March 2010. We are told that interviews are under way to fill those positions, but there is no definite commencement date for new board arrangements. Indeed, prospective members of the interim boards do not know how long they will have to continue in that role.

The lack of certainty creates an atmosphere of insecurity, and it does not inspire confidence in the Minister, her Department or government in general. At a time of economic recession, the last things that we need are further uncertainty and insecurity surrounding arrangements that were supposed to deliver savings that would benefit front line services.

Much responsibility has been placed on the shoulders of the interim boards, and many people are now asking whether the arrangements are robust enough legally to oversee the delivery of services. I see that, for a change, at least one official is present to advise the Minister. Perhaps, therefore, the Minister will tell us whether she has had a comprehensive risk assessment carried out on the temporary arrangements. If so, will she tell us the results of that assessment? If no such assessment has been carried out, why not?

Turning to the democratic deficit in the new arrangements, schedule 2 to the Education and Libraries Order 1986 requires the Department to "have regard to the population" of each district council area when determining the number of council members to sit on education and library boards. Has the Minister taken regard of the population of each council area in determining the numbers of councillors on the boards? Why is there only one nominee for Moyle District Council and Derry City Council, for example, whereas Belfast City Council has four? That was the case at the beginning; I hope that it has changed in the interim.

The Committee for Education also raised the issue of teacher appointment committees. Once again, I ask whether the Minister has fully addressed that issue. Has she given due consideration to the impact that the creation of smaller boards would have on the representative requirements for statutory teaching appointments as set out in schedule 3 to the 1986 Order? There is a requirement to have three teachers on those committees, and that has to be facilitated in the new boards. What impact will that have on the make-up of smaller boards?

A further question raised by the Committee was that of transferor representatives and the requirement for all boards to have at least two transferors. What action has the Minister taken to resolve that issue?

Those are just some of the questions arising from the temporary arrangements. However, the real issue is the logjam at the heart of government; the situation that has led to the Bill being mired in disagreement. Time has caught up with the ESA. It was to have delivered savings of £20 million a year to front line services. It seems that those savings have gone up in smoke. We are in a situation whereby not only are the savings no longer available but we face new and deeper cuts that will go to the heart of front line services.

The Minister needs to deliver on the ESA, special needs, transfer, literacy and numeracy, school improvement, and the strategy for the nought-to-six age group, to name but a few issues. So far, there has been a lot of paperwork and even more words, but the time for action has come. Theory is fine, but it is now time to put it into practice. It is time for delivery for our children; they need it, and our people demand it. If there are disagreements over parts of the Bill, let us resolve them through engagement.

There has been a lot of talk of partnership in the past week. Now is the time to practise partnership working in order to resolve the outstanding issues. We can no longer allow the Bill to remain in abeyance. It must be brought to the House and agreed, so that the arrangements that arise from it can be put in place. If that is not done, it will reflect very poorly on the Minister and the Executive. The public mood over the past week has clearly indicated that the public are fed up with the logjam at the heart of government here and that they want issues to be resolved. I urge the Minister to take the necessary action to ensure that the issues around the Bill are resolved without further delay. Go raibh míle maith agat, a LeasCheann Comhairle.

The Chairperson of the Committee for Education (Mr Storey): The Committee undertook substantial scrutiny of the Education Bill and published a comprehensive report on 30 September 2009. The report's executive summary started by agreeing key amendments to the Bill to recommend to the House. The Committee's main theme was the need for clarity, certainty and

confidence in the ESA's role in regard to several areas of the Bill where those were clearly lacking, as evidenced by the education stakeholders.

The Committee's main concerns included the ESA board membership; the role of its committees; proposed schemes of employment and management; the general duties of the ESA; and issues regarding controlled schools.

As regards the Minister's interim governance and management arrangements that were put in place because the ESA was not established on 1 January 2010, the Committee initially wrote to the Minister on 25 November 2009, and to departmental officials on 4 December 2009, following the Minister's statement to the House on 1 December 2009.

At a Committee meeting on 2 December 2009, some members raised concerns with senior departmental officials regarding the membership of the transitional education and library boards, namely how that will reflect the community that they serve and whether adequate account was taken of population levels in the various councils, as outlined by the Deputy Chairperson a few moments ago. Other issues that were raised included the absence of a teacher appointments committee for the Belfast Education and Library Board and the anomaly that enables such a committee to operate in a suspended South Eastern Education and Library Board.

12.45 pm

The Committee wrote to the Department on 4 December 2009 to seek clarity on all those issues of concern. The letter included questions about the role of the chairperson designate of the ESA and the chief executive designate of the ESA as an additional accounting officer of the Department, and it requested information on interim governance arrangements and other education bodies, such as the Council for Catholic Maintained Schools (CCMS) and the Council for the Curriculum, Examinations and Assessment (CCEA). Having received no response to those questions, the Committee, at its meeting on 13 January 2010, agreed to write to the Minister to request an urgent written update on the position regarding the implementation of interim governance arrangements across all sectors, including council representation on the education and library boards. The Committee still awaits answers to all its questions.

Furthermore, the Minister of Education wrote to the Committee on 26 January to inform us that she had received a convergence delivery plan from the chairperson designate and the chief executive designate of the ESA. At last week's meeting, the Committee noted the Minister's views about the importance of the convergence plan to the delivery of savings in the Department's 2010-11 budget. However, members raised concerns that the plan is being progressed without prior consultation

with the Committee and before the education and library boards have been reconstituted. There will not be an opportunity, therefore, to consult the boards properly.

I will make my concluding remarks as a Member of the House, and, indeed, I wish that I had more time to tease out the issues that need to be raised on the Floor. Let me pose a question: why is there no ESA? Mr Lunn said that, at a Committee meeting, I announced with some "glee" that the ESA is in the bin. I support the motion and thank the Members who tabled it. It is not only that the Minister of Education has failed to secure consensus. Even worse, the Minister of Education has failed to deliver equality. We have a Minister who struts the world stage as the champion for equality. Education was to be at the heart of everything that she does. However, when it comes to the sector in which 95% of Protestant children are educated, there is either no equality or the Minister's own version of equality.

I would like to deal with three issues of concern. I outlined these issues in a letter three or four months ago, but I still await a reply from the party on the Benches opposite. The first issue is the controlled sector. The Minister tells me that I abdicate my responsibility with regard to working-class Protestant areas. Let me make it abundantly clear: I represent people in those areas, I come from one of those areas, and I am proud of that. I assure the Minister that she will not be able to continue to discriminate against those people in the way that she has done to date. The place of the transferors, as of right —

Mr Deputy Speaker: I ask the Member to bring his remarks to a close.

The Chairperson of the Committee for Education: Two legal rights were conferred on the transferors.

Mr Deputy Speaker: Time.

The Chairperson of the Committee for Education: The first right conferred on the transferors is their place on the board of governors. The second is their place on the legal structures, which will be maintained and —

Mr Deputy Speaker: The Member's time is up.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. As Mr Lunn said, private Member's motions in the House have thus far not proven to be effective or relevant. If, as all Members hope, the discussions going on in another place prove successful and politics continues to be conducted through this avenue — at least, I assume that that is what all Members hope — politicians in the Chamber will have to realise that they are legislators and that it is unacceptable to bring forward meaningless motions without credible alternatives.

Mr McCallister: Will the Member give way?

Mr O'Dowd: Give me one second.

It is also unacceptable for Members to deliver speeches that contain broad, sweeping statements that have no basis in reality or fact. In his great speech, Mr McCallister, a Basil McCrea substitute, made broad statements about the education service being in crisis, about the Minister ignoring the Committee for Education, about the ESA Bill removing the powers of boards of governors, and so on. At no stage did he refer to the clauses in the Education Bill that back up that statement; nor did he refer to any Act, of this legislature or any other, that the Minister has ignored. He did not do that because they do not exist. Why let facts get in the way of a good story? If those facts existed, and if I were him, I would have quoted each of the clauses and the Act of which the Minister was in default, and I would have made that my case. When there are no facts, however, people make broad statements and hope that they get away with it. They throw in a few lavish comments about crises and hope that the media picks up on them and prints the stories on the front pages of newspapers.

If Members are opposed to the Minister's interim arrangements, they should bring forward alternatives. If there are no alternatives, bringing forward a bland resolution such as this is no good. If the interim measures are unacceptable, Members should state where they are so. In the absence of the Education Bill, is it unacceptable for a Minister to introduce an effective and efficient way forward for the administration of education? I, for one, do not think that it is. Mr Storey's party talks about needing an efficient and effective way to run government and how we need to cut away the layers of bureaucracy. However, every time he and his party are presented with a plan that brings forward measures that sweep away bureaucracy, they oppose it.

The Chairperson of the Committee for Education: Will the Member give way?

Mr O'Dowd: No.

They oppose those plans, in the case of the education boards, because it is about jobs for the boys. It is about jobs for DUP councillors — it is usually boys in the case of the DUP — sitting around education boards and administering education. The education service is administered by five 35-member boards —

The Chairperson of the Committee for Education: Will the Member give way?

Mr O'Dowd: I will not.

It is an ineffective and inefficient way of delivering the service.

The Minister — *[Interruption.]*

Mr Deputy Speaker: Order. The Member should take his seat. Where it is obvious that a Member does not wish to give way, other Members should not persist.

Mr O'Dowd: The Minister brought forward plans because she had to. The Bill has been blocked at Executive level. Until it is implemented, the Minister has responsibility for the delivery of £20 million worth of savings through ESA. Mr Bradley referred to those savings during his speech. Mr Storey may roll his eyes; perhaps £20 million is nothing to him, but I know a lot of people to whom £20 million is a whole lot of money.

At the end of the day, the Minister has to find £20 million worth of savings. They can and will be found through the interim arrangements, and they will be delivered to front line services. In the absence of a plan from everyone else, Mr Bradley's prediction will come true: those savings will be lost and added to the £75 million that already has had to be taken out of the budget. As the result of an Executive agreement, all Departments are losing significant amounts of money. When that is added to the £75 million that the Minister already has to find, we are into serious problems in our classrooms. It then becomes reality.

Some Members have talked about the failure of the Education Bill to look after the controlled sector, but what have the five education boards done, over their 30 years of service, to look after the controlled sector? Six months ago, the DUP beat on our door and said that the controlled sector has been left behind. I agree. How do we bring the controlled sector forward, look after it and ensure that educational attainment in the controlled sector is brought up to the standards that are achieved in the maintained sector?

Mr Deputy Speaker: Bring your remarks to a close, please.

Mr O'Dowd: I looked for one document when I prepared for this debate. It was not a research paper for this debate; I looked for the research paper on underachievement in education.

Mr Deputy Speaker: Your time is up.

Mr O'Dowd: That is what Members need to keep focused on.

Mr Ross: The Ulster Unionist Party motion mentions the failure of the Education Minister to find consensus on the Education Bill. It is not novel for this House to believe that the Minister of Education has failed to achieve a consensus, or even tried to get consensus on some issues. Trevor Lunn said that there are a number of educational issues on which there is no agreement, not just post-primary transfer. Therefore, it is not novel that we find ourselves, once again, talking about a crisis, or whatever one wants to call it, in education because we cannot find any agreement.

I joined the Education Committee towards the end of its scrutiny of the Education Bill: I am making a habit of that, I joined the Committee for the Environment when it was considering the Taxis Bill. There were many months of line-by-line consideration and scrutiny of the Education Bill, and it was clear, even at the tail end when I joined, that issues had been left unresolved. There were issues on which the Committee could not find consensus, and some of them required the Minister to take action to find a conclusion.

That is the process that every legislature in the world must follow. After a Bill is introduced in the House, it is debated in the Chamber before going to the Committee, at which stage amendments are proposed by parties, and bits of the Bill are taken out or changed.

Mr McCallister: The fact that that is the normal process is key to our motion. Mr O'Dowd talked about this being a "legislative Assembly" and he referred to "meaningless motions". Where is the legislation?

Mr Ross: The issue is this: when does it become clear to the Minister that she has not got consensus? It was very clear to the Committee that the Minister needs to amend the proposed legislation to try to build consensus. Until the Bill is acceptable to the majority of Members, it will not be brought forward and agreed. That is the issue.

If we look at what is on the agenda of the House tomorrow, we will see that amendments to the Local Government (Miscellaneous Provisions) Bill proposed by the Minister and Members are due to be debated. That is how the process works. The Democratic Unionist Party tabled a number of amendments to the Education Bill when it was due to be brought before the House, because the Minister had ignored our party's request for changes.

In moving the motion, the Member for South Down Mr McCallister said that the first Education Bill was almost finished before we got sight of the second one, even though the Committee had been promised that it would see the second Bill well in advance, so that members would know what they were working on. Again, we were disappointed.

There are a number of issues with which there are problems. Those problems have been expressed inside and outside the Committee and we want to see progress made on them. They relate, in particular, to the controlled schools ownership body and the controlled sector.

The Bill, as currently worded, removes the transferors from the ownership of the controlled schools estate, which they gifted to the Northern Ireland Government in the 1930s and the 1950s. As part of that gift, the TRC nominated representatives to boards of governors in primary and secondary schools and to education and library boards. That was very much to protect and

safeguard the interest that they had in education and to reflect that the estate was initially theirs.

On the Catholic maintained side of education, the Catholic Bishops will be trustees, with significant power over the schools estate. We do not want to see an imbalance created in the schools estate system between the Catholic maintained and the controlled sectors. We have seen no movement on that issue from the Education Minister, and she is refusing to come back with any amended plans.

The Chairperson of the Committee for Education: The situation is worse. During the interim arrangements, and before the reconstitution of the education and library boards — because there will be no such a thing as transitional boards — the Minister has failed to appoint councillors. Therefore, the teacher appointments committee, which is responsible for appointing staff in controlled schools, cannot meet. In the maintained sector, the Minister has not followed her statement of 1 December 2009 to tell the House what she is doing with the CCMS. Then her minder, John O Dowd, who is sitting behind, talks about "jobs for the boys". That case must be explained.

Mr Ross: That point has been made continually, and it seems to be ignored by the Minister and her party continually. The membership of the ESA board has also caused concern. Not only do we want TRC representatives on it, as of right, but the representation of councillors to provide that local democracy element is important as well. The councillors who are there represent their wider community and party strengths, which is another issue on which we have not seen a great deal of movement.

Until we see such movement, and until the Minister recognises that she must listen to, and act on, the concerns of the other side of the House in order to get legislation through, there will be very little progress on the Bill. That is how the Assembly operates. She cannot go off and do as she wants: she needs to try to build consensus and to take action that will win the support of this side of the House.

1.00 pm

Mr Deputy Speaker: I remind Members that interventions must be made through the Chair. I will not tolerate remarks being made across the Floor.

Mr Kinahan: When this Assembly received its mandate, nominated an Executive and set about its work, it had three major projects that it needed to complete before its dissolution next March: Health Service reform; local government reform; and reform of the education system. In 2008, Minister McGimpsey succeeded in the first of those tasks by seeing the Health and Social Care (Reform) Bill through the House. Without the Ulster Unionist Party's involvement

in the Executive, it looks increasingly likely that they would now be on course to fail utterly to reform anything.

Leaving aside local government and focusing on education reform, I must say that the Executive are failing. However, unlike reform of local government, with which the hold-up is almost totally down to the Executive's general dysfunctionality, the failure to reform education is, for the most part, down to the Minister's inability to compromise and to come to an agreed solution that might pass through the House. Almost any other Member would have done a better job of consensus building than the Minister.

Mr O'Dowd: Will the Member give way?

Mr Kinahan: No, I am going to carry on.

The Education Bill is stuck in the Executive for the simple reason that the Minister knows that it would be pulled apart and that she would be forced to a consensus position with the other parties. Amendments to the legislation may have brought the Bill to the point at which a clear majority of Members would have been in a position to support it. However, as a result of the Minister's dogmatic approach to her office, she will get nothing through.

Members on these Benches will oppose both amendments proposed to the motion. However, there is broad agreement among the parties that tabled them and my party, and we welcome their engagement, so we respectfully disagree with them and hope that they will support us in the vote on the motion.

We firmly believe that the interim arrangements undermine the House's authority. The House has accepted in principle that an education and skills authority should be established, and it is accepted practice that the Minister can make preliminary shadow appointments once that has been done. Minister McGimpsey did just that during the course of his reform agenda. However, the spirit of showing such latitude to a Minister should not extend to those shadow appointees, who are acting as if their positions have statutory authority. They do not. The Assembly has not established an education and skills authority. The appointments to it are in shadow form and are intended to provide those shadow appointees with a chance to form the structures of the planned body. They are not entitled to be told to administer existing structures.

The interim arrangements undermine the House's authority because it has not yet changed the existing structures. When it does, the Minister should act to implement the House's will. Until then, she must continue to implement the letter and spirit of existing laws. Mr Lunn said that the measures are temporary, but how long is temporary and how long must the whole education system wait?

Finally, I shall focus on the last line of our motion, which:

"calls on the Minister of Education to urgently seek a resolution that is acceptable to all parties in the Executive."

That means achieving consensus. All eyes are on the Minister. The whole of Northern Ireland wants consensus and for us to get somewhere, and everybody is screaming for an agreed way forward. I firmly support the motion.

Mr Craig: I support the motion, which mentions:

"the failure by the Minister of Education to secure consensus on the Education Bill".

However, there seems to be very little consensus on anything to do with education.

When I joined the Education Committee, a little over five months ago, the lack of consensus and the lack of work on the question of transferor representatives jumped out at me. It was astounding to see the amount and the level of work that had been done with the bishops in the maintained sector and the protections that were put in place for them. Yet, there was no protection whatsoever for the representatives of the Churches that had handed their properties and their education system over to the Government a number of years ago. Indeed, there was a lack of consensus not only on that issue but on the arrangements for the make-up of the board. I found it astonishing that, only months before the Bill was to be brought before the House, there was no agreement on the number of board members or on the members from political parties who were to sit on the board.

The Chairperson of the Committee for

Education: Will the Member add to that list, as a third element, the confusion that reigns with the party opposite in respect of the Catholic certificate? The Minister says that she has no resources, and the deputy First Minister tells us that there is a review. Therefore, they cannot agree among themselves how they will deal with that inequality, and, all of a sudden, they are trying to bury the issue.

Mr Craig: I thank the Member for his intervention; it leads me to the other issue that I wanted to talk about, which is equality. It goes to the very heart of those reforms and the lack of consensus on them. If there is to be equality of treatment, a lot of things need to be sorted out. We need equality of treatment for the controlled sector, and we will get it, because the House will not allow anything else to go forward. We also need equality of treatment across the board in the education sector. We cannot have any sector ring-fencing and looking after itself by requiring qualifications that nobody else is allowed to have. That is not equal or fair, and it needs to be dealt with.

In the five months since I joined the Committee, I have seen no efforts to reach consensus on any matter

that has come forward from the Minister. That leads to the public's perception that this place is not functioning, and, unfortunately, in some cases, that perception is absolutely correct. There seems to be no way forward on the education issue, and until the Minister gets the idea planted in her head that there must be agreement, the reforms will go nowhere.

I appeal to the Minister to sit down, start listening to what other parties are saying and reach consensus on the way forward. No one here is arguing about the need to reform education, and no one is arguing about the fact that we need to make savings in the education system. However, we want equality and fairness of treatment with regard to those arrangements.

I was not pleased by what the Minister's helper had to say about the education boards. The education boards have done a very good job, and they have looked after the controlled sector for the past 30 or 40 years, under very difficult circumstances. There were Government-sponsored attempts to undermine that sector, and they gave preferential treatment to other sectors in education, yet the boards did the very best that they could with what little they had, and they looked after the controlled sector remarkably well. I have nothing but admiration for the people who worked under those conditions and delivered for that sector. They delivered for my education, and they are delivering for my children's education, and they do so under enormous strain, some of which has been caused by the Minister who is sitting here today.

I have no difficulty in commending the motion to the House.

The Minister of Education (Ms Ruane): Go raibh maith agat, a LeasCheann Comhairle. San am gairid atá agam le freagairt ar an díospóireacht, ba mhaith liom déileáil le trí shaincheist.

In the brief time that is available to me to respond to the debate, I want to deal with three issues.

Ba mhaith liom freagairt ar chuid de na pointí a rinne Comhaltaí, agus ba mhaith liom a mhíniú cén fáth a bhfuil leasú oideachais, agus achtú an Bhille Oideachais go háirithe, chomh tábhachtach. Ba mhaith liom a mhíniú don Uasal McCrea, don Uasal McCallister agus dá gcomhghleacaithe cén fáth, in ionad a dtacaíocht a thabhairt do thairiscint den chineál seo, gur chóir dóibh bheith díocasach le tacú le mo mholtaí.

I want to respond to some of the points that were made by Members, and I want to explain why education reform, especially the enactment of the Education Bill, is so important. Furthermore, I want to explain to Basil McCrea, who is not in the Chamber, Mr McCallister and their colleagues why they should be to the fore in supporting the proposals rather than supporting the motion that is before the House. I will say a few words about what I have been trying to do in bringing

forward proposals within the context of the review of public administration (RPA). The proposals are firmly rooted in three important concepts.

Ba mhaith liom caighdeán a ardú. I want us all to raise standards. It is frightening to hear complacency such as that just expressed by Mr Craig. It worries me to hear such complacency, because far too many young people are being failed by the education system. It is complacency such as that shown by the Member who has just spoken, Mr Craig, that is helping to create the conditions in which it is OK, or people think that it is OK, for children from working-class communities to be failed. Nothing could be further from the truth. We have to move away from that argument of complacency and understand that if we are to change things, we need to get off the fence and bring about the changes that are so badly needed. We must do that rather than try to justify inaction on such issues as school improvement.

On reaching school-leaving age, half our children secure neither the qualifications that are necessary to continue in education nor those that are sought by most employers. Some 52% do not achieve five GCSEs at grade C or above, if we include the necessary qualifications in mathematics and English. That is unacceptable. Therefore, there should be no complacency. Such a situation exists, despite the best efforts of the teachers and classroom assistants who battle against the disadvantage that the system places against them. They have to battle because the parties opposite refuse to engage on the real issues about our selective system that discriminates against our children, the systemic failure and institutions that are more interested in their reputations than the children whom they are supposed to serve.

Schools that have the highest percentage of children from socially and economically disadvantaged backgrounds and the majority of children with special needs are doing the best that they can under difficult circumstances. Some of our secondary schools are among our highest-performing schools, but others are facing serious difficulties. Action has to be taken to ensure that children are not failed in our system.

I cannot justify spending billions of pounds every year on a system that fails half the children whom it is designed to serve. We need to close the attainment gap between those schools that serve some of our children well, in some cases very well, and which leave others to the vagaries of an outmoded model of child supervision, free child-minding and underachievement. In some post-primary schools, less than 15% of pupils achieve basic school-leaver qualifications. In similar schools that have the same profile of pupil intake, management type and social environment, the figures are two or three times better. Even those figures are not good enough. Why must we settle for a school lottery that means that children in some parts of the North of

Ireland have to settle for a one in six, or less, chance of securing an education that will offer them realistic life chances?

Those are not small matters. Research shows that children who do not succeed in school are more likely to suffer from poor health and lower life expectancy, be more economically inactive and may be more likely to be caught up in the criminal justice system. In short, if we do not improve our schools, we condemn our children to poor outcomes, poverty and second-class citizenship.

1.15 pm

Ineffective education services for the individual means ineffective outcomes for the individual, the economy and society. Those who seek to maintain the status quo seek to maintain a system that fails. Please do not continue to seek to maintain the status quo.

I want to generate greater efficiencies in the way in which we use the resources that are available to us. I do not need to tell Members how difficult the financial environment is. As a consequence of the implementation of the RPA reforms, £8 million in efficiency savings were to be realised in the current year, £13 million next year, and £20 million every year thereafter. Under a unitary system of delivering education, RPA would almost halve the number of senior managers in the education sector, which would mean more money for front line services. I want to see less management and improved educational outcomes.

Members will recall, however, that the education budget was reduced in the expectation that those savings from reforms would be realised with the establishment of the ESA. The delay in setting up the ESA has, therefore, a direct impact on education services, and those who continue to delay and block the ESA have questions to answer. I will not allow the convergence process to be blocked, and that is why I brought forward proposals. I am not prepared for another generation of children to be treated in the way in which previous generations were treated.

The Chairperson of the Committee for Education: Will the Member give way?

The Minister of Education: The Executive's recent decisions to reduce budgets for 2010-11 adds to the significant pressures facing education next year. We must protect the classroom and front line services. Those who proposed the motion, and those who support them, need to decide whether they want managers or teachers. The new authority will change the way in which services are managed and delivered to realise further efficiencies in the way in which services are delivered.

Savings can be achieved by establishing common services in financial management, personnel, catering,

transport, the management of the schools estate and many other areas. Those changes will offer improvements in what we do, and savings from reduced bureaucracy can be redirected to support pupils where they need it most: in the classroom. That is the approach that I support.

Mhíneigh an Ráiteas a thug mé don Tionól ar an gcéad lá de mhí na Nollag cén fáth nach mbeadh sé indéanta sprioc-dháta an Tionóil chun an t-údaras nua um oideachas agus scileanna a bhunú roimh an gcéad lá de mhí Eanáir na bliana seo. Chuir mé in iúl daoibh an rún atá agam le socruithe idirthréimhseacha a thabhairt isteach.

My statement to the House on 1 December 2009 explained why it would not be possible to achieve the Executive's deadline of establishing the new education and skills authority (ESA) by 1 January this year. I announced my intention to bring in transitional arrangements. The motion criticises those arrangements. However, those who tabled the motion and those who support them do not offer a workable alternative and ignore the difficult financial situation faced by public services here, as confirmed in the recent statement by the Minister of Finance and Personnel.

The Executive determined that there must be more streamlined administration in education. Transitional arrangements are being established to allow that administration to operate, to perform its mandatory functions, and to address the very challenging financial context until some Members in the House catch up with the reality that change is necessary, change is happening and change will continue to happen. *[Interruption.]*

As part of those transitional arrangements, I had asked the Chairperson — the Cathaoirleach — and the chief executive designate, to produce a convergence delivery plan to bring a much stronger focus on those convergence activities, which should be taken forward before the ESA is established. I have received a plan that provides the basis for moving forward and it has been sent to the Committee. My officials are engaged in briefings with the education organisations on the convergence process and how it will be moved forward.

My colleague John O'Dowd dealt with the sweeping statements that Members on the opposite Benches made to justify their attempts to maintain the status quo and to accept the complacency of current arrangements.

The Chairperson of the Committee for Education: Will the Member give way?

The Minister of Education: Therefore, we must keep on the path of the convergence activities across —

Mr Deputy Speaker: Order. The Minister should resume her seat.

I remind the House that whenever it is obvious that another Member does not wish to give way, Members should not persist in trying to make interventions. I

also remind the House that courtesy, good temper and moderation must be shown at all times.

The Minister should continue.

The Minister of Education: Go raibh maith agat, a LeasCheann Comhairle. John O'Dowd mentioned the sweeping statements that Members on the opposite Benches made. I agree with him. The Members on the opposite Benches feel that those statements protect them and that the public do not know what is happening. However, I visit schools in every sector, and I am aware that the public know exactly what is happening. They also know who is attempting to block change and what parties are failing working-class children in Protestant, Catholic and ethnic minority communities. The Members on the opposite Benches can continue to put their heads in the sand, but Sinn Féin will not do that, and I, as the Minister of Education, will not allow that to happen.

The Chairperson of the Committee for Education: What about equality?

The Minister of Education: The Member mentioned equality. Equality for all our children is the way forward; we cannot continue with a system in which inequality is the cornerstone. There is a new cornerstone now, and that is *comhionannas*, *comhionannas* agus *comhionannas* — “*comhionannas*” is the Irish word for “equality”.

The Education Bill was introduced with the agreement of the Executive, and the Assembly voted overwhelmingly to agree its Second Stage. Mr Basil McCrea's party voted against the Bill at that Stage, but to date it has offered no alternatives, no new policies and no new ideas. However, all the other parties supported the need for change, and by a 6:1 ratio, Members voted for the principles that are enshrined in the Bill. Is that not agreement and consensus?

Either way, I have asked the Executive to consider all the proposed amendments that the Committee for Education, other Members and I have suggested. I agree that we must agree on how to move forward, and I look forward to discussing that at the Executive. However, I will not wait for Members on the opposite Benches to stop trying to block change. We must work for our children.

The mindset of the proposers of the motion is that we face dissension rather than agreement and that we face wrangling and political point scoring rather than serious debate about how best to serve our young people. Today in the Chamber, and over the past few weeks and months, we have heard much about justice. This is a debate about justice. It is also a debate about health, the economy, equality, the future and the political process that can make the future better. If education improves, health improves. If education improves, the economy grows. The Executive will get credit for that, and we can stop failing our children.

Every policy that I bring forward is interconnected, and although people believe that change is not taking place in education, massive change is happening every day. As the Minister of Education, I have brought forward, and I will continue to bring forward, a series of radical reforms that are aimed at the education system and a series of interconnected policies that put the child at the centre.

Whenever the parties on the opposite Benches speak of what they protect, they protect narrow interests and those who can articulate their own wants. They protect those who have built and managed a system that perpetuates failure. I will not accept that. I am Minister of Education for all children, not just for some. I also speak for the disadvantaged, the vulnerable and those who have been condemned to poverty, poor health and further injustice in the past.

At all times, the Department has engaged with the Committee, and we have kept it informed. We will continue to do so as the interim arrangements are developed. The Department is working to ensure that all sectors have equality, and it is working very closely with the transferors to deal with their genuine concerns. However, the parties on the opposite Benches must not hijack genuine concerns for the sake of political expediency.

Mr Deputy Speaker: The Minister should bring her remarks to a close.

The Minister of Education: Equality is at the core of everything that the Department will do.

Mrs M Bradley: I support amendment No 2. I have no intention of reiterating everything that my colleague Dominic Bradley said regarding the problems our party has with the Education Bill and its content, but it is important that the Minister finally gets the message that there are problems that she must address soon. It is not acceptable for a Minister to stand in the House to respond to a motion and deem that she has heard the usual rant from any Member. If we are ranting, it is clear that there is a problem.

It is difficult for Members to understand the Minister's intentions exactly. That being the case, how can the public be expected to understand? It is frustrating when constituents ask us for guidance and assistance and we explain to them that we, as Committee members, are as much in the dark as them. How stupid does the entire system look when young qualified teachers ask us whether they can apply for jobs in schools where they know there are vacancies? Such appointments cannot be made until the governing bodies of those schools are properly constituted by appointing public representatives to the boards. However, one local newspaper reported that the non-creation of the ESA is a disaster, and that, furthermore, the Department is continually producing layer upon layer of administration,

which clearly illustrates all the negatives that the Minister has told us she wanted to eradicate.

Puzzling arrangements have been put in place to steer boards through these troubled waters, and it is looking more and more likely that those arrangements will not be as short-lived as the Minister hopes. Our P7 children who chose to sit one or more of the transfer tests are anxiously awaiting the results. We are in limbo, and it almost feels as if we too in the House are awaiting the outcome of a testing time, although we are much more able to deal with the stress and strain of that. However, if we do not find a common pathway through the Education Bill maze, we will still be lost this time next year.

The points made here today express the concerns of the representatives of the temporary boards, the statutory teaching appointments committees and the representation of the transferors. They also express the need for partnership to resolve the outstanding issues regarding the progress of the Bill. Progress needs to be made; there is no doubt about that. As my colleague said, we heard a lot about partnership in the past week. Partnership should not end at the door of Hillsborough Castle; it must be brought to the heart of government, particularly to deal with the issues surrounding a Bill such as this.

I urge the Minister to listen to the genuine concerns of all Members that have been expressed today. Our children are at the heart of the issue. I am not talking about any one set of children, but about all of the children of Northern Ireland. It is very important that everyone knows that our ambition is to deal with all of the children and not with one particular group.

We have not come to the House to engage in a rant, which the Minister claims to have heard from Members. I am not ranting about the issue; I am saying what other Members are thinking. It is time that the Minister listened and made the changes. She should bring the Bill before the House for Members to deal with all of the issues, so that the children can have what people in any free country should have: the freedom of choice; the freedom of speech; and the freedom to disagree with the Minister.

Mr Lunn: I do not want to repeat everything that I have said; unusually, I have to make a winding-up speech on the amendment that I introduced. That amendment calls on the Minister of Education and the Executive to agree urgently an acceptable resolution to allow the Bill to proceed. That is not really any different from the motion, which is the point I would like to emphasise, because it will be some time before the Bill comes to the House. Alastair Ross seemed to indicate that he wanted the Minister to make the Bill acceptable to the unionist population before bringing it to the House. However, then it would not be totally acceptable to the other side of the House.

1.30 pm

The Chairperson of the Committee for

Education: Why would that not be acceptable to the entire House? I get weary of the Minister for a number of reasons, including the number of times that she has told us about equality. The problem is that she cannot deliver equality — or she can but is not prepared to. It is her version of equality. On three issues — the controlled sector, the ESA board and the Catholic certificate — she has failed miserably to prove that she can deliver equality. Everything else that she says is hot air.

Mr Lunn: Yes, hot air indeed.

The Chairperson of the Committee for

Education: Does the Member not want equality?

Mr Lunn: I am all for equality. I shall continue, because there was too much in the Member's contribution for me to comment on.

My problem is that sometimes I agree with one side of the House and sometimes with the other side. I am not alone in that. For instance, Jonathan Craig talked about the rights of the transferors and the need for the ESA board to be completely representative. The Minister has, to some extent, given way on the board issue, and she has said that she is working on the transferors problem. I completely agree with the unionist side on that, but the Minister is right to talk about raising standards. The point always comes up that the Protestant working class underachieves, and that is partly a result of the existing structures and processes that provide education. It is disingenuous for unionist politicians to appear to make the case that they want things to stay as they are when they are not working correctly.

Danny Kinahan said that the Minister of Health had been successful in reforming the Health Service. I am not sure that I totally agree with that. We do not get the minutes of Executive meetings, so I wonder what attitude the Health Minister has taken at the Executive to the efforts to progress the Education Bill.

Mr O'Dowd: Mr Kinahan may not be aware that the RPA on health was so successful because Sinn Féin approached the issue sensibly, did not play party politics and ensured that the Bill went through. If the Ulster Unionist Party were to take the same approach to the RPA on education, it would find that the journey was far smoother.

The Chairperson of the Committee for

Education: You are playing party politics.

Mr Deputy Speaker: Order, please. I have tried to keep the debate good-natured, but it has got to the stage where I will have to apply the rules of the House to any Member who persists in shouting across the Table. I also suggest that, when referring to the Minister, Members say "Minister", rather than "she".

Mr Lunn: Perhaps I will get five extra minutes now, Mr Deputy Speaker.

Dominic Bradley summed it up well. He called for engagement and said that the public were completely fed up. The public are completely fed up with this place, rather than being fed up specifically with the wrangling over the ESA. In fact, I doubt that half of the public know what ESA stands for. However, it is a major issue for us, and, sooner or later, it must come to the Floor of the House. The Minister and the parties that disagree with her should have the courage of their convictions and allow it to be debated in the Chamber.

Most of the 100 amendments came from the Committee for Education, and they did not follow party lines absolutely. There were areas of crossover, and it was not, nor should it have been, a straightforward unionist/nationalist confrontation. It is far too important for that. I urge the Minister and her Executive colleagues to allow the Bill to proceed. That is the thrust of the motion and the one issue on which all Members agree. It is time to move on and discuss the Bill here in a parliamentary way.

Mr McCallister: In light of your remarks, Mr Deputy Speaker, I shall try to conduct my speech in a good-natured manner.

As my colleague Mr Kinahan and I have consistently repeated, we have not been opposed to the establishment of an ESA or to the streamlining of the structures of education administration. No one is opposed to that. We all think that we can do better. There is money to be saved, and we want to realise those savings. What we did not want to see was a super-quango taking over everything. The ESA has, effectively, taken on a life of its own. That is what we have opposed in the Bill.

As Mr Lunn mentioned, when the Bill was in Committee and it came to a vote, there was crossover and support from various parties on different issues. It was not a simple orange/green divide. Everyone in the House believes that we should and must address educational underachievement. The debate is about where that educational underachievement is occurring, its causes and how we address it. The views of the Minister and her party that some of that underachievement can be addressed through blunt instruments, such as using free school meals as a sole measure, differ from those of others.

I will follow up on some of the comments made by Members. I think that all Members agreed that education is in a mess.

Mr O'Dowd: No.

Mr McCallister: Sorry, I beg your pardon, Mr Deputy Speaker.

Mr O'Dowd: On a point of order, Mr Deputy Speaker. Is it important that Members reflect accurately the mood of the House and contributions from other Members?

Mr Deputy Speaker: I am sure that Mr McCallister will bear that in mind.

Mr McCallister: I am grateful to the Member for that point of order. I was about to say, "All Members on these Benches but not Sinn Féin". As others mentioned, Mr O'Dowd was here mainly in his role as the Minister's minder or helper — I think that that was the phrase used.

Mr O'Dowd: On a point of order, Mr Deputy Speaker. As I am sure you are aware, Mr O'Dowd is here as an elected Member of the House. Would it be useful for Members who are contributing to the debate to be aware of that?

Mr Deputy Speaker: I am sure that the Member is aware of that.

Mr McCallister: I had no idea that Mr O'Dowd was so sensitive. I recognise that he is an elected Member and congratulate him on his election.

In moving amendment No 1, Mr Lunn discussed many things: the controlled sector; the maintained sector; Irish language; and some of the failures that we have had and some of the delays, which I spoke about, in bringing the second Bill to the Committee. It was initially to come to the Committee in June and was delayed to the end of September. In his winding-up speech, Mr Lunn also mentioned the crossover in party support on the various issues, which I thought was a useful point.

Mr Bradley talked about the uncertainty and the fact that we needed to bring certainty. That is the crux of the debate: we have to bring certainty to our education system. There are big concerns about the interim boards and how those link in, about whether any regard has been given to the population of council areas, and about teacher appointments. Mr Bradley mentioned the £20 million of savings, which, the Minister admitted, will be difficult to achieve. Mr Bradley spoke about the special educational needs (SEN) review, the strategy for children aged nought-to-six and other policies.

Mr Storey spoke initially as Chairperson of the Committee for Education and gave some of the background to the scrutiny of the Education Bill. The three main principles that the Committee sought were clarity, certainty and confidence, and it considered its role in trying to achieve those. He then spoke, as a Member, of the delay in finding out how the structures in the interim arrangements will work.

Mr O'Dowd complimented me and said that I had made a great speech. I thank him; I am most grateful to him for his kind remarks. If he wants to intervene, he could tell me that again. He challenged parties to make

proposals. However, on the transfer issue, all the parties, except his own, are involved in trying to make proposals to resolve the transfer issue.

Mr O'Dowd: It is rather the case that all the other parties have asked someone else to bring forward transfer proposals for them. They have none of their own.

Mr McCallister: Even the Member will admit that it is good to see someone working to bring forward proposals. There is agreement from four of the main parties to try to find a solution to the transfer problems. Mr O'Dowd might ask himself what he has been doing to address the impasse in education.

Mr Lunn: We in the unofficial group of which Mr O'Dowd so disapproves have set up another body to give us expert advice. Perhaps you could learn something from that. *[Interruption.]*

Mr Deputy Speaker: Order. The Member will resume his seat. No sooner have I settled Members on one side than the other side starts up. I remind all Members that the rules on speaking through the Chair apply equally. I will have equality all round.

Mr McCallister: I am grateful to Mr Lunn for his intervention.

Mr O'Dowd spoke of "jobs for the boys" in respect of councillor representation on education and library boards.

Mr Ross spoke of the failure to find consensus. Legislators around the world make proposals to work with the executive branch of government to find consensus. The Minister's colleague, the Minister of Agriculture and Rural Development, had to change her proposals and accept amendments to her Diseases of Animals Bill. Similarly, the Minister of Health, Social Services and Public Safety had also to adopt changes to his legislative proposals. That is how the democratic legislative process works.

The Chairperson of the Committee for Education: Is it not ironic that the Minister tells the House that we are playing politics when speaking about the transferors? Does the Member agree that, just after Christmas, the party opposite put a proposal to the transferors and that that proposal was rejected? The party opposite has been unable to get consensus from an organisation that represents 95% of Protestant children in Northern Ireland.

Mr McCallister: I am grateful to the Chairperson for that important point. I am willing to give way to the Minister if she will tell us how she will move that issue forward. I do not see any movement from her.

I will touch on some of the Minister's points. She spoke of raising standards, the financial arrangements and why the ESA was to be established by 1 January 2010. There is no dispute about raising standards in

education; every Member is committed to it. She spoke at length about the importance of good education for health, the economy and life expectancy. I know, from serving on the Health Committee, that those are crucial. The Minister spoke of interlinked policies. However, if a major policy link or several major links in the policy do not work, all will end in failure. The special needs review, the transfer process and the nought-to-six strategy were mentioned. The Minister said that there are serious problems in the classroom and that we need to protect our children; some might say that we need to protect them from the Minister.

1.45 pm

Mr Deputy Speaker: Before I put the Question on amendment No 1, Members should note that, if amendment No 1 is made, the Question will not be put on amendment No 2, as its purpose will have been overtaken by the decision on amendment No 1. If that is the outcome, I will proceed to put the Question on the motion as amended.

Question, *That amendment No 1 be made*, put and negatived.

Question, *That amendment No 2 be made*, put and negatived.

Main Question put.

The Assembly divided: Ayes 58; Noes 24.

AYES

Mr Armstrong, Mr Beggs, Mr Bell, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Bresland, Lord Browne, Mr Buchanan, Mr Burns, Mr Campbell, Mr T Clarke, Mr Cobain, Mr Craig, Mr Cree, Mr Dodds, Mr Donaldson, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Gallagher, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr A Maginness, Mr McCallister, Mr McCausland, Mr McClarty, Mr I McCrea, Dr W McCrea, Mr McDevitt, Dr McDonnell, Mr McFarland, Mr McGlone, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Paisley Jnr, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Savage, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr S Wilson.

Tellers for the Ayes: Mr McCallister and Mr K Robinson.

NOES

Mr Adams, Ms Anderson, Mr Boylan, Mr Brady, Mr Butler, Mr W Clarke, Mr Doherty, Ms Gildernew, Mr G Kelly, Mr A Maskey, Mr P Maskey, Mr McCartney, Mr McElduff, Mrs McGill, Mr M McGuinness, Mr McHugh, Mr McKay, Mr McLaughlin, Mr Molloy,

Mr Murphy, Ms Ni Chuilín, Mr O'Dowd, Ms S Ramsey, Ms Ruane.

Tellers for the Noes: Mr P Maskey and Ms S Ramsey.

Main Question accordingly agreed to.

Resolved:

That this Assembly notes with grave concern the failure by the Minister of Education to secure consensus on the Education Bill; further notes the unacceptable nature of the Minister's interim governance and management arrangements; believes that these interim arrangements undermine the authority of this Assembly; and calls on the Minister of Education to urgently seek a resolution that is acceptable to all parties in the Executive.

PRIVATE MEMBERS' BUSINESS

HSSPS: Potential Savings

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

Mr Hamilton: I beg to move

That this Assembly calls on the Minister of Finance and Personnel to instruct the performance and efficiency delivery unit to assist the Minister of Health, Social Services and Public Safety by investigating potential non-front line savings within the DHSSPS remit and producing initial recommendations within three months.

It would be fair to characterise some debates on health in the Chamber, particularly those that deal with the Department's budget, as perhaps not being the most convivial or cordial. Indeed, some Members may suggest that they have, at times, not been the most constructive of debates.

The Minister of Finance and Personnel (Mr S Wilson): Puerile.

(Mr Deputy Speaker [Mr Molloy] in the Chair)

Mr Hamilton: The Minister of Finance and Personnel suggests that those debates have been puerile, and they have been childish at times. I am not saying that I will not be distracted by other Members' comments during the debate, but I brought the motion to the House because I want to achieve a common goal on health expenditure. I will start off on that basis and I hope to finish in the same way. I hope that the debate continues in the same vein.

We must all recognise the constraints that are placed on public expenditure at all times, particularly as we move forward in Northern Ireland. We must also recognise that there is a deep concern across the community about the effect of efficiencies and constraints on our Budget in future. We all recognise that there is a particular concern about healthcare, even when trusts sometimes make sensible savings suggestions. There is an understandably emotive response to such suggestions, because of the way in which health services affect us, our loved ones and those vulnerable people in society about whom we care.

As we face and recognise those facts, there have been, to borrow the words of the Minister of Finance and Personnel, puerile calls simply for more and more resources. That will not suffice, particularly in such economic times.

We need to have a debate about how to move on and achieve more with the resources that we have, rather than simply looking for more, and going to a well that

is getting drier all the time. Now is a good time to start that debate, particularly when there are indications of models of best practice in health expenditure elsewhere in the United Kingdom. We do not have to look too far to see such models. I refer, of course, to the recent report by the Nuffield Trust, a well respected organisation, into health differences since devolution across all four constituent parts of the United Kingdom. That report underscores the need to focus full square on driving further efficiency into the NHS in Northern Ireland.

Some of the Nuffield Trust's report's headlines clearly show that, despite £1,764 being spent on health per head of population in Northern Ireland compared with £1,514 in England, the NHS in England is more productive. The report compares a feast of spending on health in Northern Ireland and other devolved regions with a relative famine in England. In spite of that, even though England has fewer doctors, nurses and managers per head of population, the Health Service there makes much better use of its resources. A key example in the report states that, in 2006, no patients in England waited more than three months for an outpatient appointment, while 61% of patients in Northern Ireland did. Professor Nick Mayes, who was involved in compiling the report, said:

"Northern Ireland for a long time has had higher spending, more resources, more beds, more doctors, more nurses, more GPs and tends to have longer waiting times and lower levels of productivity as measured by the relationship between the number of staff and what we measure in terms of the services delivered."

That is a good synopsis of that report. However, it is not just that report. That report in isolation would be one thing, but there are other examples. The Nuffield Trust report echoes what the Appleby review said about staff productivity in Northern Ireland being 17.4% lower than that in England in 2006-07. There is also the work of the productivity working group. That begs the question that if everyone — Appleby, Nuffield and others — says that there is less productivity in the NHS in Northern Ireland, they cannot all be wrong, and there must be serious validity to the points that they raise.

I read recently in the 'The Economist' about the "love-bombing" of cash on the Health Service, not just here in Northern Ireland but across the United Kingdom post-1999. It is clear that Northern Ireland has not made the most of that. However, that is entirely understandable. If a body is being lavished with cash, maybe efficiency is not foremost in its mind, and it will spend the cash to do just what it can, without thinking about driving efficiency or best practice. That is understandable, given the severe increase in expenditure post-1999, particularly with a Labour Government coming into power. However, those days are gone. Things have to change, and we have to have efficiency and productivity in the forefront of our minds.

Devolution is about making a difference, and the Health Minister has tried positively to make differences, particularly with the likes of free prescriptions. That is one difference that we have compared, maybe, with other regions, particularly England. However, a severe difference in the productivity of our Health Service is not a difference that we want to sustain throughout devolution.

Work is needed in three broad areas. The first is better performance management. Every argument put forward by the Nuffield Trust's report talks about instilling better performance management in the health services in regions such as ours. The argument in the report is that because England faced expenditure constraint over the past decade, it had to have much better performance management or the system would have collapsed. The report states that that standard of performance management is not in place in Northern Ireland and needs to be put in place.

That is where, as stated in the motion, the performance efficiency delivery unit (PEDU) could play a key role in moving the Department of Health, Social Services and Public Safety (DHSSPS) towards better performance management, in a not dissimilar way to the way in which the Prime Minister's delivery unit (PMDU) in Westminster operates. I do not think it a coincidence that the PMDU worked at that sort of problem in the middle of the past decade, and that there was better performance management, delivery and productivity in the NHS in England.

If the Department of Health in Northern Ireland is too close to the issue to see where efficiencies can be made, then it is a good idea to invite or instruct someone, such as PEDU, to do that job on its behalf; someone who comes from a different perspective and who will not be shackled by the inertia that is sometimes present in our Departments.

Savings could be made, or things could be done better, in other areas, such as tackling wasteful administration and bureaucracy. I acknowledge that reducing the number of boards and trusts in Northern Ireland, as instigated by the current Minister, will reduce administration in the long term. However, I must express my concern that evidence has been presented to the Health Committee suggesting that the new trusts saw management costs rise by 13% in their first year of operation. That is not what we expected or what we were promised, and it had better not continue in the future. If reorganisation under RPA is to mean anything, it is that savings are made. That promise has not happened. On top of that, between 1998 and 2007, there was a 96% increase in managers and an 85% increase in senior managers. I have heard that there are 57 PR managers being employed across the various trusts. It is clear that savings could be made.

However, that is not enough. How things are done needs to change too. Even though we admire the dedication of our health professionals, I am sure that all Members have an example, from personal experience or from that of their loved ones, of waste and inefficiency, and of how things could be done better in the Health Service. That is needed more than cutting out wasteful administration and bureaucracy. Yes, the latter is the first step, but things need to be done differently and in a more productive way. That is the lesson from the Nuffield Trust report.

Mr Deputy Speaker: Will the Member draw his remarks to a close?

Mr Hamilton: If the NHS in Northern Ireland is as efficient as the Health Minister tells us, then what has he got to fear from inviting PEDU to look at the scope for further efficiencies? If PEDU finds his argument to be right, surely that would bolster his position and give him a better argument with which to face the Finance Minister?

Mr Deputy Speaker: The Member's time is up.

Mr Hamilton: I urge the House to consider the motion carefully and give it backing in the common cause that we all have, which is to have a more efficient and effective Health Service in Northern Ireland.

Mr McLaughlin: Go raibh maith agat, a LeasCheann Comhairle.

My party recognises and accepts that the Executive must respond to the straitened economic circumstances. The relatively benign economic conditions that pertained at the time we negotiated and agreed the Programme for Government have changed dramatically for the worse. It is absolutely incumbent on the Executive and respective Ministers to be seen to respond to that, and to be alive to that challenge.

We are equally clear that efficiencies are a pre-requisite response among a range of options that the Executive must consider. Sinn Féin is adamant that front line services must not be detrimentally affected in any way. A reduction in front line services cannot be described as efficiency; it can only be accurately described as a cut. That is a defining issue for Sinn Féin. My party believes that we can identify further efficiencies.

Mr Weir: Do not tell me that that is on the agenda as well.

Mr McLaughlin: I am glad that you picked up on that point.

My party believes that additional savings can be identified. I will not pick on a particular Department because that will exclude the political affiliation of that individual Minister, but, spending Departments are responsible for dispersing significant sums, and it is

clear that additional savings can be achieved. We have not come to the end of that process by any means.

2.15 pm

I take on board the points made by the proposer of the motion about the independent studies that indicate that there are significant savings to be made. Indeed, in respect of the Health Department, that point can hardly be denied. However, I take issue with the motion in that we should take a broader scope and operate on a broader palette. There is a danger that the motion will be seen as partisan or even, God forbid, part of an internal unionist pre-election squabble.

Mr Weir: I am surprised that the Member has missed the convergence of unionist unity on this issue; I await Mr McNarry's speech on the matter. The motion has sincere motivations, and, indeed, the proposer tried to word the motion in such a way that it would not be regarded as having a go at the Health Minister.

Mr Deputy Speaker: The Member will have an extra minute added to his speaking time.

Mr McLaughlin: I really look forward to seeing this unionist convergence in due course.

I support the concept of PEDU. It is a good initiative that was brought forward by the then Finance Minister, and it has already demonstrated its value. To better recognise the collective responsibility of the Executive, it would be better if PEDU examined potential for savings on the basis of invitations from respective Ministers. I am convinced that there are possibilities for savings without the collateral effect of a reduction in service quality.

The key definition of genuine efficiencies is to spend less money for the same outputs. PEDU has a role to play, but it should not in any way impinge on Ministers' rights to address their respective responsibilities under the Programme for Government and the supporting public service agreements. Further conflict, confusion and controversy within the Executive team of Ministers could be created inadvertently if the Finance Minister directs PEDU to come in.

A much better and more collaborative approach would be for PEDU to come in and play a role when there is acceptance that we can do no other than cut our sails to suit our cloth. Each Minister should see the role of PEDU as a resource rather than a threat, and each Minister should have the right to invite PEDU to come in and offer advice, expertise and assistance. On that basis, my party cannot support the motion.

Mr McNarry: Confrontational motions of this type are, at best, unhelpful. The motion implies widespread and serious maladministration in the Health Department, which, according to the Minister, is quite simply not true. The motion runs counter to the attainment of a new spirit of co-operation in this place, which we are

all trying to advance. It can only be deeply damaging to that spirit of co-operation.

Members will judge the intention behind the motion for themselves and recognise, as I have, that it does not mention any other Departments. Are the Members who proposed the motion not concerned about potential non-front line savings in the Department of Education, which is having serious difficulties with its budget? Are they not concerned about the Department for Regional Development, the Department of Enterprise, Trade and Investment, the Department for Social Development or the Department for Agriculture and Rural Development?

When announcing the formation of PEDU on 15 April 2008, the then Finance Minister Peter Robinson stated:

“The core approach of PEDU will be collaborative in nature, working with Departments and, through them, with the wider public sector to get the best public-service outcomes for our community.” — [*Official Report, Bound Volume 29, p247, col 1*].

He went on to say:

“I envisage that from this moment on, PEDU will fade into the background in a public sense. Its role is to collaborate with Departments. It is not there to say ‘PEDU has arrived’. PEDU is not the story.” — [*Official Report, Bound Volume 29, p249, col 1*].

Is the Members’ motion reflective of the words of their party leader?

If we are to build a more collaborative, co-ordinated and effective Executive, surely we must stop unnecessarily throwing stones at each other. The proposers seem keen to pursue the subject of assistance, so how about a focus from the Finance Minister on the rate arrears that are accumulating in his Department? What is the actual figure of arrears? Apparently, it lies somewhere between £124 million and £137 million. What is the written-off figure for uncollected rates? What impact is the shortfall against targets having on the Executive right now? What will it be in future years?

The constant carping criticism of the Health Department by certain Members of this House is deeply damaging to the morale of my hard-working, hard-pressed constituents who work in the Health Service. The people who framed this motion made reference to making savings other than in front line services, but that smart dressing up is a calculated insult to health workers, and the Members concerned should be ashamed of themselves. To make such a distinction totally misses the point that the service as a whole depends on the front line and support services to operate effectively. It is a Health Department that operates in a population of 1.7 million and cannot, therefore, access the kind of savings that can be achieved across a much larger mainland population of 60 million. Economies of scale that operate across such a large population are simply not possible in a restricted area the size of Northern

Ireland, yet people expect, and have a right to expect, the same level of service.

This motion takes no account of the considerable efficiencies that are already achieved in the Health Service here. Trusts in Northern Ireland have, for example, met their break-even duty far more consistently than their counterparts in England. Those are not my words; they are the words of a report of the Northern Ireland Audit Office. Those break-even duties are achieved despite the fact that our trusts have a far more rigorous regime in place. It focuses them to break even every year, whereas those in England only have to break even, on average, over a three-year period.

Back in September last year, the Health Minister, in response to a question from Patsy McGlone MLA, revealed that the cost of the reform of public administration to health was some £73 million, which was mostly in voluntary redundancy payouts, but that it would generate some £53 million of recurrent annual savings. It is working and it can be done.

I remind the House that health savings and efficiencies have been effected against a background of a rising demand for services. I oppose this unwarranted motion today, and I recommend strongly that the House do likewise.

Mr Gallagher: The SDLP is opposed to this motion, particularly in relation to the implication that PEDU will be imposed upon the Department of Health. We have not yet seen a great deal from PEDU, but its role should be to advise and assist all Departments.

The Finance Minister has made it clear that, because of the economic crisis, budgetary cuts have become inevitable. We have already had an announcement from the Minister about some of them. It is vital that we, as elected representatives, make sure that those cuts do not impact negatively on front line services and ordinary people. We have to make sure that it is not the weak and the vulnerable who are first to suffer here, which is often the case when cuts are imposed by central government. Ordinary people must not bear the brunt of any cuts.

We accept that the Department of Health, Social Services and Public Safety should not be immune from cuts, particularly given that it receives around 42% or 44% of the overall Budget. However, because of the essential nature of the Health Service, and given the demands made upon it, we must do everything possible to protect its front line services. We urge the Department of Health, Social Services and Public Safety to do more to close the 14% efficiency gap between our Health Service and the Health Service in England. The excessive bureaucracy that remains in some parts of our Health Service must be targeted.

Mrs D Kelly: I want to make the point that we are not comparing like with like. One key difference, for

example, is that social services in England are delivered by the local authorities, not the Health Service. Mr Hamilton made no reference to that.

Mr Gallagher: My colleague has raised a good point, and she is correct to say that Mr Hamilton did not highlight that important difference.

Mr Hamilton: Will the Member give way?

Mr Gallagher: I am not giving way again. I want to go back to the issue of a three-year Budget. The SDLP was the only party in the Assembly to oppose and vote against the Budget. We did so because we felt that it was not in the best interest of service delivery to lock the Assembly, or any of its individual Departments, into a three-year spending straitjacket. As we have seen, various situations can arise during that locked-in period.

A one-year run of the Budget would be a much better and more realistic way of addressing such difficulties when they arise. The recent cold weather, for example, increased the pressure on accident and emergency services, particularly on the departments that deal with fractures. That caused extra, unnecessary pressure.

Looking to the future, it is clear that public services face more cuts, particularly if there is a Conservative Government in London. We should put any pressure that we can on the Westminster Government to examine their own spending priorities before they begin to wield the axe on our Departments.

In my constituency, for example, there are 11,000 elderly people, 2,500 of whom receive care. The level of that care can only be described as threadbare. The number of referrals grows week by week — in the past couple of weeks, it increased at the rate of 100 a week. However, the budget has not increased. The level of front line service for those people is not what it ought to be, and it should be increased. However, giving PEDU a role in the Health Service is not the way forward.

Mr Deputy Speaker: As Question Time will commence at 2.30 pm, I suggest that the House take its ease until that time. The debate will resume following Question Time, when Mr McCarthy will be called to speak.

The debate stood suspended.

2.30 pm

Oral Answers to Questions

Mr Deputy Speaker: Further to the Speaker's announcement at the start of today's business, I remind Members that the Business Committee will tomorrow reschedule for next week the questions that were due to be answered by the Office of the First Minister and deputy First Minister. Today's questions to the Minister of the Environment have been brought forward.

ENVIRONMENT

Belfast Metropolitan Area Plan

1. **Mr B Wilson** asked the Minister of the Environment if he will take action to expedite the adoption of the Belfast metropolitan area plan. (AQO 678/10)

The Minister of the Environment (Mr Poots): The public inquiry into the Belfast metropolitan area plan (BMAP) concluded in May 2008, and prior to completing its report and making recommendations to the Department, the Planning Appeals Commission (PAC) is considering all the information arising from the inquiry. PAC has indicated that there is a preliminary timescale for delivering the report to the Planning Service as early as summer 2010. Upon receipt of the report, the Planning Service will consider PAC's recommendations and a plan will be prepared for adoption. The adoption date will depend on when the PAC report is received, but it is unlikely to be adopted before 2011. However, upon receipt of the PAC report, I will consider any available options to expedite the adoption of BMAP.

Mr B Wilson: I thank the Minister for his answer, although it was rather disappointing. The North Down and Ards area plan was completed in 1995, and consultation on BMAP started in 2001. The draft BMAP was supposed to protect villages such as Crawfordsburn and Helen's Bay, which were designated as areas of village character. However, the draft plan is not in operation, and as a result, many architecturally important houses have been demolished and replaced by apartment blocks. Every year, we lose more and more houses. If BMAP is not adopted soon, there will be nothing left to protect. Therefore, before it is adopted, would it not be possible for the Minister to introduce some measures to protect our built heritage? In another two years, there will be nothing left.

Mr Deputy Speaker: Members should not walk or stand in front of Members who are speaking. A number

of Members have already done so, so I ask others to be careful.

The Minister of the Environment: I share Mr Wilson's concerns. In fact, I shared those concerns back in 2000, when the area plan in question was first mooted by Minister Foster, the then Minister of the Environment. In case there is any confusion, I am referring to Minister Sam Foster. I was opposed to developing the plan in the way in which it has been developed because I thought that there was too much to take on in one go. Some 10 years later, here we are without an adopted plan. I share Mr Wilson's concerns about the process. Unfortunately, the matter is now with the Planning Appeals Commission, and as the Member well knows, that is an independent quasi-judicial body.

The Member also wanted an independent environmental commission to be set up. I do not want to interfere with the independence of the Planning Appeals Commission. It has a particular role to play, and it must do its work in the way that it has set out for itself. I cannot expedite matters until the PAC has completed its work.

Mr A Maginness: I heard what the Minister said, and I am not blaming him for the delay in the process. However, given that that process started in 2000, not only is it exhaustive, but it is exhausting every stakeholder. Surely a mechanism should exist whereby the Minister or the Department can intervene and guillotine the process so that BMAP can be officially adopted. My understanding is that BMAP will operate until 2015. To date, the process has taken longer than the resulting product will be in force.

The Minister of the Environment: The Member is right. Not only is the process exhaustive, but it is detrimental to good planning. On the one hand, people who wish to carry out developments do not have much guidance, and on the other hand, areas that require protection are not being adequately protected. I did not design the process; in fact, I opposed it in the House. However, I have inherited it. I cannot move it forward any faster until it comes back to the Department. While it rests in the PAC, I cannot move it forward any faster.

I have a word of caution: Alban Maginness comes from a legal background, and he knows that other area plans have been judicially challenged, so I am very cautious about using guillotines and leaving ourselves open to judicial challenge and making lawyers rich.

Mr McCarthy: As I understand it, Knock golf course is included in the Belfast metropolitan area plan. Will the Minister explain how its destruction can be allowed in his remit as Minister of the Environment?

The Minister of the Environment: The Member's question does not relate to the original question, but since he has raised it, I will deal with it. More than 500

letters of support were received for that planning application; there was only one letter of objection. The Ulster Hospital will benefit significantly and will be able to expand, and Knock Golf Club will be able to develop a state-of-the-art facility, which will be widely used by the public. The planning application has been widely supported in the community, and I would rather be in the position of Peter Robinson and others — on the side of the 540 people who submitted letters of support for the planning application — than in the position of the Alliance Party, which opposes it and is standing on the side of one resident.

Mr Shannon: No one has asked yet about the cost to the public purse. How much has BMAP cost so far?

The Minister of the Environment: From its development until March 2010, the plan will have cost £7.971 million. A huge amount of money has been spent on the process so far. Without doubt, more than £8 million has now been spent on BMAP. A flawed decision has left us without up-to-date area plans. We have spent huge amounts of money on it, to the detriment of the public purse.

Mr Deputy Speaker: Question 2 has been withdrawn.

Rose Energy

3. **Mr Paisley Jnr** asked the Minister of the Environment when a decision will be made on the Rose Energy application. (AQO 680/10)

The Minister of the Environment: The Rose Energy planning application for a biomass fuel power plant was submitted in June 2008 and was accompanied by an environmental statement. The application was designated article 31 in September 2008, and on 11 February 2009, Rose Energy was requested to provide an addendum to the environmental statement. That addendum was submitted to the Planning Service on 12 June 2009. At the same time, Rose Energy submitted a new separate planning application for the abstraction of water directly from Lough Neagh. The new application for water abstraction was accompanied by an environmental statement. The water abstraction application was declared article 31 on 11 August 2009 and is being processed in tandem with the power plant application.

The requirement for water to cool the incineration process is an important element of the power plant proposal. Rose Energy initially intended to abstract water from an aquifer below the site. However, recent survey work revealed that it cannot provide the required volume of water. The result of the survey was a need to find an alternative water source.

On 28 August 2009, Rose Energy voluntarily submitted a further addendum to the environmental statement

accompanying the power plant application. Consultations on the addendum were issued to the relevant consultees on 1 September 2009. Neighbourhood renotification in respect of the addendum was issued on 7 September 2009, and advertisements were placed in the Lisburn newspapers on 9, 10 and 11 September 2009. Advertisement of the addendum was placed in the Antrim newspapers and in the three daily newspapers on 7, 8 and 9 October 2009.

In accordance with environmental impact assessment regulations, the public had four weeks from the date of the advertisement to submit representations regarding the environmental effects of the proposals. The four-week period ended on 6 November 2009. Planning officials are finalising their consideration of the Rose Energy case and hope to make a recommendation to me on the way forward shortly.

Mr Paisley Jnr: I thank the Minister for that detailed answer. The Minister must be aware that more than 8,000 jobs in the poultry sector rely on an affirmative decision on this case. In order for Northern Ireland to comply with EU regulations, the Minister will also be aware that we need a resolution on how to deal with poultry waste pollution. Will the Minister assure the House that he will not put a decision on the issue on the long finger; that he, and he alone, will make a decision on the matter; that we will not see further delays and public inquiries; and that we will see a ministerial decision to allow the Northern Ireland poultry industry to get out of the problems that it faces, as soon as is legally possible? With that in mind, will he inform the House what he is doing, and what he has done, to ensure that he is fully au fait with all the facts and not only with the emotions, of which we have read in the press?

The Minister of the Environment: To date, I have received more than 6,500 letters of objection and just under 6,500 letters of support. I will be pretty unpopular regardless of what decision I make. However, that comes with the territory. A decision will be made, and it will be based on the best knowledge and information that is available. To help to ascertain that information, I visited the site with senior planners and viewed it from all the critical points, including Lough Neagh. I met those who object to the project, those who applied for it, as well as senior advisers from my Department's water quality unit and the chief scientific officer from the Department of Agriculture and Rural Development. At each of those meetings, I sought to gain all the requisite information so that I will be best placed to give my considered opinion to the report when it comes to me. I will give the report a fair hearing and reading and make a decision thereupon.

Mr Burns: Will the Minister explain why the Department of the Environment is entering into the planning application when the proposed site is in a

protected area of high scenic value? Local residents would not be given permission to build a garage, but Rose Energy seems hopeful that it will be allowed to build a giant incinerator. Does the Minister agree that the best way forward would be achieved through a public inquiry in which all views could be aired?

The Minister of the Environment: The applicants have gone through a site-selection process. I will not give my views on that process until I have seen the report and read it in full. In fact, I will probably read it in full several times before I arrive at a decision. The Member asked whether it should go to a public inquiry, but that depends on whether all the information that is required to make such a decision is available. The indications that I have received from the Planning Service are that it has gone through an exhaustive process to garner that information. I have sought to get as much information as possible directly from those who support the application and those who oppose it, and as much independent advice as possible as well as requisite information from planning and science professionals to enable me to make a decision.

Mr Armstrong: Is the Minister aware of whether the Planning Service is considering any other planning applications for facilities capable of processing poultry waste that would meet the nitrates directive time frame? When will he make his decision?

The Minister of the Environment: This application will not meet the nitrates directive time frame; that is why I have had to extend it. That is an indication of the time pressures that are applied. If there are other means of dealing with this difficulty, they need to be brought forward, and applications will be made on how to deal with them. The nitrates directive time frame has had to be extended, but we will get away with that only for so long before the EU clamps down on us. Therefore, it is important that a decision be made on the way forward on the issue, one way or another.

High Hedges

4. **Mrs M Bradley** asked the Minister of the Environment the cost of the previous public consultation on high hedges legislation and the predicted cost of the current consultation. (AQO 681/10)

7. **Mr Easton** asked the Minister of the Environment to outline the timetable for the introduction of the high hedges legislation. (AQO 684/10)

14. **Mr P J Bradley** asked the Minister of the Environment what action he will take to ensure that councils with discretionary powers to levy fees in relation to the high hedges Bill will adopt a uniform approach. (AQO 691/10)

The Minister of the Environment: With your permission, Mr Deputy Speaker, I will answer questions 4, 7 and 14 together.

The consultation carried out in 2005 to gauge the extent and scope of the high hedges problem cost approximately £11,000. The predicted cost of the current consultation is likely to be in the region of £2,000. As I said in my statement to the House on 9 January 2010, public consultation on the draft Bill closes on 1 March 2010. My aim is to introduce a Bill to the Assembly by June 2010, with a view to having legislation in place during the lifetime of the Assembly.

2.45 pm

With regard to a uniform approach to the levying of fees, I have no desire to dictate to councils as to how much the fees should be, as there may be a variance in costs from council to council depending on overheads and operational procedures. However, I do not expect any difference in fees to be considerable.

Mrs M Bradley: Will the Minister assure the people who may need to use the legislation that no costs will be applied to them?

The Minister of the Environment: I cannot give Mrs Bradley that assurance. We need to identify the costs that will be charged to local councils, and if we are saying that local government should bear all the costs, the House must make that decision. However, local government may not think that that is a particularly good idea, as it may cause people to engage in vexatious complaints, as opposed to real complaints coming forward when people have to make a contribution to deal with the problem.

Mr Easton: Will the Minister assure me that hedges surrounding farmland that backs on to private properties will be included in the Bill?

The Minister of the Environment: The Bill deals with the issue of light. Therefore, the legislation will deal with hedges that cause a problem with the light that enters people's homes and property.

Mr P J Bradley: Does the Minister have any plans to make the public aware of their rights following the introduction of the legislation?

The Minister of the Environment: We are going through the consultation process, and the public will respond to that consultation. When the legislation goes through the House — as I assume it will as it has widespread support — I have no doubt that it will receive significant public coverage. Local councils will have the task of administering the legislation, and I have no doubt that they will make information available on their websites, explaining how the legislation will work and the processes to be followed when someone has an issue with a neighbour's high or nuisance hedges.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. Obviously, there are problems with evergreen trees, but will the Minister be including rows of beech and ash trees in the legislation?

The Minister of the Environment: The legislation will apply to trees that are planted as hedges as opposed to single trees. Action can be taken when people have planted trees that have become hedges and have been allowed to become overgrown. The legislation will not apply to single trees. It will apply to rows of trees or high hedges.

Mr Beggs: High hedges legislation has been operating successfully in England and Wales for several years. The Minister's predecessor declined to introduce such legislation during his period of office. Why does the Minister disagree with his predecessor, and why has he decided to introduce the legislation, although I welcome the fact that he has done so?

The Minister of the Environment: Previous Ministers had other priorities. As a public representative, I had a considerable number of complaints and dealt with a considerable number of people who had an issue with high hedges, and I wanted to deal with the matter. It caused the Department some difficulties as we had to get extra resources because our legislative team was very busy. I decided to push ahead with the legislation in spite of the fact that it would cause additional work and be an extra burden on the Department.

Mr Deputy Speaker: Question 5 has been withdrawn, the Member is not in his place to ask question 6, and question 7 has been answered already.

Mourne Heritage Trust

8. **Mr W Clarke** asked the Minister of the Environment what the reduction has been in the grant aid to the Mourne Heritage Trust from the Northern Ireland Environment Agency. (AQO 685/10)

The Minister of the Environment: I recognise the importance of NGOs, such as the Mourne Heritage Trust, and engagement with local communities to manage our environment. I have sought assurances from officials in the Northern Ireland Environment Agency (NIEA) that cuts to the natural heritage grants programme will be minimised this year, despite the overall reduced level of funding available to NIEA in 2010-11. That will lessen the impact on those bodies and projects seeking the renewal of grant aid.

The Mourne Heritage Trust has been offered a total of £220,000 over three years as a contribution towards its co-ordination of areas of outstanding natural beauty (AONB) management, which represents a reduction of 15% in the coming year as compared to the level of

support offered by NIEA this year. The trust will also receive over £96,000 for visitor and environmental management in the coming year, which is a slight increase on the current year. However, funding for an additional ranger, which was provided for the first time this year, will not be available. Taking into account existing offers, the trust will receive almost £230,000 in the coming year, which is 10% of the total budget of NIEA's natural heritage grant programme.

Mr W Clarke: I thank the Minister for his answer. Does he agree with me that the Mourne Heritage Trust is vital in managing the area of outstanding natural beauty that includes the Mourne and Slieve Croob? Does he also recognise that areas of a similar size across the water receive millions of pounds?

The Minister of the Environment: Areas across the water that receive millions of pounds are very often national parks, and the Mourne area has not yet received that status. However, the fact that 10% of the budget for NIEA's natural heritage grant programme is being dedicated to one area is an indication that the Department cherishes the Mourne and believes that it is a vital area.

People may believe that the Health Minister is the only Minister with financial difficulties, but his Department's budget was cut by a lower percentage than mine, and everything is relative to percentages. My Department, with a budget of little over £100 million, had to find £15 million in efficiency savings, lost over £7 million as a result of a reduction in planning receipts, and had to spend over £2 million as a result of the equal pay settlement. Therefore, the Department is under severe financial pressure, and some difficult decisions have had to be made.

The Department is seeking to spread the pain and to keep everything going. Once it gets over its current difficulties, and when more planning receipts are received, it will hopefully be in a better position to fully support vital resources such as the Mourne Heritage Trust.

Mr K Robinson: I listened very carefully to the Minister's reply to the Member opposite. Will he tell the House what the current situation is regarding the Mourne area becoming a national park? The Minister rightly pointed to the successful attraction of moneys across the water. If that process was to be moved forward, what level of moneys could be attracted to a national park in the Mourne?

The Minister of the Environment: The Mourne Heritage Trust has already been successful in bringing in other streams of income. Indeed, the £230,000 it received from the Department this year is not the only money that will be made available to it, because it is very good at drawing down grant aid from other sources.

The Department is looking at introducing legislation to enable national parks to be developed in Northern Ireland, and where a national park or parks are developed will be a matter to be dealt with after the legislation has been approved. It could be the Mourne, the Fermanagh lakelands, the Sperrins, the glens of Antrim or Strangford. There are so many beautiful places in Northern Ireland that could be eligible for that status, but the first step is to ensure that the legislation is introduced to allow for their creation.

Planning: Blaris

9. **Mr Donaldson** asked the Minister of the Environment when the article 31 planning application will be processed for the proposed development at Blaris, which includes the new Knockmore link road.

(AQO 686/10)

The Minister of the Environment: That question is well timed. There is no current planning application in relation to the Blaris lands. A previous article 31 planning application for a major mixed-use development, including the new Knockmore link road, was withdrawn in June 2008, and a subsequent application has not yet been submitted.

Snoddons Construction Ltd and Killultagh Properties Ltd, the two companies behind the previous application, are preparing a development framework for the site, which is a key site requirement for Blaris under the draft Belfast metropolitan area plan (BMAP). I am pleased to report that good progress has been made on that and we are close to reaching an agreement. It is anticipated that applications for the development of the site will follow after agreement has been reached on the framework.

Mr Donaldson: Timing is everything in politics. I thank the Minister for his response. He will know all too well, as a representative of the area, that one of the problems inhibiting the further expansion of Lisburn, particularly the industrial expansion to the west of the city, is the lack of adequate roads infrastructure. The new Knockmore link road is essential in providing a connection between the existing roads network and the M1/A1 at Sprucefield. Can the Minister give us an assurance that, when considering the framework that will be developed, the link road is given priority in the phasing of any development at Blaris?

The Minister of the Environment: In relation to the master plan, there is considerable agreement between the Department and the developers on the nature of the development and how it should be divided among industrial use, leisure use, residential use, and other aspects. It is important that BMAP, when it is produced, gives us an indication of the number of housing units

that might be allowed at the site, which will then enable the full development to roll out.

At the moment, there are issues in respect of roads that need to be addressed. Given the benefits that that road will bring to the city of Lisburn, it may be worthwhile for the Member to pursue the issue with Roads Service in order to ensure that roads do not cause a delay in a project that will be hugely beneficial for transport linkages in that city.

Mr Deputy Speaker: Question 10 has been withdrawn.

Road Safety Council

11. **Mr P Ramsey** asked the Minister of the Environment for an update on the review of funding to the Road Safety Council of Northern Ireland.

(AQO 688/10)

The Minister of the Environment: Members will be aware that, following a third, highly critical independent review of the Roads Safety Council (RSC), my predecessor, Sammy Wilson, wrote to the council on 9 December 2008 to confirm that funding would be directed away from central administration and into the front line road safety activities of local committees from 1 April 2009. The Department has been funding local road safety committees from that date.

I met RSC representatives on 16 July 2009 and allowed them to present their case for the reinstatement of core funding to the organisation. Following that meeting, RSC wrote to me with its proposals and asked me to reconsider the matter. Unfortunately, the RSC commission failed to provide any evidence of new or innovative programmes of activity that would provide added value to the delivery of the road safety strategy. However, I wrote to RSC on 22 September 2009, informing it that I was prepared to allow the organisation a further opportunity to make a proper business case for funding, and asked officials to engage with them.

Officials met representatives of RSC on 13 October 2009 and provided detailed advice and guidance on how to complete a formal business case. Professional advice was provided by a departmental economist. To date, no such business case has been provided by RSC and, given the fact that the financial year is almost over, it is a reasonable assumption that even if an appropriate business case were received, funding could not be processed during what remains of the current financial year.

Some 16 of the existing 18 local committees applied to the Department for funding for the current financial year. The Department approved approximately £33,000

of funding as a result of their bids. To date, eight local committees have drawn down financial assistance to promote local activities or events.

A new funding model will operate for the financial year 2010-11, enabling the Department to engage more fully with the voluntary and community sector and ensuring that it engages more effectively with local communities in the promotion of road safety. That will replace the previous system of funding solely to the Road Safety Council and the road safety committees.

Mr P Ramsey: I thank the Minister for such a detailed response to the question. I ask the question as chair of the all-party group on road safety. There is a clear strategic role for the Road Safety Council in Northern Ireland, and I appeal to the Minister to meet a delegation from the all-party group to reconsider the Road Safety Council's plans, and, perhaps, to try to re-energise the business case in some way. Will the Minister agree to that?

The Minister of the Environment: The Member will realise from my answer that I have provided quite a number of opportunities to try to move the matter forward. One of the issues is that of the budget of £160,000, only 12% was used by local road safety committees to deliver front line activities in 2008-09.

When resources are tight, it is critical that any available money be used well and wisely. The Member knows that I will always be available to try to facilitate and to help where I can and that I will seek to be constructive in all such matters. However, unless it can be demonstrated that the money will hit the front line and be used in a way that can deliver on the ground, I will be hamstrung.

Mr Deputy Speaker: That concludes Question Time.

3.00 pm

PRIVATE MEMBERS' BUSINESS

HSSPS: Potential Savings

Debate resumed on motion:

That this Assembly calls on the Minister of Finance and Personnel to instruct the performance and efficiency delivery unit to assist the Minister of Health, Social Services and Public Safety by investigating potential non-frontline savings within the DHSSPS remit and producing initial recommendations within three months.
— [Mr Hamilton.]

Mr McCarthy: Go raibh maith agat, a LeasCheann Comhairle. The Alliance Party has sympathy with the motion. Surely there can be nothing wrong with one Minister's helping another Minister. We are concerned that the Minister of Health, Social Services and Public Safety is struggling to come to terms with the efficiency savings that are asked of him and agreed by the Executive. However, we must bear in mind the fact that the Executive include members of the Ulster Unionist and Tory party. We recognise the underlying weakness of the budget for health and social services in Northern Ireland, but it is another thing to say that it should be insulated from any changes to the public expenditure environment.

I am glad to see that the Minister of Finance and Personnel has arrived in the Chamber. I hope that his presence here does not have any buckling effect on the negotiations and deliberations that are going on elsewhere.

The health allocation for the 2008-2011 Budget cycle was simply and clearly inadequate. In the past decade, a significant uplift in health spending has taken place across the UK. That has reflected increasing demographic demands, such as a growing senior citizen population, and there is nothing wrong with that. Other demands include the need for more expensive drugs and treatments and the need to continue to invest in modern technology. Areas such as mental health and learning disability have rightly claimed an increased proportion of health funding.

The fact that per capita spending on health was and continues to be well ahead of the UK average reflects the wider problems of Northern Irish society. Investment in healthcare has flatlined against that in the rest of the UK. Bodies such as the Economic Research Institute have estimated that our health budget will be around £300 million short of what is required to keep pace.

It is disappointing that the Minister of Health, Social Services and Public Safety accepted and, indeed, celebrated his budget in 2008 as being a good deal. It

was clear to the Alliance Party then that it was far from being a good deal. Our preference was for more money to be allocated to health and social services in the first place. We would have sought to address the costs of a divided society to release more money for health and social services.

People must be realistic about the need to raise money if we are to have a quality Health Service. It is difficult to have it both ways. It is one thing to acknowledge the underlying flaws in an overall Budget, but it is another thing to say that no efficiency savings should be sought. Although we are sympathetic to the notion of ring-fencing the health and social services budget from further efficiency savings or cuts, that is not realistic.

The health budget accounts for more than half of the Northern Ireland Budget, so any ring-fencing of the health budget would mean that cuts in other Departments would be doubled. If health were exempt from the 3% efficiency savings, other Departments would have greater cuts to make, which would be unfair. That could entail swingeing cuts in education, enterprise and employment funding at a time when we are trying to regenerate the economy, make society more sustainable and create more much-needed jobs.

Mr Beggs: The Member said that a greater amount of money should have been given to health in the original Budget. By necessity, that would mean that money would have to come from other budget areas. Is the Member also saying that more money should not come from other budget headings? If that is the case, what is he actually saying?

Mr Deputy Speaker: The Member has an extra minute in which to speak.

Mr McCarthy: If the Member had been listening, he would have heard what I said. There should have been and there could be more funding. In fact, the Alliance Party will campaign for more funding to be created from what is being wasted on double this and double that throughout our society. Funding could quite easily come from that area. Hopefully, it will be forthcoming in due course.

Even at this stage, it is open to the Executive to suggest that health takes a lower share of the burden of cuts than other Departments. It is important that efficiency savings in the Health Service do not become cuts in public services. Administration costs, such as needless paperwork, need to be looked at. It is not a panacea or cure, as some people suggest, but there are undoubtedly real savings to be made in that area.

Finally, shifting resources towards public health and prevention needs to be looked at. Prevention is the main route that we should follow, and I know that a lot of work is going on in that area. If the main reason for higher health spending here is the nature of our health problems, then public health and prevention need to be

prioritised. That requires co-operation from other Departments and agencies.

The community and voluntary sector, which includes healthy living centres and areas such as investment in speech therapy, must not be seen as an optional extra but as a core function.

Mr Deputy Speaker: The Member should bring his remarks to a close.

Mr McCarthy: It can often deliver services more efficiently and may have a greater impact on addressing health pressures early.

Mr Shannon: I want to make my comments on how savings can be made in a constructive fashion, because I believe that that is what we are all about.

Members are aware of the economic downturn and the fact that some things that are non-essential need to be cut back. We know that Departments are saving money by using water coolers instead of bottled water, printing only essential e-mails and introducing car sharing. Many people have taken such issues on board. However, there are certain essentials that it is important to retain: we cannot, at any stage, hit the front-line services by cost cutting.

Members all know and are well aware that our Health Service is among the best in the world, and we must ensure that it remains so. The fact is that, in the Province, 50p in the pound goes towards health services, unlike the Republic, where it is 35p in the pound. That is not a criticism, but it puts things into perspective. It seems to me that there must be something that can be done to reduce that amount without impacting on the service that is offered to the people of the Province.

I want to focus on the Pharmaceutical Society of Northern Ireland. In the 'Response of the Pharmaceutical Society of Northern Ireland to the Northern Ireland Executive's Programme for Government, Investment Strategy and Budget', the society claims that:

"Pharmacists have an important role in: relieving the workload of other health professionals, such as GPs and nurses; delivering cost efficiencies to the NHS; and, improving convenient access to health services for the public. Pharmacy should be a central consideration within any discussions around health service reform in Northern Ireland."

The Pharmaceutical Society of Northern Ireland recognises the pressures faced by all Departments to make efficiency savings and states that:

"by working closely with the pharmacy profession the DHSSPS can achieve a number of cost efficiencies."

We ask the Minister to take that opinion on board. The response continues that:

"Examples include: taking workload pressures off other healthcare professionals such as GPs; helping Incapacity Benefit claimants to manage long term illness and potentially enable a return to work;

improving public health behaviours; and, ensuring best use of prescribed drug treatments."

I am anxious to know whether the Minister has investigated a more complex use of pharmacies as a way of offering front line quality services at a lower cost.

Everything that I speak about in the Chamber comes from people from my constituency. A constituent of mine who works in a pharmacy informs me that a substantial saving could be made by prescribing non-brand medication that has the same active ingredients but not the same cost. That would lessen costs for prescriptions and offer instant savings. I have also spoken to a pharmacist who is concerned about the money that is wasted with the dispense weekly and Medisure packages that offer prescription aid. Those services were introduced for people who were unable to get out to collect their prescriptions, but it is alleged that the service has been grossly abused by some of the larger pharmaceutical businesses and is offered to anyone on repeat prescription. That was not why the service was offered. The Minister should be aware that the service quadruples the cost of dispensing a prescription. It is, therefore, another example of a service that has cost more than it should have. I stress that, in some cases, the service provides vital assistance to people who are unwell. In other cases, however, the service is a way in which chemists can make money. Surely that should be examined as a potential means of delivering efficiency savings.

Those are issues that the Pharmaceutical Society of Northern Ireland has brought to the attention of Members. They are only a couple of the many examples that have been brought to my attention by those involved in front line services.

I am sure that, were the performance and efficiency delivery unit to be consulted, it would be able to offer a much wider range of ideas. It is time to use that unit's services and to save money for the benefit of all.

Recently, I asked the Minister some questions on heart surgery and operations. It concerns me that some people, due to staff shortages, go across the water for operations. Those operations cost more, and we should look into whether the same service could be offered here at a much better price. I think that it could. A significant number of rapid response units have lain unused in a trust car park for well over a year. I wonder whether such oversights and overspends could be avoided to deliver the required savings.

The Minister should get outside help. A fresh pair of eyes should determine what savings can be made. The motion is before us today so that all those issues can be addressed. Some underlying administrative costs must be removed, front line services must be retained and enhanced, and expenditure must be cut. I have made some proposals to the Assembly today, and many other Members have done likewise.

Mr Deputy Speaker: Mr Michael McGimpsey has asked to be called as a private Member. I remind him that he speaks in that capacity.

Mr McGimpsey: I have no doubt, Mr Deputy Speaker, that, if I stray, you will be quick to remind me of my status.

I am happy to take part in the debate. A number of points have been made, some of which were constructive. I thank Mr Shannon for his attempt to be constructive. However, I have to say, having listened to the remarks of Simon Hamilton, that he made no effort to present anything other than a cynical, political argument, partisan in the extreme, on the Health Service. I have no doubt that that will also apply to remarks that are yet to come. It is interesting that, in Simon Hamilton's speech, not once did I hear the words "patient", "doctor", "nurse", "cleaner" or "porter". The whole thrust of his argument is that there are too many doctors, nurses, cleaners and porters who do not work hard enough. That argument does not go far in places such as the Ulster Hospital.

It is important to stress that a report by the Nuffield Trust formed the crux of Simon Hamilton's argument. The consensus in the Health Service is that, as far as Northern Ireland is concerned, that report is not fit for purpose. The data is some four years old, and the report does not even notice that the Department in Northern Ireland also provides social services, on which some £1.2 billion of the health budget is spent. It ignores the fact that, in England, there was a major drive to create efficiencies through the wholesale transfer of staff to private enterprises. Thousands of nurses were moved into private businesses. That was based on the idea that the efficiency ratio can be eased through maintaining the level of activity and reducing the number of nurses in the workforce by thousands. I am not sure that that is the way forward for Northern Ireland. I heard some DUP Members argue for some level of privatisation in the Health Service, but that is no way to proceed.

Over the past few years, two major exercises on creating efficiencies have taken place. One of those was the Wanless review, a key element of which was to reduce demand by placing a greater emphasis on public health. The Department of Health, Social Services and Public Safety's response was to create the Public Health Agency, a move that was accepted universally by the House, with the exception of the DUP, which voted against it. That was an example of the DUP voting against efficiency.

The Appleby report has, as Members will recall, been discussed on many occasions. Appleby made 26 recommendations, all but one of which have been implemented by the Department of Health, Social Services and Public Safety and the Health Service. The

one Appleby recommendation that is still to be implemented is the requirement for the Department of Finance to increase the health budget by 4.3% in real terms every year. That has not been achieved. This year, the Health Service budget has been increased by 0.5% in real terms. Even when we adjust that to account for changes in the inflation rate, it is still only an increase of just over 1% in real terms. Yet, as we explained in the House on a number of occasions, demand on the Health Service increased by 12% last year, and it is up by 9% this year. Therefore, Tommy Gallagher and Kieran McCarthy were right to say that health and social services are seriously underfunded in Northern Ireland.

3.15 pm

There is always room for efficiency; any sensible organisation looks for efficiencies at every opportunity. I have been in business all my life, and I understand how important it is to find efficiencies. However, the funding gap with England has been estimated as being somewhere close to £600 million, and it does not matter how efficient you are if you have that sort of shortfall.

Mitchel McLaughlin made a point about equality. Healthcare is provided in the first 10 years and the last 10 years of someone's life. The most vulnerable members of society rely on the Health Service. Hammering the Health Service with a cut of over £100 million at this moment is not something that I can see as having been equality impact proofed. The reality is that that requirement was made because DFP got the cash flows wrong, and we suddenly find ourselves in the House requiring a fast £400 million.

Mr Deputy Speaker: Will the Member draw his remarks to a close?

Mr McGimpsey: I will draw my remarks to a close by asking that the House reject these proposals because they come from a Department that is among the most inefficient in Northern Ireland.

Mrs D Kelly: As my colleague Tommy Gallagher stated at the outset, we oppose the motion. We see it as the smokescreen that it really is, intended to cover up the DUP's abysmal record on and failure in the management of the finances of Northern Ireland plc. Its lack of confidence in bringing forward a Budget or in allowing us to revise the Programme for Government speaks volumes: it is afraid to open the books and let the other parties and the public look at what is there.

I will also refer to Sinn Féin's hypocrisy in talking about equality on the day that is in it, when it is about to hand over a seat at the Executive table to the Alliance Party, thereby failing to recognise the SDLP's electoral mandate. Equality? Sinn Féin could not even spell it.

We all know that health inequalities are, by and large, a result of poverty. Report after report tells us that poverty is one of the root causes of health inequalities. Which Department is responsible for tackling poverty and drawing up the action plans? OFMDFM. That is another failure of Sinn Féin and the DUP. Mr McCarthy talked about the cost of the division and sectarianism that remain in our midst. Those put a strain on all our budgets because they are not being tackled. Which Department has responsibility for cohesion, sharing and integration? OFMDFM. That is another failure of Sinn Féin and the DUP to deliver for all the people of Northern Ireland. Same old, same old.

The Health Minister, speaking as a private Member, was right to point out that none of the contributors from the opposite Benches mentioned the hard work of nurses, social workers and all the ancillary staff right across the North who worked so hard to deliver for our people during some of the worst years of conflict. We saw in other reports how our staff are working under enormous strain, not only where budget constraints are concerned. Those reports have shown that their productivity has gone up by some 7%. At a time of some of the most challenging financial and economic constraints, they are working harder and for longer.

My own trust — the Southern Health and Social Care Trust — recently won a UK award for driving forward efficiency savings. As a constituent of an area covered by that trust, you may have been aware of that, Mr Deputy Speaker. Those efficiency savings did not impact adversely on front line services. Time and time again, the SDLP has made the point that front line services must be protected.

In bringing the motion to the Floor, Mr Hamilton and the DUP have displayed cynicism, because only the SDLP voted against the Budget in the Chamber. *[Interruption.]* For Members who do not seem to be able to listen to what I have to say, I repeat: only the SDLP voted against the Budget.

The loudest squeals and shouts now are from the Sinn Féin Members, because they know that they voted in favour of the cuts, and now they are trying to dress them up as efficiency savings. With their partners in government in the DUP, Sinn Féin Members are trying to go after the Health Minister, because, over the next few weeks, they do not want to be knocking doors and having to admit that their Budget and Programme for Government are decimating our healthcare. Services in the community — particularly those for our older people, who are among the most vulnerable in our society — are being reduced and cut because of Sinn Féin and the DUP.

Ms Ní Chuilín: I want to try to get to the bottom of what Dolores is saying. She talked about cuts and efficiencies, but does she not recognise that her own

Minister removed the strategic guidelines on the allocation of social housing, which were an equality mechanism for people in Belfast? That happened on her Minister's watch. Therefore, the party that calls itself the champion of civil rights has a Minister who removed equality for people. That is the legacy of Dolores's party, and it has nothing to do with efficiency.

Mr Deputy Speaker: I remind all Members that the motion is about government efficiency.

Mrs D Kelly: We have heard absolute nonsense from Sinn Féin Members, who now claim to be the leaders of the civil rights movement. That is a load of nonsense; all historians know that the facts speak for themselves.

We reject the motion and see it for what it is. Money could be saved, and efficiency savings could be made. For example, what has been the cost to the public purse of the recent events at Hillsborough Castle? Those talks were held because Sinn Féin and the DUP could not get enough clarity on the provisions in the St Andrews Agreement. We now have St Andrews mark II. What has been the cost of that? We also have Sinn Féin bowing to the DUP on the allocation of the justice ministry, abandoning the principles of equality and power sharing and assisting the Alliance Party in its power grab for that ministry.

Mr Deputy Speaker: Order. I remind Members of a ruling made by the Speaker on 24 November 2009 in which he said that he would judge Members' remarks against standards of "courtesy, good temper and moderation."

The Minister of Finance and Personnel (Mr S Wilson): I am glad that I have been called at this point in the debate, because it was going rapidly downhill. The rant by the previous Member who spoke included references to power grabs by the Alliance Party, a betrayal of equality by Sinn Féin, inefficiency by the DUP in the running of the Budget, and the Health Minister not addressing the issues that he should — everything except the subject of the motion.

I do not want to spend too much time discussing the matter, but I will say one thing: the Budget is the responsibility of every party. The Budget that we are going to live with next year, despite the rant by Mrs Kelly, was endorsed by every party in the Assembly and in the Executive, including the SDLP, the Ulster Unionists and Sinn Féin —

Mrs D Kelly: That is not true.

The Minister of Finance and Personnel: From a sedentary position, the Member is saying that my comments are not true. All she needs to do is get a copy of the minutes from the relevant Executive meeting. I do not think that even her own Minister would have the barefaced cheek to deny that she had

an input into the Budget and that she accepted it. I do not want to get into that issue, because I want to move on to the issues that we are meant to be talking about.

All the parties in the Assembly have recognised the importance of adequately funding the Health Service. The Minister of Health, Social Services and Public Safety is a very busy man. Even though he took part in the debate, he had to leave before the end of it, although he did not listen to the first or last part of it. I am sure that Members are pleased that he graced us with his presence today. In his ministerial role, he often could not find the time to be accountable to the Assembly because he was fighting swine flu and Lord knows what other diseases.

Mr Deputy Speaker: I remind the Minister that he is responding to the debate on efficiency.

The Minister of Finance and Personnel: I was about to respond to the comments of a Member who had taken part; I wanted to provide a bit of context.

In 2007, the Minister said — do not forget that this was the baseline for health — that he had got a good deal for health. Indeed, the spending increase over the three years amounted to 3·8% for the Department of Health, as opposed to 3·3% on average for other Departments. That was recognition of its importance. I remind the House that the latest budget reductions did not come about because DFP took its eye off the cash-flow ball — whatever that may mean; I do not have a clue what he was talking about — the reductions came about because the Executive and the Assembly decided collectively to defer water charges, to implement equal pay and to help small businesses and householders to pay their rates. There were costs attached to those measures, and, therefore, the budget had to be redistributed.

Mr McNarry: Rubbish.

The Minister of Finance and Personnel: The Member may say “rubbish”, but it is a fact. The cost of those measures was laid down, the gap in the Budget was identified, and money had to be redistributed.

Mr McNarry: Who brought the ideas to waive water charges and so on to the Assembly and the Executive? Did you not bring those ideas to the House after calculating the cost?

The Minister of Finance and Personnel: Perhaps the Member forgets his party's manifesto, which committed him to that. He voted for it.

Mr Deputy Speaker: All remarks must be made through the Chair.

The Minister of Finance and Personnel: Even with that, the reduction in the health budget was the lowest of all reductions. Other Members said that various reports, including the Appleby report, said that

the Health Service in Northern Ireland was not severely under-resourced. We should not run away with the idea that the Health Department has not been given priority in the Programme for Government and in the Budget; it has.

I will consider some of the arguments that were made. Why was DHSSPS singled out in the motion? The proposer of the motion can explain that later. PEDU has been with the Department of the Environment; I invited it in when I was Minister of the Environment. As a result of its constructive work and the follow-up work, which was a combination of PEDU working with departmental officials, the processing time for planning applications was significantly reduced. The targets, which had not been met in three years, were achieved and there were significant improvements.

Mrs D Kelly: Will the Minister give way?

The Minister of Finance and Personnel: No; you had a rant during your chance to speak. Had your contribution been constructive, I would have been happy to take questions from you. If you did not have the time then, you do not have it now.

Mr Deputy Speaker: I remind all Members to address all questions through the Chair and not to engage in toing and froing.

The Minister of Finance and Personnel: Secondly, PEDU considered Land and Property Services, which is part of a Department that is run by a DUP Minister. It produced a useful report, which is now being implemented. Mr McNarry asked about LPS. It was recognised that LPS had problems. However, the difference is that DUP Ministers welcome the fact that a resource is available to deal with problems when they arise in their Department.

I suppose that the motion would never have been tabled had the Health Minister accepted the offer that I made to him on 10 November 2009.

3.30 pm

I do not wish to impose PEDU on anyone. It is much better if PEDU can collaborate and co-operate with Departments. On two occasions, I have seen how PEDU's work can assist a Minister when there are problems in his or her Department.

I do not think that the Department of Health, Social Services and Public Safety has been unnecessarily targeted. A number of Members have asked why I wrote to the Minister on 10 November 2009 to outline why his Department might benefit from PEDU. Mr McLaughlin tried to puncture the balloon of unionist unity by saying that there was a motive behind the letter that was more about sniping and partisanship than about being helpful. I wrote to the Health Minister because every Department is expected to find 3% efficiency savings. By and large, all Ministers have got

on with that job, and, as I have reported here on a number of occasions at Question Time, those efficiency targets are being met.

Time and time again, however, in the Assembly and in public, the Health Minister has been the only one to say that he is finding it difficult to meet the efficiency targets. The others said that they were finding it difficult, yet they got on with it. They did not complain, nor did they make a public issue out of the situation. The Health Minister did, and for that reason I invited him, in a spirit of helpfulness, to use the available resource that is the performance and efficiency delivery unit. I recognised its value, and other Ministers, had they looked at PEDU, would have recognised its value as well.

I like Mr McNarry's debating style. It is a kind of skinhead bootboy debating style, which I always enjoy. It is my style, too. In order to deflect criticism from the real core issue, Mr McNarry really got down to it. He said that the letter was a calculated insult, and that it amounted to carping about the Health Service. Let us look at the evidence. I do not want to get into detail about reports, but three — the Appleby report, the report of the departmental productivity working group and the Nuffield Trust report — have already indicated that there are problems in the Health Service in Northern Ireland. Members have quoted from those reports, and I will not repeat them. However, the reports highlighted issues such as staffing, administration, the amount of money that is spent per head, and dissatisfaction with service.

The Minister said that the figures relating to those issues were out of date. Had he read the Nuffield Trust report, he would know that it is not four years out of date. Its figures are for 2008 to 2010, so if there is a four-year gap, my maths must be wrong. The Nuffield Trust report quoted the 2008 figures for waiting times, so it is not four years out of date but fairly up to date. All those reports highlighted issues that cannot be ignored.

Let us consider what the Minister has said about his Department and how his Department makes decisions. When speaking in Committee on 15 October 2009 on the investment in 200 new respite care places, he said:

"I am reviewing the situation with respite care".

Listen to this and tell me whether this is not a Department that needs some extra focus. The Minister continued:

"no one is clear about what exactly we are doing or where the need lies."

That hardly strikes me as a comment that a Minister would make about a Department that is totally on top of what it needs to do and how it needs to use resources. I could give Members other quotations.

All that I am saying is that there are independent reports. Are they all levelling calculated insults at

nursing staff, hard-working auxiliary staff, or the staff in the Health Service? Is the Minister doing that? I do not think so. Those reports simply accept that there is always room for improvement in any large organisation that employs more than 100,000 people, spends £4.3 billion, and has a lot of competing needs and layers of management. The whole point of bringing in PEDU is to help to zone in on some of those areas, and to give direction to what the Minister wants to do. I want to see, as I am sure does the Minister, the money that he has available spent as efficiently as possible.

The argument was made that the Department of Finance and Personnel should not impose PEDU on the Department of Health. The Minister said that that demand came from the most inefficient of all Departments. He produced no evidence for such alleged inefficiency. Unlike Mr McGimpsey, however, if he has evidence of inefficiency in my Department, I would be the first to address it, to find an answer and to remedy it.

I have said time and again, and this is where I differ from part of the emphasis of the motion, that the best way forward is for Ministers to invite PEDU to do its work, and to co-operate with it. There is no point in PEDU going in and having to dig for information because a Minister and Department do not want to provide it. That work can be done effectively only if there is a willingness to surrender the information that is required so that an assessment can be made of what can be done. I would prefer that we address the issue in that way.

The debate has, at times, been contentious and not very helpful. Sometimes, the attitude in the Assembly, and of the Minister, has not helped. I want to make sure that health is adequately provided for and that, when money goes to health, it is properly spent. That is why I am not imposing PEDU on the Minister, but inviting him to bring it in. PEDU did a good job in the Department of Finance and Personnel and in the Department of the Environment, and can do the same job to help the Department of Health, Social Services and Public Safety.

Mr Weir: Although the argument has been won on this side of the House, it is, sadly, clear that the vote has not been won. I suspect that there may be limited purpose in efforts to persuade recalcitrant Members to undergo a last-minute Damascene conversion and see the merits of the motion.

Mr Hamilton said at the outset of the debate that there was a danger of health debates being marked by a puerile or childish attitude. The debate was a mixed bag. There were sensible contributions and good points well made. At other times, it went, as the Minister of Finance and Personnel put it, rapidly downhill. I have in mind the image of the same sort of speed as a downhill skier.

Mr Hamilton, in proposing the motion, said that we should all share the aims of the motion. There are a number of reasons for the motion. Why should PEDU look at the Department of Health, Social Services and Public Safety in particular, and why is the motion phrased as it is? As the Minister pointed out, there are issues about a number of other important spending areas, and other Ministers have shown willingness to invite PEDU in. However, for some reason, the Department of Health has shown resistance. It would be valuable for PEDU to have input on issues that are dealt with by the Department of Health, because, as has been highlighted, that Department spends roughly 50% of the Budget. If there is merit in examining only one area to get efficiencies and value for money, the area to be examined should be the Department of Health.

We want to see PEDU involved because we are all acutely aware of the importance of health. We realise the need to protect the weak and the vulnerable and to try to protect front line services, as all parties said. Why is there a resistance to the involvement of PEDU and attempts to see how systems can be changed beyond just the general administrative efficiencies? PEDU should take a radical look at the Health Service and suggest what changes can be made so that we can have the best possible protection for our front line services. That is an issue that we should all unite on.

Mr Beggs: Will the Member acknowledge that the establishment of PEDU was based on the principle that governs the Number 10 policy unit, which operates in Departments at the invitation of those Departments? Will he accept that motions that are aimed at bashing the Department of Health, which are tabled almost weekly by the DUP, are not conducive to enabling such work? Will he reflect upon the attitudes of his party, and will he agree that it is important to reflect the significant increases in health demands?

Last week, I visited a health trust that has experienced 7% and 9% increases in accident and emergency visits and outpatients' attendance respectively. There has been no reflection of that additional workload in any of his comments.

Mr Weir: I am sure that the Member always gives the House much to reflect on.

A number of areas are causing pressure on the Budget. I wish for the Department of Health to engage with PEDU and to invite it in. If that were to happen, there would be no need for a motion of this nature. The pressures that are faced by the Department of Health are all the more reason for PEDU's involvement. A finite amount of money is available in the Budget, although undoubtedly, even if we spent every penny that we had on health, pressures would still emerge. In dealing with the pressures, it is important that we get the best possible service, value for money and maximum

health spend directed towards front line services. That is why PEDU should be involved. I am concerned, because it is a no-brainer.

Mr Hamilton stated that there is an inevitably emotional response when dealing with health issues. That is only natural. However, when we consider statistics that compare here with England, we see that we do not get the same quality of delivery in the outcomes from our Health Service. However, I do appreciate some of the caveats.

In days of financial constraint and in circumstances in which the Budget is under pressure because of the avoidance of water charges, which all parties supported in their manifestos, there will be increasing pressures. Consequently, we need to have a clear-cut and radical look at better performance management. Mr Hamilton stated that the Health Department is too close to the issues to be able to consider what major changes should take place, although that would be true of any Department. He also said that management costs rose by 13% in the first year of the trusts. That is fundamentally worrying. We should be looking at a driver for efficiencies.

Although he did not support the motion, Mitchel McLaughlin indicated the need to respond to the economic circumstances, and he described the need to try to ensure that front line services are protected as much as possible as the defining issue. At least he acknowledged that there is some opportunity to find additional efficiencies. Consequently, I agree that PEDU has implications for the whole Executive. Unfortunately, some in the Department seem to regard PEDU as a threat. PEDU should be regarded as a resource rather than a threat.

3.45 pm

David McNarry, indulging in a bit of paranoia, regards the motion as some sort of calculated insult. However, we tried to focus the debate on practical measures rather than insults. I appreciate that a lot of the debates in the Chamber can turn into knockabout, and both Mr McNarry and I are guilty of that sometimes.

Mr McNarry: Never.

Mr Weir: There is some revisionist history coming from those Benches.

Opposing the motion, Mr Gallagher outlined his worry about cuts being imposed on front line services because it would be the weak and the vulnerable who would suffer. However, that is the very reason why the motion was put forward. Comparisons with social services are made with the exclusion of some figures, so there is not that sort of problem. The line that the SDLP voted against the Budget was trotted out again. However, the SDLP Minister supported both the main Budget and the revised Budget. Therefore, the SDLP's

almost Pontius Pilate-like washing of hands is somewhat regrettable.

Kieran McCarthy indicated sympathy for the motion and the strains on the Budget. However, I will be keen to read the Hansard report of the debate, because his contribution left me with a slightly confused picture. On the one hand, he said that more money should go in but, on the other, he realistically accepted that money cannot be ring-fenced. Although it is worthwhile to look at the costs of division again, it seems to be regarded as the golden penny to fund just about everything at all times. Jim Shannon contrasted our position with that of the Republic of Ireland and highlighted the vital role that the pharmaceutical industry can play. He also made some practical suggestions.

Although not speaking in his role as Health Minister, Michael McGimpsey, whose contribution to the debate was welcome, launched an attack on Simon Hamilton. That surprised me — well, perhaps I was not that surprised — because I am not clear that Mr McGimpsey was in the Chamber for much of Mr Hamilton's contribution; perhaps he watched it from another vantage point. I ask the Minister what he has to fear from PEDU and urge him to take a better look at the situation.

Dolores Kelly made a wide-ranging speech, which, at times, concentrated principally on the evils of the DUP and Sinn Féin and on a Sinn Féin/SDLP battle. She touched on the subject of health occasionally, but there is not a great deal that I can say in relation to that. The Minister highlighted the fact that the Budget had been endorsed by all parties. I appreciate that the Minister did not endorse it, but it has been endorsed by all parties. Therefore, no one can pretend that it is the child of one party or another. Furthermore, the Health Department received the lowest budget cut in percentage terms.

PEDU has been helpful in other areas, and I believe that it can contribute to driving greater efficiencies in the health system by taking a much more radical look at it. It will hopefully ensure that there is room for improvement. The focus should be on front line services; all of the House should unite around that. More in hope than expectation, I commend the motion to the House.

Question put and negatived.

Adjourned at 3.49 pm.

