Written Ministerial Statement

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Oideachas

Soláthar san Earnáil Oideachais

Arna fhoilsiú ag 12:00 meán lae Dé Máirt 23 Samhain 2010

An tAire Oideachais (Ms Ruane): A Cheann Comhairle, ba mhian liom ráiteas a thabhairt don Tionól ar roinnt ceisteanna tromchúiseacha a bhaineann le soláthar a tháinig chun solais in dhá Bhord Oideachais agus Leabharlann agus le cuntas a thabhairt ar na bearta atá á nglacadh agam.

Baineann an chéad cheist acu le faomhadh agus le soláthar do scoil nua ag Magherafelt High School. D'fhaomh mo Roinn scoil nua 500 áit ach chuir an NEELB tairiscint amach sular tugadh faomhadh iomlán don Bhreithmheas Eacnamaíochta. Mar gheall air sin bhí moill ann sula rabhthas in ann an conradh a thabhairt chun críche. Idir an dá linn, chuir an Bord Breithmheas Eacnamaíochta eile isteach ag iarraidh scoil 600 áit. Seachas an togra a chur amach arís faoi choinne tairisceana shocraigh an Bord leanúint leis an scoil 500 áit le faomhadh na Roinne ar chostas £8.2m. Bheadh aon mholadh leis an chonradh a athrú nó le dara céim a chur amach ar thairiscint faoi réir chomhaontú agus fhaomhadh na Roinne. Tuigeann an Roinn gur cuireadh tús le tógáil na scoile 500 áit i mí Eanáir 2010.

I mí Mheán Fómhair 2010 mar gheall ar imní a tháinig chun tosaigh i mo Roinn faoi nádúr na hoibre tógála a bhí ar siúl, scríobh mo Roinn chuig Bord Oideachais agus Leabharlann an Oirthuaiscirt le soiléiriú a fháil ar roinnt buncheisteanna. Tá an soiléiriú sin fós gan fhreagairt i ndiaidh dhá fhreagra ón Bhord. I litir a cuireadh ar 22 Deireadh Fómhair 2010 áfach, thuairiscigh Príomhfheidhmeannach an Bhoird:

Education

Procurement in the Education Sector

Published at 12:00 noon on Tuesday 23 November 2010

The Minister for Education (Ms Ruane): Mr Speaker, I should like to make a statement to the House on some serious procurement issues which have come to light in two Education and Library Boards and to outline the steps I have taken in response.

The first relates to approval and procurement of a new school for Magherafelt High School. A new 500 place school was agreed by my Department but was tendered by the NEELB before the Economic Appraisal was fully cleared. As a result there was a delay before the contract could be finalised. In the interim the Board submitted a further Economic Appraisal making the case for a 600 place school. Rather than retender the project the Board decided to proceed with the 500 place school with Departmental approval for a cost of £8.2m. Any proposal to vary the contract or tender a second phase would be subject to agreement and approval of the Department. It was the Department's understanding that construction of the 500 place school began in January 2010.

In September 2010 in the light of concerns arising in my Department about the nature of the construction work under way, my Department wrote to the North Eastern Education and Library Board seeking clarification on a number of fundamental issues. That clarification is still outstanding following two responses from the Board. In a letter of 22 October 2010 however the Chief Executive of the Board reported that the Board:

go ndearna an Bord comhaontú leis an chonraitheoir leasmhar agus mar gheall air seo, rinneadh obair thógála gan an faomhadh riachtanach ar fad bheith i bhfeidhm sa Roinn; agus

has entered into an arrangement with the contractor involved which has resulted in construction works without all the necessary approvals being in place with the Department; and

go ndearna an Bord íocaíocht ar an obair atá déanta, lena n-áirítear gné nár fhaomh an Roinn.

has made payment for the work which has been done including an element which has not been approved by the Department.

Chomh maith leis sin, bhain an Príomhfheidhmeannach de thátal gur thabhaigh an Bord caiteachas sa bhliain airgeadais 2010-11 a d'fhéadfaí a mheas mar mhírialta. D'áitigh mé go láidir le cistí a fháil le hinfheistiú a dhéanamh i scoileanna nua agus leanfaidh mé den áitiú láidir seo. Is rí-léir gur chóir cistí mar seo a infheistiú de réir an pholasaí ar sholáthar poiblí, de réir an chreata rialaithe leasmhair agus de réir riachtanas Managing Public Money. Is ábhair bhuartha agus thromchúiseacha iad na ceisteanna atá ag teacht chun tosaigh ag Magherafelt High School agus mar Aire Oideachais, tá dualgas orm – agus is tábhachtach an dualgas é – trédhearcacht, dea-rialachas agus luach ar airgead a chinntiú don cháiníocóir.

Moreover the Chief Executive concluded that the Board has incurred spend in the 2010-11 financial year which may be deemed irregular. I have argued strongly for funds to invest in new schools and I will continue to do so vigorously. It is self evident that such funds should be invested in line with public procurement policy, the control framework applying and the requirements of Managing Public Money. The issues emerging around the Magherafelt High School are serious and worrying and as Minister of Education I have a duty – one I take very seriously – to ensure transparency, good governance and value for money for the taxpayer.

Mar sin de, thionscain mé imscrúdú seachtrach ar chúinsí uile an tsoláthair agus na hoibre a bhain leis an chonradh seo. Tá mé ag dréim leis go mbeidh an tuairisc ar an imscrúdú agam roimh an Nollaig agus socróidh mé ansin na chéad bhearta eile atá de dhíth.

I have initiated therefore an external investigation of all the circumstances around the procurement and work associated with the contract. I expect to have the report of this investigation before Christmas and will then decide what further steps are needed.

Is féidir liom a dhearbhú don Tionól gur cuireadh an Oifig Iniúchóireachta ar an eolas faoi na forbairtí seo.

I can assure the House that the Audit Office has been briefed on these developments.

Baineann an dara ceist le buarthaí tromchúiseacha i ndáil le cleachtais soláthair i mBord Oideachais agus Leabharlann an Oirdheiscirt. I mí Dheireadh Fómhair 2010 chuir Príomhfheidhmeannach Bhord Oideachais agus Leabharlann an Oirdheiscirt in iúl don Roinn go raibh calaois amhrasta ann maidir le suiteáil saoráide téimh in iarbhunscoil. Rinne an fhoireann Iniúchóireachta Inmheánaí sa Bhord imscrúdú ar an cheist a bhain le hathrú ar an tsonraíocht agus suiteáil dóirí athláimhe.

The second issue relates to serious concerns around procurement practices in the South Eastern Education and Library Board. In October 2010 the Chief Executive of the South Eastern Education and Library Board alerted the Department to a suspected fraud involving the installation of heating plant in a post primary school. The matter which related to the change in specification and the installation of second hand burners was then investigated by the Board's Internal Audit staff.

Mar thoradh ar na himscrúduithe seo chuir an Bord comhad faoi bhráid an PSNI. Fágfar faoin PSNI anois measúnú a dhéanamh ar cé acu atá go leor fianaise ann le hionchúisimh a thabhairt agus ina dhiaidh sin, bainfidh sé leis an tSeirbhís Ionchúiseamh Poiblí. As siocair go mbeidh sé seo faoi réir imeachtaí dlí níor mhaith liom rud ar bith eile a rá ar an ábhar. Coinneofar an Oifig Iniúchóireachta ar an eolas arís eile.

As a result of these investigations the Board has now passed a file to the PSNI. It will now be a matter for the PSNI to assess if the level of evidence is sufficient to pursue prosecutions and thereafter a matter for the Public Prosecution Service. As this may be the subject of legal proceedings I do not intend to comment in any detail further. Again the Audit Office has been kept fully informed.

Thaispeáin imscrúdú Fhoireann Iniúchóireachta Inmheánaí an bhoird go raibh mírialtachtaí ann maidir le feidhmiú Conartha ar Théarma Socraithe (MTC) i leith na hoibre cothabhála a dhéanann Bord Oideachais agus Leabharlann an Oirdheiscirt. Cuireadh na buarthaí seo in iúl do mo Roinn. Nuair a cuireadh ar mo shúile dom, bhí an oiread sin imní orm gur iarr mé go n-imlonnófaí baill foirne ó fhoireann Iniúchóireachta Inmheánaí na Roinne láithreach le sonraisc agus doiciméadúchán tacaíochta ábhartha a aithint, a fháil agus a anailísiú.

The investigatory work of the board's Internal Audit Team turned up irregularities in relation to the operation of a Measured Term Contract (MTC) for maintenance work by the South Eastern Education and Library Board. These concerns were conveyed to my Department. On being briefed I was so concerned that I immediately directed that staff from the Department's Internal Audit team be deployed to identify, secure and analyse invoices and relevant supporting documentation.

Tá imscrúdú cuimsitheach ar fheidhmiú an chonartha agus an chleachtais níos leithne soláthair san SEELB coimisiúnaithe agam anois. Beidh roinnt snáitheanna oibre i gceist leis seo agus comhordóidh Grúpa Maoirseachta faoi chathaoirleacht an Ard-Rúnaí iad.

I have now commissioned a comprehensive investigation into the operation of the contract and wider procurement practice in the SEELB. This will involve several strands of work which will be co-ordinated by an Oversight Group chaired by my Permanent Secretary.

Beidh an pobal i gcoitinne ag súil le himscrúduithe iomlána cuimsitheacha ar fhíricí an cháis seo agus cinnteoidh an t-imscrúdú é seo. Díreoidh sé ar fheidhmiú an Chonartha ar Theárma Socraithe áirithe seo agus déanfaidh sé iniúchadh ar cé acu ar tharla aon mhírialtachtaí i mbainistiú an chonartha. Mar sin de, beidh sainfhoireann oilte um imscrúdú ar chalaois de dhíth. Beidh sé i gceist aige fosta athbhreithniú a dhéanamh ar chleachtas soláthair agus ar nósanna imeachta taobh istigh den Bhord lena aithint cé acu an cás aon uaire é feidhmiú an Chonartha ar Théarma Socraithe áirithe seo.

I believe the public will expect no less than full and comprehensive investigations of the facts in this case and this is what my investigation will ensure. It will focus on the operation of this particular Measured Term Contract and will investigate whether any irregularities in the management of the contract have occurred. As such it will involve trained specialist fraud investigation staff. It will involve also a review of procurement practice and procedures within the Board to identify whether the operation of this particular Measured Term Contract is an isolated case.

Tá clár suntasach oibre i gceist leis an imscrúdú seo. Coinneoidh mé an Tionól ar an eolas faoi na himscrúduithe seo agus faoi aon bhearta a ghlacfar mar gheall orthu. Cuireadh an Oifig Iniúchóireachta ar an eolas arís.

This investigation involves a substantial programme of work. I will of course keep the Assembly updated on these investigations and subsequent actions taken. Again the Audit Office has been briefed.

Ar deireadh, mar gheall ar na heachtraí seo shocraigh mé go bhfuil gá le níos mó gníomhuithe le go mbeidh mise mar Aire agus le go mbeidh an Coiste Feidhmiúcháin cinnte de go bhfuil cleachtais sholáthair ar fud na hearnála oideachais gairmiúil agus oiriúnach don fheidhm, go dtugann siad luach ar airgead agus go gcloíonn siad le polasaí Soláthair Phoiblí an Choiste Feidhmiúcháin.

Finally, in the light of these events I have determined that further action is needed to provide assurance to me as Minister and to the Executive that procurement practices across the education sector are professional, fit for purpose, provide value for money and reflect the Public Procurement policy of the Executive.

Mar sin de, d'iarr mé ar mo Roinn obair a dhéanamh le hIonad aontaithe um Shaineolas ar Sholáthar (CoPE) a chruthú don earnáil oideachais chomh luath agus is féidir. Beidh mo Roinn i gceannas ar an obair seo le tacaíocht ón LárStiúrthóireacht Soláthair. Díreoidh sé ar chleachtas soláthair agus ar an chumas le bainistiú a dhéanamh ar chonarthaí a eascraíonn as. Is éard a bheas i gceist ná measúnú seachtrach ar an chumas agus ar an chleachtas reatha ar fud na hearnála oideachais uile.

I have therefore directed my Department to take forward work to create a unified Centre of Procurement Expertise (CoPE) for the education sector as quickly as possible. This work will be led by my Department with support from Central Procurement Directorate. It will focus on both procurement practice and the capacity to manage the resultant contracts. It will involve an external assessment of the existing capacity and practice across the whole education sector.

Dá mbeadh ESA i bhfeidhm bheadh Ionad aontaithe um Shaineolas ar Sholáthar don earnáil oideachais chóir a bheith cruthaithe cheana féin.

If we had put ESA into place we would already have been well down the road to creating a unified single Centre of Procurement Expertise for the education sector.

Mar gheall ar na heachtraí seo tuigfidh tú gur tosaíocht liom an obair seo agus chuir mé é sin in iúl do mo Roinn. Tá dualgas orainn leasanna an cháiníocóra a chosaint trí rialtacht, trí chuibheas agus trí luach ar airgead a chinntiú i gconarthaí atá á maoiniú ag cistí poiblí agus caithfidh go bhfeictear muid ag comhlíonadh an dualgais sin. Beidh mé ag súil leis go nglacfaidh gach eagraíocht oideachais páirt agus go gcomhoibreoidh siad go hiomlán leis an obair seo.

In the light of events you will understand that I now regard this work as a priority and I have directed my Department accordingly. We have a duty to protect the interests of the taxpayer by ensuring regularity, propriety and value for money in publicly funded contracts, and being seen to do so. I will expect all education organisations to participate and co-operate fully with this work.

Is ceisteanna tromchúiseacha iad seo atá mé i ndiaidh a chur faoi bhráid an Tionóil inniu. Is féidir liom dearbhú a thabhairt faoi mo thiomantas féin agus faoi thiomantas mo Roinne le himscrúdú iomlán a dhéanamh orthu agus lena chinntiú go mbíonn na cleachtais agus na nósanna imeachta soláthair san earnáil oideachais ar an chaighdeán is airde.

These are serious matters I have brought before the House today. I can assure you of my commitment and that of my Department to fully investigate them and ensure that procurement practices and procedures in the education sector are conducted to the highest standards.