



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Date:	Friday, 11th December, 2009
Subject:	Transitional Governance Arrangements for the Education Sector
Reporting Officer:	Mr. Liam Steele, Head of Committee and Members' Services (extension 6325)

Purpose of Report

To determine a response to correspondence received from the Minister for Education regarding the transitional governance arrangements for the education sector.

Background

Correspondence has been received from the Minister for Education explaining that the Education Bill provides for the replacement of the five Education and Library Boards with a new Education and Skills Authority. However, the legislation has not yet been passed by the Assembly and accordingly the commencement date of 1st January 2010 which had been agreed by the Executive for the establishment of the new body is not achievable and interim governance and management arrangements will have to be put in place.

The Minister has decided to reduce the size of the Education and Library Boards and under the transitional arrangements the Council has been allocated four places on the Belfast Board.

However, in order to comply with the Code of Practice of the Commissioner for Public Appointments, which states that at least two nominees should be sought for each vacancy, the Minister has invited the Council to put forward at least eight Councillors who would be willing to sit on the Board during the transitional period. Each Councillor would be required to complete an application form detailing how he or she would meet the key requirements for appointment to the posts. The application forms would be subject to eligibility sift followed by "conversations with a purpose" with candidates to confirm and validate suitability. The final decision on appointment would be made by the Minister with a view to achieving a balance in terms of diversity of skills and experience. All appointments made would be for the transitional period prior to the establishment of the new Education and Skills Authority.

The Minister is seeking a response from the Council by 16th December.

Key Issues

The Council currently has 14 representatives on the Belfast Education and Library Board. These are:

Sinn Féin

Councillor Breige Brownlee
Councillor Tierna Cunningham
Councillor Tom Hartley
Councillor Danny Lavery

DUP

Councillor Diane Dodds
Councillor Nelson McCausland
Councillor Rodway

UUP

Councillor David Browne
Councillor Jim Rodgers
Councillor Bob Stoker

SDLP

Councillor Tim Attwood
Councillor Patrick Convery
Councillor Cathal Mullaghan

All

Councillor Máire Hendron

These Party Group appointments were determined using the Council's d'Hondt process immediately following the Local Government Elections in May, 2005 and were approved by the Council at its Annual meeting on 1st June, 2005 for the period to end on the date of the Local Government Elections, then anticipated to be held in May, 2009, though obviously, for a variety of reasons, the names of the Council's representatives have changed from time to time. The Committee, in January of this year, agreed that, as a consequence of the extension of the existing Council term, all appointments to outside Bodies should be extended to the date of the next Local Government Elections in May, 2011.

The original d'Hondt process involved appointments being made to a wide range of organisations and involved more than 90 selections being made by the Group Leaders. Obviously, choices are influenced by various factors and those organisations which are considered by the Party Group Leaders to be most important in terms of the life of the City are foremost in the order of selection. Education obviously took high rank in the original process and membership of the Belfast Board is highly valued among the Members.

At its meeting on 19th August, 2005 the Committee agreed to continue the application of the original d'Hondt process for the filling of appointments which became necessary throughout the life of the Council and this has been applied successfully. However, the current proposal is to reduce the existing 14 representatives of the Council to 4, and there would appear to be two options.

Firstly, to determine the Council's representatives using a one-off selection process based on d'Hondt. The current strength of the Party Groupings would result in the undernoted choice sequence:

SF choices 1, 5 and 7
DUP choices 2, 6 and 8
UUP choice 3
SDLP choice 4

It is important to note that the first four choices fall to the largest Party Groupings and if the Council were being asked to nominate only sufficient Members to fill the number of places which the legislation stipulates must be allocated to the Local Authority then the representatives of those Groupings would be the Council's nominees.

Secondly, to take the view that the Council has already nominated its representatives on the Belfast Education and Library Board using the d'Hondt process and if the Minister wishes to reduce this figure from 14 to 4 then she should make her selections from that pool of Councillors. In putting this forward as an option, though, the Minister should be reminded that, in the interests of fairness, equality and justice, the 4 places on the new Body should be filled by representatives of the 4 largest Party Groupings on the Council.

It should be noted that, because of the deadlines set by the Minister, any decision made by the Council would have to be conveyed to her prior to ratification by the Council and it will also be necessary for the Party Groupings to name their representatives at this stage.

Recommendation

To consider the options put forward and to take such action thereon as may be determined.

Officers to contact: Mr. Liam Steele
Head of Committee and Members' Services

Decision Tracking

The Committee's decision will be conveyed to the Minister prior to the deadline date of 16th December.

Key to Abbreviations

N/A

Documents Attached

N/A