

DE CORPORATE STATEMENT FOR THE COVID-19 PUBLIC INQUIRY.

REFERENCE – M2C-DOE-01

SECTION 1: DEPARTMENT OF EDUCATION NI ROLE IN EXECUTIVE DECISION MAKING

1. I am the Permanent Secretary for the Department of Education (DE) in Northern Ireland. I have been in post since 1 March 2021. My predecessor, Derek Baker, retired on 27 November 2020, prior to my appointment. During the period of 28 November 2020 to 28 February 2021 the post was covered by Lianne Patterson carrying out the required duties and acting as Accounting Officer in order to comply with regulatory requirements. The Rule 9 request was issued to the Permanent Secretary of the Department of Education and in preparing this statement I have access to all required documentation in order ensure compliance to this request.
2. The Department of Education (the Department or DE) is one of nine Northern Ireland Departments and is a body corporate.
3. Education is a transferred matter in Northern Ireland, (that is to say a devolved matter), it being neither an excepted nor reserved matter within the meaning of section 4 of the Northern Ireland Act 1998. The statutory functions (powers and duties) of the Department are contained throughout various pieces of Northern Ireland legislation. In Northern Ireland responsibility for Further and Higher Education sits with the Department for the Economy.
4. The Minister has overall political responsibility and accountability for the Department's statutory functions. The Minister sets the strategic policy and resources framework for the Department.
5. The Department is managed by a Departmental Board, made up of senior staff and two independent Board members under the leadership of the Permanent Secretary, which meets to discuss strategic issues and to plan, prioritise and report on progress. Whilst issues were discussed at Departmental Board, decisions were made by the Minister on the advice of departmental officials or advice from relevant experts i.e. Chief Medical Officer/ Chief Scientific Officer.
6. The Department has a wide and complex range of functions, impacting on all areas of a child's wellbeing, having overall responsibility and accountability for the quality of education in schools, youth organisations and those offered by early years providers. It

also leads on the development of the Executive Early Learning and Childcare Strategy. The various settings included encompass 355,787 children in educational settings –

Type of School	No. Of Schools
Voluntary and Private Preschools	350
Nursery Schools	93
Primary Schools	794
Secondary	126
Grammar	66
Special	39

7. Education in Northern Ireland has statutory functions exercised routinely by the Department in conjunction with its strategic public sector partners and delivery partners, listed below:-

- **Comhairle na Gaelscolaíochta (CnaG);** a non-statutory executive non-departmental public body (NDPB), established to encourage and promote the strategic development of, and provide guidance and advice to, the Irish medium education sector.
- **Council for Catholic Maintained Schools (CCMS);** a statutory executive NDPB, responsible for the employment of teachers in Catholic maintained schools, effective planning and management of these schools and for a number of other, mainly advisory, functions.
- **Council for the Curriculum, Examinations and Assessment (CCEA);** a statutory executive NDPB, established on 1 April 1994. It is responsible for keeping under review all aspects of the curriculum, examinations and assessment for grant aided schools and colleges of further education and for undertaking statutory consultation on proposals relating to legislation. It also advises DE on matters concerned with the curriculum, assessment, examinations and external qualifications and accrediting qualifications; conducting and moderating examinations and assessments, ensuring that standards are recognised as comparable to standards of examinations and assessments conducted by other bodies or authorities exercising similar functions in the United Kingdom.
- **Education Authority (EA);** a statutory executive NDPB responsible for securing adequate provision for primary and secondary education and for recreational, social,

physical, cultural and youth service activities for grant-aided schools and other grant-aided educational establishments.

- **General Teaching Council for Northern Ireland (GTCNI)**; a statutory executive NDPB for the teaching profession and is dedicated to enhancing the status of teaching and promoting the highest standards of professional conduct and practice.
- **Middletown Centre for Autism (MCA)**; a non-statutory executive NDPB (an agreed area of co-operation within the North / South Ministerial Council) opened in March 2007 to deliver key educational services on an all-island basis for children with some of the most complex forms of autism. It is an 'area of cooperation' between the DE and the Irish Department of Education & Skills (DES), with funding provided on a 50/50 basis and under the oversight of the North/ South Ministerial Council.
- **Northern Ireland Council for Integrated Education (NICIE)**; a non-statutory executive NDPB, established to encourage and promote integrated education and provide guidance and advice to schools in that sector, or considering transforming to integrated status.
- **Youth Council for Northern Ireland (YCNI)**; a statutory executive NDPB, established under the Youth Service (Northern Ireland) Order 1989. Following the creation of the EA as a regional body, responsibility for regional youth services funding and support transferred from the YCNI to the EA on 1 April 2016.

LIST OF KEY DEPARTMENT OF EDUCATION (NI) OFFICIALS DURING THE PERIOD COVERED BY RULE 9

- **Permanent Secretary** – Derek Baker (DB - PS) (retired 27 November 2020)
- **Interim Permanent Secretary** - Lianne Patterson (30 November 2020 to 28 February 2021)
- **Permanent Secretary** – Dr Mark Browne (MB – PS) (appointed 1 March 2021)

Departmental Top Management Group:

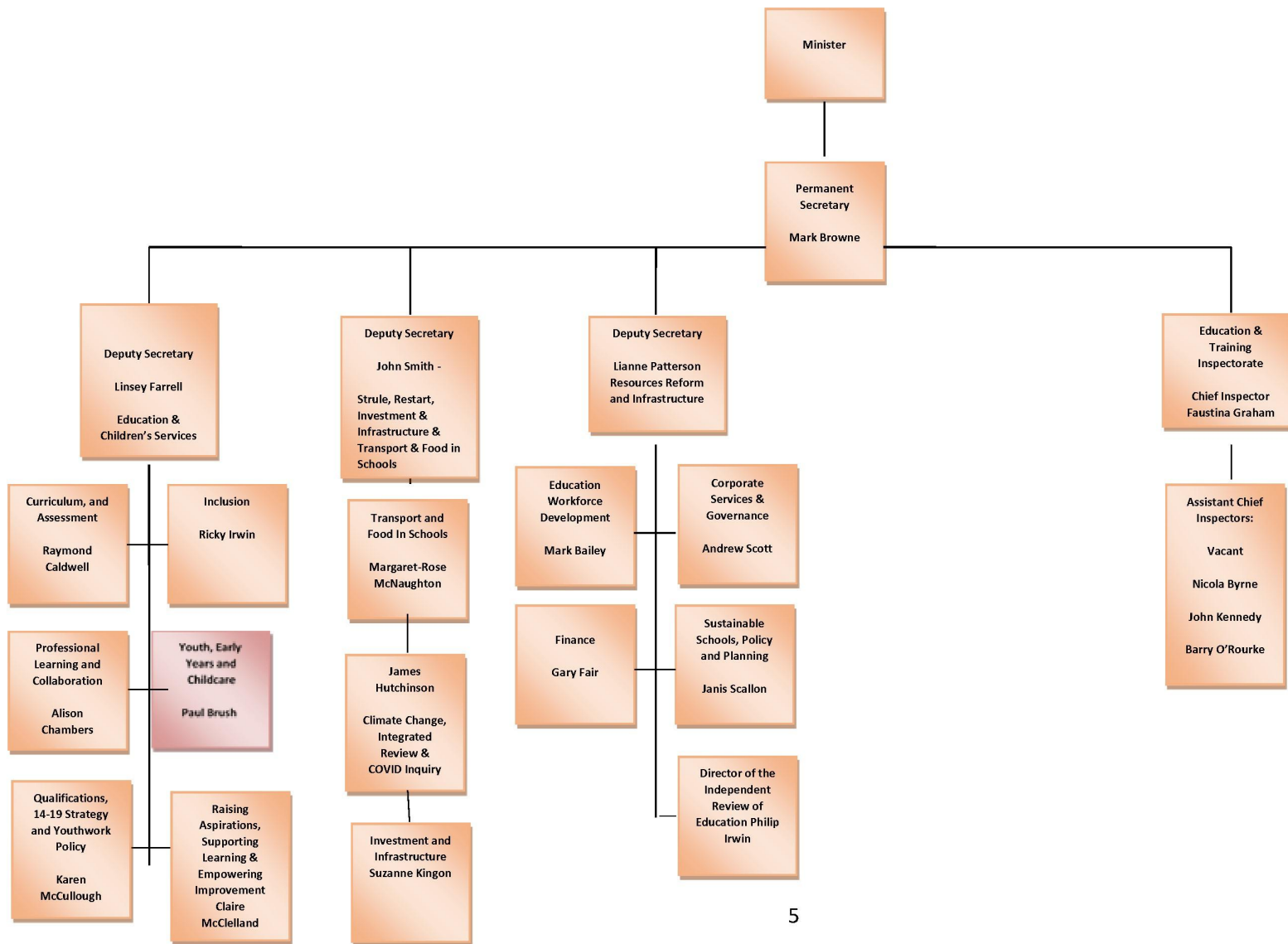
- **Deputy Secretary** responsible for **Education and Children Services**: Fiona Hepper (retired 8 August 2021) / Linsey Farrell (appointed 4 October 2021);
- **Deputy Secretary** responsible for **Strule, Restart, Investment & Infrastructure, & Food in Schools** (lead on COVID-19 Response from summer 2020): John Smith;

- **Deputy Secretary** responsible for **Resources and Reform**: Lianne Patterson;
- **Chief Inspector** for the **Education and Training Inspectorate (ETI)**: Faustina Graham.

Departmental Senior Leadership Team

Director	Area of Responsibility
Janis Scallon	Sustainable Schools Policy & Planning
Mark Bailey	Education Workforce Development
Gary Fair	Finance
Suzanne Kingon	Investment & Infrastructure
Andrew Scott	Corporate Services & Governance
Ricky Irwin	Inclusion
James Hutchinson	Climate Change, Integrated Review & COVID-19 Inquiry
Ray Caldwell	Curriculum
Paul Brush	Early Years, Childcare and Children and Young People's Strategy
Margaret-Rose McNaughton	Transport & Food in Schools
Karen McCullough	Qualifications, 14-19 Strategy and Youth Work policy
Alison Chambers	Professional Learning and Collaboration
Claire McClelland	Raising Aspirations, Supporting Learning & Empowering Improvement
Philip Irwin	Secretariat for the Independent Review of Education
Barry O'Rourke (Interim)	Assistant Chief Inspector
John Kennedy (Interim)	Assistant Chief Inspector
Vacant	Assistant Chief Inspector
Nicola Byrne (Interim)	Assistant Chief Inspector

DEPARTMENT OF EDUCATION - SENIOR CIVIL SERVICE REPORTING STRUCTURE



DEPARTMENTAL OBJECTIVES

8. The key priorities and objectives of the Department fall under the following eight strategic priorities and are driven by the department's policies:

- **Make learning accessible to all** - the Department gives all children and young people access to pre-school, school and youth education provision.
- **Improve the quality of learning for our children & young people** - the Department ensures that education provision is of a high quality and supports learning and progression.
- **Look after our children & young people** - the Department supports and promotes positive physical and emotional health and wellbeing and supports high-quality affordable childcare.
- **Support those who need more help with learning** - working with health & education partners, the Department delivers high quality services for children & young people, including those with Special Educational Needs.
- **Improve the learning environment** - the Department promotes equality of opportunity, respect for others, good relations and inclusivity and the Department provides modern, sustainable educational settings which are fit-for-purpose and facilitate shared learning.
- **Tackle disadvantage and underachievement** - the Department improves developmental and learning outcomes for all children & young people, with a particular focus on those who are underachieving, at risk of underachieving, or disadvantaged.
- **Support and develop our education workforce** - the Department develops and deploys teachers, other education professionals and support staff effectively, promoting high standards and leadership and improving health & wellbeing.
- **Effectively manage, review and transform our education system** - the Department delivers our corporate governance and finance responsibilities while seeking to improve efficiency, increase sustainability and introduce new ways of learning.

GROUPS, DIRECTORATES AND KEY RESPONSIBILITIES

LINSEY FARRELL, DEPUTY SECRETARY – EDUCATION AND CHILDREN’S SERVICES GROUP

Directorates

- Curriculum (Raymond Caldwell)
- Inclusion (Ricky Irwin)
- Professional Learning and Collaboration (Alison Chambers)
- Early Years, Childcare and Children and Young People’s Strategy (Paul Brush)
- Qualifications, 14-19 Strategy and Youth Work Policy (Karen McCullough)
- Raising Aspirations, Supporting Learning, Empowering Improvement (Claire McClelland)

LIANNE PATTERSON, DEPUTY SECRETARY – RESOURCES, REFORM AND INFRASTRUCTURE GROUP

Directorates

- Sustainable Schools Policy and Planning Directorate (Janis Scallon)
- Corporate Services and Governance (Andrew Scott)
- Education Workforce (Mark Bailey)
- Finance and Analytical Services (Gary Fair)
- Internal Audit (Carolyn Shaw)
- Independent Review of Education (Philip Irwin)

JOHN SMITH, DEPUTY SECRETARY - INFRASTRUCTURE, TRANSPORT, FOOD AND RECOVERY GROUP

Directorates

- Strule Shared Education Campus Programme Directorate
- Transport and Food in Schools Directorate (Margaret Rose McNaughton)
- Investment and Infrastructure (Dr Suzanne Kingon)
- Climate Change, Integrated Review and COVID Inquiry (James Hutchinson)

FAUSTINA GRAHAM, CHIEF INSPECTOR

Directorate

- Education and Training Inspectorate Directorate

**LINSEY FARRELL, DEPUTY SECRETARY – EDUCATION AND CHILDREN’S SERVICES
GROUP - DIRECTORATE RESPONSIBILITIES**

CURRICULUM DIRECTORATE

Key Staff

Raymond Caldwell Director

Key Responsibilities

- The aim of the work of the Curriculum, Directorate (CD) is to support the effective delivery of the Northern Ireland curriculum in our schools.
- The Directorate leads policy development and provides ongoing advice in relation to the statutory curriculum, and associated policy development; school starting age; academic selection at age eleven; and the review of statutory assessment arrangements.
- The Directorate manages a range of delivery partners (Third Party Organisations) to further enhance the delivery of the curriculum in our schools, including organisations such as Sentinus, Business in the Community, Young Enterprise, Music for Youth, the Bready and District Ulster Scots Development Association (BDUSDA) and the Sports Programme delivered by IFA and GAA.
- It also co-sponsors the Council for Curriculum, Examinations and Assessment (CCEA), and oversees the Exceptional Circumstances Body for post-primary admissions (ECB).

INCLUSION DIRECTORATE

Key Staff

Ricky Irwin Director

Key Responsibilities

The Directorate has responsibility for developing and maintaining policies that address a range of barriers to learning for children who have or may have special educational needs (SEN), disability and complex needs. The Directorate also carries policy oversight and sponsorship responsibility for the Middletown Centre for Autism, a Non-Departmental Public Body which operates on a north/south basis. During COVID the Directorate led on the response for vulnerable children.

The Directorate is made up of two teams namely, the Special Education Team which focuses on the current legislation and policy implementation; and the Special Education Inclusion Review Team which is focussed on the delivery of the New SEND Framework – Regulations and revised Code of Practice for the Identification and Assessment of SEN.

PROFESSIONAL LEARNING AND COLLABORATION DIRECTORATE

Key Staff

Alison Chambers Director

Key Responsibilities

The aim of the directorate is to contribute to the DE vision through encouraging and supporting the development of collaborative practice in the integrated and Irish-medium sectors; initial teacher education and the strategy for teacher professional learning (“Learning Leaders”); and shared education and community relations. The directorate is responsible for sponsorship and oversight of three of the Department’s NDPBs: GTCNI; NICIE; and CnaG.

- **Shared Education Community Relations Team:** Responsible for Community Relations, Equality and Diversity policy and Shared Education (SE), including the current SE PEACE IV projects; development of the PEACE PLUS ‘Shared Learning Together’ programme; and the development and oversight of the Mainstreaming SE strategy.
- **The Irish Medium and Integrated Education Team:** Sponsor team for the Northern Ireland Council for Integrated Education (NICIE) and for Comhairle na Gaelscolaíochta (CnaG). Responsible for policy guidance on transformation to integrated status “Integration Works” - currently under review to reflect the requirements of the Integrated Education Act (Northern Ireland) 2022 and the passage of time since the last publication in 2017.
- **GTCNI Interim Sponsorship Team:** Sponsor team for GTCNI, responsible for governance and development of a Bill to establish a new professional body for the teaching profession.
- **Teacher Education Team:** Responsible for the Learning Leaders Strategy, setting Initial Teacher Education (ITE) intakes, the ITE Working Group, and funding for the Standing Conference on Teacher Education, North and South (SCoTENS) and the Gaeltacht Experience (for the Irish medium ITE (PGCE) programme).

EARLY YEARS, CHILDCARE AND CHILDREN and YOUNG PEOPLE'S STRATEGY DIRECTORATE

Key Staff

Paul Brush

Director

Key Responsibilities

The focus of this directorate is to provide policy advice to the Minister and to develop, implement and evaluate agreed policies and associated programmes in the areas of early childhood education, childcare provision designed to complement formal learning. It also has responsibility for coordinating the Executive Children and Young People's Strategy 2020-2030, the Executive Early Learning and Childcare Strategy and Executive input to the UN Convention on the Rights of the Child (UNCRC).

The directorate, in collaboration with the Department of Health/Public Health Agency and NISRA, leads on the development of the data source for one of the proposed draft Programme for Government indicators, '% of children at appropriate stage of development in their immediate pre-school year', one of the measurement indicators for the outcome 'Our children and young people have the best start in life'. Subject to agreement with TEO, it is proposed that the data on children's development collected during the 3+ Review is the data source. Discussions are ongoing with statisticians and DoH in relation to this measure.

The directorate has 5 teams as listed below:

- **Childcare Unit:** responsible for developing the Executive's Early Learning and Childcare Strategy and managing the current Bright Start School Age Grant Scheme.
- **Pre-school Team:** responsible for pre-school education provided through statutory and non-statutory providers participating in the universal Pre-school Education Programme.
- **Interventions Programmes Team:** responsible for early years interventions targeted at supporting children at risk of educational underachievement: the Sure Start Programme, the Pathway Fund and Toybox Project (Travellers). Also responsible for core funding to the early years sector.
- **Learning to Learn Team:** responsible for the 'Learning to Learn' early years education and learning policy framework and the 'Getting Ready to Learn' programme.

- **Children's and Young People's Strategy Team:** responsible for coordinating, monitoring and reporting on the Executive's Children's and Young People's Strategy, leading on UNCRC issues, taking forward a project to facilitate the participation of young people in decision making and play policy.

QUALIFICATIONS, 14-19 STRATEGY AND YOUTH WORK POLICY

Key Staff

Karen McCullough

Director

Responsibilities

Qualifications Team

- General qualifications policy including the oversight of annual qualifications delivery processes and liaison with officials in the other UK jurisdictions on qualifications-related issues.
- Policy in relation to the post-COVID managed return to more normal examinations and awarding arrangements.
- Working with DfE on access to vocational qualifications, review of Essential Skills and the impact of Vocational Qualifications reforms in England on the NI qualifications market.
- General Qualifications Reform – Undertake a review of general qualifications at KS4, specifically approaches to assessment to address Department commitments within the 'A Fair Start' report and the 14-19 Framework. This will include an analysis of the alternative awarding arrangements implemented during the pandemic, and qualifications reform work in the other UK jurisdictions, to help inform the development of proposals for reform.
- Ongoing engagement with the Irish Medium (IM) sector to ensure that IM learners continue to have access to a suitable range of qualifications delivered in Irish.
- Approval of qualifications to be taught in NI schools, working with CCEA and the EA on maintenance of the qualifications database – the NIEFQAN file.

14-19 Strategy Team

14-19 Strategy Team has responsibility for Area Learning Communities (ALCs) and the Entitlement Framework (EF) under which all post primary schools must provide pupils with access to a minimum of 21 courses at Key Stage 4 and post-16. Funding of £2.9m is allocated to support delivery of the EF and is split across school collaboration, ALCs and EA administrative support.

14-19 Strategy Team has responsibility for the policy and delivery of careers education in schools. The careers system in NI is the responsibility of both the Department of Education and Department for the Economy (DfE). DE has responsibility for the policy and delivery of careers education in schools while DfE has responsibility for the policy and delivery of an all-age careers guidance service delivered by suitably qualified careers advisers.

14-19 Strategy Team works collaboratively with the 14-19 Framework Implementation Team in DfE to take forward agreed tasks from the Developing a More Strategic Approach to 14-19 Education and Training – A Framework to Transform 14-19 Education and Training Provision publication.

Youth Work Policy Team

Youth Work Policy team has responsibility for Youth Work Policy, management of the youth budget (excluding Youth Capital but including Planned Intervention and TBUC Camps); Fresh Start – Tackling Paramilitarism Executive Action Plan (Youth led interventions); Peace Plus (Youth); North South Education & Training Standards Committee; Sponsorship of YCNI; and Youth Honours.

RAISING ASPIRATION, SUPPORTING LEARNING, EMPOWERING IMPROVEMENT DIRECTORATE

Key Staff

Claire McClelland

Director

Key Responsibilities

The aim of the Directorate is, as the name suggests, to raise aspiration and achievement for all learners, support their learning throughout their educational journey and empower schools, communities, families and children to work together to improve education, health and social outcomes. The Directorate is responsible for a range of programmes including –

- Emotional Health and Wellbeing
- Use of Targeting Social Need
- Extended Schools
- Engage Programme
- Pupil Attendance
- Period Dignity
- Tackling Paramilitarism and Organised Crime programme in specific locations
- Neighbourhood Renewal
- West Belfast Sharing the Learning
- Full-Service Schools (North and West Belfast)
- North Belfast Primary Principal's Support Programme
- Community Use of Schools
- A nationwide parental engagement advertising campaign
- Oversight and delivery of the report "A Fair Start"
- Homelessness Strategy and Action Plan.

School Improvement Team

School Improvement Team (SIT) has policy responsibility for **school improvement policy**, whereby DE has set out the qualities of a good school (in the policy document *Every School a Good School*), which informs the inspection framework, and every inspection by the ETI is followed up by a requirement to act upon the findings. A significant portion of the team's work involves close liaison with the Education Authority (EA), The Council for Catholic Maintained Schools (CCMS) and the Education and Training Inspectorate (ETI) to ensure a cohesive

approach to school improvement, including the follow-up process for all school inspection reports and oversight of school development planning.

It has been agreed that departmental officials should commence an **End-to-End Review of School Improvement**. This will provide an opportunity to fundamentally consider the Department of Education's (DE) policy in relation to school improvement, an opportunity to refresh the focus on raising standards and most critically ensure alignment of a range of key policy areas to ensure positive outcomes for children and young people.

SIT is also responsible for managing the implementation and dissemination of the international benchmarking studies; *Programme for International Student Assessment* (PISA), *Trends in International Mathematics and Science Study* (TIMSS) and *Progress in International Reading Literacy Study* (PIRLS).

Pupil Support Team

Pupil Support Team holds policy responsibility for:

- **Safeguarding & Child Protection**, providing wide-ranging advice and guidance to schools and other settings through Circular 2017/04 "Safeguarding & Child Protection in Schools" and overseeing the implementation of Operation Encompass in Northern Ireland along with a range of complementary areas.
- **Pupil Emotional Health & Wellbeing** which includes the implementation of the joint DE and Department of Health 'Children and Young People's Emotional Health and Wellbeing in Education Framework'. This framework seeks to ensure children & young people are empowered to understand and manage their wellbeing; any additional needs are identified early with appropriate support provided, all with the aim of reducing the numbers requiring specialist intervention from mental health services.
- **Children Looked After** which includes the implementation of the joint DE and Department of Health strategy 'A Life Deserved 'Caring' for Children & Young People in Northern Ireland' and overseeing the establishment of an evidence-based support service for Children Looked After through the Education Authority.

Additional Educational Needs Team

Holds policy responsibility for:

- Nurture provision.
- Newcomer pupils.
- Traveller pupils.
- Roma pupils.
- Asylum seekers and refugee children including those living in contingency accommodation.
- Children of Services Personnel.
- The Armed Forces Covenant.
- The Vulnerable Persons' Relocation Scheme (VPRS).
- The Homes for Ukraine Scheme.
- Anti-Bullying including implementation of the Addressing Bullying in Schools (NI) Act 2016.
- Restraint and seclusion in educational settings including a review.
- Education Otherwise Than At School (EOTAS) including a review of arrangements.
- Exceptional Teaching Arrangements (ETA).
- School Aged Mothers Programme.
- Pupil behaviour.
- Pupil Suspensions and Expulsions including a review of arrangements.
- Education of young offenders.
- Review of Regional Services at Woodlands Juvenile Justice Centre and Lakewood Special School.
- Young carers.

Tackling Educational Disadvantage Team

Reporting upon the use of Targeting Social Need funding, Extended Schools, the Engage Programme, Pupil Attendance, Period Dignity, Tackling Paramilitarism and Organised Crime programme in specific locations, Neighbourhood Renewal, West Belfast Sharing the Learning, Full Service Schools (North and West Belfast), North Belfast Primary Principal's Support Programme, Community Use of Schools, a nationwide parental engagement advertising campaign, oversight and delivery of the report "A Fair Start", contribution to the Executive's cross-cutting Homelessness Strategy and Action Plan.

LIANNE PATTERSON, DEPUTY SECRETARY - RESOURCES, REFORM AND INFRASTRUCTURE GROUP - DIRECTORATE RESPONSIBILITIES

SUSTAINABLE SCHOOLS POLICY AND PLANNING DIRECTORATE

Key Staff

Janis Scallon Director

Key Responsibilities

Area Planning Teams (APPTs)

- Three of the four directorate Area Planning Teams (that is Area Planning Policy Teams - APPT) support the implementation of Schools of the Future: A Policy for Sustainable Schools (Sustainable Schools Policy - SSP) through the development of the Area Planning process, support structures and governance arrangements.
- The Sustainable Schools Policy (SSP) aims to ensure that all pupils have access to a broad and balanced curriculum that meets their educational needs in a school that is educationally and financially viable and takes account of the expressed preference of parents for a diverse system of education. Area Planning is about identifying future education needs and developing solutions to meet those needs on an area basis.
- The planning of education provision is a matter for the EA and CCMS, supported by the sectoral body representatives (NICIE, CnaG, GBA, CSSC, CSTS and TRC).
- A significant feature of the work of the APPTs is analysis and provision of advice on published Development Proposals (the mechanism by which significant changes to education provision are implemented). DPs follow a statutory process requiring a decision by the Department (typically the Minister) and many are complex and contentious in nature, with a number challenged through the Judicial Review process.
- The work of the Area Planning Development (APD) Team extends across mainstream primary and post-primary and SEN provisions. It focuses on the identification of barriers and development of solutions (including the development and undertaking of pilot exercises) to facilitate and support the implementation of the SSP through a more agile and responsive Area Planning process.

School Admissions Team

- School Admissions Team (SAT) sets admissions and enrolment numbers annually for primary and post-primary schools. It also oversees the EA operation of the primary school admissions and post-primary transfer processes.
- SAT is also responsible for policy development relating to admissions and enrolment processes and providing advice as appropriate to schools, parents and the EA; making determinations on temporary variation requests from schools to vary their approved admissions and/or enrolment numbers (for one year) to admit named children; and processing admissions complaints received from parents who are unable to get their children admitted to schools that have places available.

Shared Education Campuses Team

- The Shared Education Campuses Team (SECT) are responsible for supporting 4 SEC projects that are currently ongoing / in planning. Each project involves one Controlled School and one Catholic Maintained school coming together in a shared campus arrangement. The programme is delivered under the Together: Building a United Community Strategy (a NI Executive Strategy).

CORPORATE SERVICES AND GOVERNANCE DIRECTORATE

Key Staff

Andrew Scott

Director

Key Responsibilities

- The **School Governance Team (SGT)** is responsible for policy on school governance, the appointment of school governors, approving school schemes of management and the registration of independent schools. The team is also progressing a review of school governance.
- The **Sectoral Bodies Support Team (SBST)** implements agreed procedures to administer and monitor grant support for three publicly funded organisations: the Catholic Schools' Trustee Service (CSTS), the Controlled Schools' Support Council (CSSC) and the Governing Bodies Association (GBA). All were set up/funded for specific purposes with the approval of former Ministers. All are subject to review and possible recommendations by the panel of the Independent Review of Education.
- The **Education Governance Team (EGT)** has oversight responsibilities for business planning, governance, accountability and assurance issues between the Department and its NDPBs. It provides assurances regarding the effectiveness of risk management, including management of the Corporate Risk Register and for Every CHILD: the DE Corporate Plan 2023-2028 and annual Business Plans; oversees the Department's contribution to and performance against PfG outcomes; and oversees Ministerial public appointments.
- The **Information Management Team (IMT)** promotes information assurance, legislative compliance and information/records management best practice through advice, guidance, policies and procedures.
- The **Private Office** is responsible for providing support to the Minister, facilitating decision making by the Minister and the Senior Management team; and ensuring those decisions are underpinned by good quality and timely advice.
- The **Departmental Business Services Team (DBST)** has responsibility for the management of DE's staff salary budget and carries out an HR liaison role in relation to

matters such as workforce planning and vacancy management. DBST provides Secretariat to the DE Board and Staff Engagement Forum and coordinates on department-wide issues and International matters including British Council. The team also provides a range of corporate services to support the operation of Rathgael House such as accommodation, facilities management, health & safety and security for the premises, staff and visitors. DBST also maintains the Department's Business Continuity and Emergency Response plans and is responsible for ensuring Departmental adherence to Section 75 of the Northern Ireland Act: Equality Duties.

EDUCATION WORKFORCE DIRECTORATE

Key Staff

Mark Bailey Director

Key Responsibilities

- Policy responsibility for workforce issues affecting the education workforce.
- Ascertaining if pay and conditions of service are appropriate to maintain an able and committed education workforce.
- Consultation with Northern Ireland Teachers' Council (NITC) which comprises the 5 recognised teachers' unions on teachers' pay, terms, conditions and workforce issues through Teachers' Negotiating Committee (TNC) structures.
- Supporting EA who consult with the recognised education support staff unions on pay, terms, conditions and workforce issues through Joint Negotiating Council (JNC) structures for non-teaching staff.
- Processing pay remit business cases for education sector staff in line with the NI Executive's public sector pay policy.
- Payroll Team located in Waterside House Londonderry, provides an outsourced facility processing teachers' salary payments, which amount to nearly £800m per annum on behalf of and under instruction from the employers, the EA, the CCMS and schools in the GMI and Irish Medium education sectors. Voluntary Grammar Schools (VGS) run their own payroll.
- Pension Team located in Waterside House with responsibility for the policy and administration of the NI Teachers' Pension Scheme (NITPS) comprising 44,500 active or deferred members and approximately 25,000 former teachers receiving pension benefits.
- Lead on a number of major projects including a replacement teacher's pension system and nine workforce reviews to address teacher concerns about workload and accountability and improve the efficiency and effectiveness of the education system.

FINANCE AND ANALYTICAL SERVICES DIRECTORATE

Key Staff

Gary Fair Director

Key Responsibilities

The role of the Finance Directorate is to manage the Department's Resource Budget (c£2.3bn), in line with Departmental priorities and draft PfG targets, to ensure propriety, regularity and value for money. The Directorate is responsible for securing funding, allocating resources, monitoring expenditure and reporting results.

Budgeting Team:

- Oversight of the overall Education budget, including the setting and monitoring of the in-year budget and assessing future years budgetary requirements on an ongoing basis and in accordance with DoF guidelines.
- Preparation of Main Estimates, Spring Supplementary Estimates and Vote on Account, including associated briefing for both the DE and DE TSS Estimates.
- Determining and reporting the DE and NDPB Annually Managed Expenditure (AME) requirements to DoF.
- Completion of annual Provisional and Final outturn, monthly and Forecast Outturn requirements to DoF.
- Providing advice and guidance on the allocation, monitoring and management of the GAE/GPE budget.
- Providing associated briefings in respect of the above and advice and guidance on budgeting/public expenditure issues.

Financial Monitoring Team:

- Allocating Resource budgets to EA, CCEA, CCMS and YCNI.
- Review and approval of Budget Plans of the above bodies.
- Monitoring of all in-year allocations to these bodies throughout the year.
- Monitoring Resource expenditure against budget in the above bodies and any related business plan targets of these bodies.
- Updating and publishing the Common Funding Scheme.
- Running the Common Funding Formula to determine school budgets.

- Providing budgeting advice in respect of all of the Department's NDPBs and all Schools.

Financial Reporting Team:

- Production of the Department's Annual Report and Accounts:
 - Department's Core Accounts;
 - Teachers' Pension Scheme (TPS) Annual Statements;
 - Miscellaneous Trust and Endowment Scheme Accounts;
 - Whole of Government Accounts; and
 - Consolidated Accounts under Review of Financial Process.
- Encourage, support and promote effective financial governance and financial accountability across DE and its NDPBs.
- Delivering the Department's Retained Finance Function including the management of service provided by Account NI and promoting optimum use of the finance system.
- Provide relevant accounting and finance advice and guidance.
- Effective monitoring of cash.

Education Technology and Procurement Team:

- Provide procurement advice and guidance for DE and DE's NDPBs and, in conjunction with DoF's Construction and Procurement Delivery (CPD), contribute to the accountability and governance of procurement.
- Provide an oversight role of the portfolio of Education Technology across the Department and its ALBs, monitoring and reporting on the delivery status of high-risk Education ICT Projects and Programmes.
- Ensuring the effective functioning of the DE ICT Programme Board to support effective governance and accountability in relation to the delivery of Education Technology programmes and projects.
- Ensuring the effective functioning of the Departments Audit, Risk and Assurance Committee.

Statistics and Research Team

- Provision of analysis, research, monitoring and evaluation which inform policy making within the Department.
- Production of Official and National Statistics publications to provide a robust evidence base.
- Management of external research and surveys (e.g. Young Life and Times Survey and international studies (PISA, TIMSS and PIRLS) and other ad-hoc policy relevant research).
- Facilitate data sharing with external organisations where justified taking account of the Digital Economy Act 2017 and the Data Protection Act 2018 and to support research projects through the Administrative Data Research NI.

Economic Advisory Unit

- Disseminate DoF Better Business Cases NI/Five Case Model Guidance to the Department and ALBs.
- Advise and support towards the development and approval of value for money business cases for all DE and DE ALB activity - both above and below delegated limits.
- Advise and support towards policy, programme and project evaluations and disseminating the results.
- Provide DE specific Better Business Cases templates for the use of the Department and ALBs.
- Undertake annual test drill and compliance exercises.

INTERNAL AUDIT

Key Responsibilities

- To deliver a professional, high quality Internal Audit service to enhance delivery of education.
- The evaluation of potential fraud, irregularity or whistleblowing allegations to determine appropriate action and address system weaknesses.
- To provide advice and guidance to management to improve internal controls.

INDEPENDENT REVIEW OF EDUCATION

Key staff

Philip Irwin Director

Key responsibilities

- As part of the New Decade, New Approach (NDNA) Agreement it was agreed that *“The Executive will establish an external, independent review of education provision, with a focus on securing greater efficiency in delivery costs, raising standards, access to the curriculum for all pupils, and the prospects of moving towards a single education system”*.

Terms of Reference for the Independent Review were agreed by the Executive on 10 December and published on 15 December 2020 (**MB/55 – INQ000235262**). The ToR was subsequently revised due to comments from DfE Minister and reissued on 3 February 2021.

- The panel was appointed in September 2021 and began work at the beginning of October 2021.
- A Secretariat Team has been established within the Department to support the work of the Review Panel. The Secretariat’s responsibilities include:
 - Preparation and agreement of Terms of Reference (ToR);
 - Recruitment of Review Panel;
 - Supporting the delivery of the Review workplan;
 - Ensuring Review milestones are delivered on time;
 - Managing the Panel’s engagement with stakeholders;
 - Promotion of the Review within and outside the Department;
 - Financial management and development of business cases;
 - Supporting the Panel’s research agenda; and
 - Ensuring delivery against the ToR.

JOHN SMITH, DEPUTY SECRETARY - INFRASTRUCTURE, TRANSPORT, FOOD AND RECOVERY GROUP - DIRECTORATE RESPONSIBILITIES

STRULE SHARED EDUCATION CAMPUS (SSEC) PROGRAMME

Key Staff

John Smith Deputy Secretary & SSEC SRO

Key Responsibilities

- The SSEC Programme Directorate is the Contracting Authority responsible for the direct delivery of the SSEC Programme which is one of the Department's top priorities and also a long-standing Executive priority.
- The Strule Programme involves significant capital investment into the region's post-primary and special education sectors for the construction of six new schools and associated shared education facilities.
- The Programme is well underway and significant investment (£49m) has already been made with work carried out across many of the individual projects. Phase 1 has been completed and Arvalee Special School opened in 2016.
- The Programme, which is intended to deliver a range of educational, societal and community benefits, includes a number of projects and workstreams taking forward the following key activities:
 - Construction of the remaining five schools and shared facilities;
 - Development of the education model for the Campus;
 - Development of arrangements for the ownership, governance, funding and management of the Campus; and
 - Considering how best to plan for and manage the future use and/or disposal of the existing sites following relocation.
- As set out in the 'Other Topical Issues' section above, following a Ministerial Direction to progress to the next phase of construction, the Main Works Contract Invitation to Tender concluded on 26 September 2022 with one tender received. The Main Works contract is now in tender negotiation phase with the bidder.

TRANSPORT AND FOOD IN SCHOOLS DIRECTORATE

Key Staff

Margaret Rose McNaughton Director

Key Responsibilities

The Transport and Food in Schools Directorate, working in cooperation with Departments, agencies and stakeholders, is responsible for:

- Policy responsibility for free school meals; boarding and clothing allowances (school uniform grants) including a review of the eligibility criteria for free school meals.
- Support and coordination of DE contribution to DfC led Anti-poverty Strategy and Food poverty Action Plan. This includes work on a long-term sustainable solution to help children in poverty during school holiday periods.
- Education Maintenance Allowances (EMAs).
- Food in schools' policy and school meals policy, including nutritional standards for school food.
- Elective Home Education.
- DE School uniform guidance and policy development work on reducing the costs of school uniforms.
- Policy responsibility for home to school transport.

INVESTMENT AND INFRASTRUCTURE DIRECTORATE

Key Staff

Suzanne Kingon Director

Key Responsibilities

Investment and Infrastructure Directorate (IID) is responsible for management of the Department's capital budget and delivery of the Department's capital investment plan (excluding the Strule Shared Education Campus Programme). The key responsibilities are:

- Management and delivery of the key capital programmes:
 - Major works;
 - School Enhancement Programme;
 - Fresh Start Programme;
 - Minor works schemes; and
 - Management of voluntary youth capital projects.
- Monitoring the capital budgetary position, including capital receipts
- Asset Management
 - Department's Asset Management Plan;
 - Oversight of the existing Public Private Partnership contracts; and
 - Monitoring of the resource budget for schools' maintenance.
- Grant claw-back from surplus sites in non-controlled sectors

CLIMATE CHANGE, INTEGRATED REVIEW AND COVID INQUIRY DIRECTORATE

Key Staff

James Hutchinson

Director

Key Responsibilities

Climate Change and COVID Inquiry Team

- Responsibility for the creation and monitoring of the Department's impact assessments and input into the Climate Action Plan (CAP) 2023-2027 in accordance with the NICS statutory obligations. Coordinating actions with the Arm's Length Bodies (ALBs) to meet the targets set by the Climate Change Act (Northern Ireland) 2022 and develop workable solutions within budgetary restraints to allow the reduction of carbon through the curriculum and development of the school estate and transport across the educational sector. Reviewing current policies and seeking alternative solutions to deliver against the first carbon budget.
- Overseeing a series of sectoral plans covering Energy, Transport, Infrastructure, Business & Industrial Processes, Buildings, Waste Management, Land Use, Land Use Change and Forestry, Fisheries and Public Sector.
- The Department has identified four of the sectors (Transport, Buildings, Waste Management and Land Use, Land Use Change and Forestry) which it can contribute to and encompasses current policies with significant input from the Education Authority and other ALBs to Department-led initiatives.
- The commencement of the UK COVID Public Inquiry legislatively requires the Department and its ALBs to provide written and/or oral evidence to the Public Inquiry. The COVID Inquiry Team was established within the Department to ensure the Department's contribution is effectively co-ordinated with suitable corporate governance structures in place.
- While the Department's response to COVID continues to evolve to becoming "business as usual", the team retains aspects of oversight going forward in terms of the provision of any necessary central guidance to educational settings based upon public health advice.

Integrated Education Act Implementation Team

- The IE Act implementation team leads effective implementation of the Integrated Education (Northern Ireland) Act 2022. This a short-term task and finish project focused on ensuring Departmental compliance with the Act.
- Initially work has focused on developing, agreeing and setting up governance and project management structures to engage education partners and seeking clarification from DSO on a range of matters within the legislation.

FAUSTINA GRAHAM, CHIEF INSPECTOR - EDUCATION AND TRAINING INSPECTORATE - DIRECTORATE RESPONSIBILITIES

Key Staff

Faustina Graham	Chief Inspector
John Kennedy	Assistant Chief Inspector (Further Education, Work-based learning, DAERA, CJI, Home Office and Youth)
Vacant	Assistant Chief Inspector (Quality and Improvement, Special Educational Needs, Shared Education, Education Other Than At School, Independent schools and Initial Teacher Education)
Nicola Byrne	Assistant Chief Inspector (Early Years, Primary, Post-primary and Safeguarding)
Barry O'Rourke	Assistant Chief Inspector (Empowering Improvement Programme and Development of Inspection)

Key Responsibilities

- The Education and Training Inspectorate (ETI) is a unitary inspectorate, which provides an independent inspection and policy advice service. Whilst ETI is formally a part of the Department of Education (DE), it also provides inspection services for the Department for the Economy (DfE) and other commissioning Departments, assists them in the discharge of their responsibilities and provides policy advice to the Ministers and officials in these Departments.
- The functions are laid out in the Education and Libraries (Northern Ireland) Order 1986 (Article 102). Essentially, the Department has the power to appoint inspectors to inspect schools and to give directions to remedy any matter referred to in an inspection report. Inspection is a key part of work to raise standards, as it provides a professional evaluation of an organisation's strengths and areas for improvement, which, if addressed effectively, will improve the quality of its provision and the outcomes achieved for learners. Inspection is also an important part of arrangements for the accountability of the education system to the Executive, Assembly and public for the quality of education provision and standards.
- The ETI's aim is to empower improvement for learners and in so doing, to provide the highest standards of service. It evaluates and reports on the quality of leadership and management, outcomes for learners and quality of provision in: early years; primary and

post-primary schools; special education; further education; work-based learning; European Social Fund projects; youth; initial teacher education; and education other than at school (EOTAS), as well as policy, planning and improvement work. It undertakes individual organisation inspections as well as cross-cutting thematic evaluations. Recent commissioned work includes the inspection of European Social Fund (ESF) provision (DfE), an evaluation of an aspect of provision for the Department of Agriculture, Environment and Rural Affairs (DAERA), and collaborative work with the Criminal Justice Inspection Northern Ireland.

- The purpose of all inspection activity is to build capacity within the organisations inspected to provide high quality education and outcomes for learners. This is achieved by: promoting processes of self-evaluation which will endure beyond the period of the inspection; evaluating and reporting objectively and fairly on the quality of provision in the best interests of the learners; helping to inform and establish improved ways of working through professional dialogue; and identifying, affirming, reporting, and disseminating examples of highly effective practice from which others may learn.

DEPARTMENT'S CONTRIBUTION TO NI CONTINGENCY PLANNING

9. The Department contributes to regional level civil contingency arrangements, including through representation on the NI Civil Contingencies Group (CCGNI – typically Permanent Secretary level and chaired by the Head of the Civil Service); and Command, Control and Coordination (C3) Leads (Director Level). These are coordinated regionally by The Executive Office (TEO).
10. Within this context, the Department has specific responsibility for oversight of preparedness, response and recovery arrangements for the education sector. This includes liaison with the Department's Arm's Length Bodies including but not limited to the Education Authority (EA), Council for Catholic Maintained Schools (CCMS) and Council for the Curriculum, Examinations and Assessment (CCEA).
11. Under the regional arrangements, the Department was involved in planning for emergencies such as those associated with EU Exit risks and a flu-type pandemic. The Department of Health (DoH) led on pandemic preparedness with policy input from the DE on matters such as school closure.
12. Arrangements for any major civil contingency issue, if stood up, included Departmental Operating Centres (DOCs) reporting to a regional NI Hub (TEO-led).
13. The Department holds a Major Emergency Response Plan (MERP) which provides a framework for the central management and co-ordination of a high-level response, by DE, to a range of possible emergencies which may involve the Department. This document was created in 2008 and, along with business continuity plans, was invoked at the onset of COVID-19, including the implementation of a DOC by the Department. In addition, in response to the pandemic the Department paused some areas of work and reallocated resources to form a COVID-19 Response Team which coordinated the sectoral response, including supporting the closure of schools, the rollout of technology and guidance for the operation of schools out-with lockdown periods.
14. On the 13 March the Department met with Education Sector Stakeholders to discuss the emerging issues caused by the pandemic, minutes of this meeting are evidenced in **Exhibit MB/43 - INQ000176141**. The DE MERP and Departmental Operating Centre (DOC) were formally invoked / established on 19 March 2020 by the then Permanent Secretary Derek Baker at a meeting of the DE COVID-19 Contingency Planning Group see **Exhibit MB/1 - INQ000087625** minutes of meeting. A further meeting including the ALBs was held on the 10 April, minutes are evidenced as **Exhibit MB/44 -**

INQ000176142. The MERP was then superseded by COVID-19 specific arrangements with the reactivation of C3 Structures in DE (i.e., the DOC) thereafter, with the formal de-escalation of the DE MERP taking place on 25 May 2020.

NI PANDEMIC RESPONSE

- 15.** The Executive Committee, consisting of the First Minister, the deputy First Minister and the other Northern Ireland Ministers was the body primarily responsible for the Northern Ireland response to the pandemic. Decisions taken by the Executive were informed by the departments who provided advice on their specific statutory responsibilities. These Executive decisions were then communicated to the department by the relevant Minister. A list of the Department's engagement with the Executive or Executive papers is attached at **Exhibit MB/2 - INQ000087636**.
- 16.** Officials within the Department liaised with other United Kingdom (UK) jurisdictions including England, Scotland and Wales to inform policy for Ministerial approval on educational issues. The Department's COVID-19 management met virtually with colleagues from England, Scotland and Wales informally on a fortnightly or on an as necessary basis to exchange information. DB - PS also had a number of telephone conversations with his counterpart in Dublin, the Secretary General of the Irish Department of Education, to exchange information about their respective plans for addressing some of the challenges posed by the pandemic for education, focusing in particular on remote teaching and learning, addressing the needs of special needs pupils and arrangements for public examinations. This did not include the synchronisation of closures or re-opening of schools, as the various UK governments and ROI were at different stages throughout the pandemic and adjusted the mitigations as required. Officials from the Department participated in quarterly virtual meetings of the British-Irish Council Early Years work sector group which provided a useful platform for discussion on the impact of the pandemic on early years and childcare services and for us to test proposals for the Childcare sector.
- 17.** Facilitated by DCMS through a 4-Nations group, youth policy leads in each jurisdiction met on a regular basis to share emerging issues, plans and good practice experience. Issues covered were topical and wide ranging, including guidance¹, timetable and plans

¹ The Education Authority had lead responsible for developing and publishing guidance for youth work providers and worked closely with Public Health Agency staff to ensure compliance with regulations and appropriate mitigations to reduce risk of infection.

related to closing/re-opening youth centres, country specific plans/interventions, challenges experienced by outdoor education centres and relief efforts, mitigations to reduce risk of infection and ensuring ongoing support for vulnerable/at risk young people. Regular contact with the relevant Irish Government youth policy lead was also in place to share information and practice.

18. Given the requirements within special schools to provide intimate care and feeding for pupils, the provision of additional PPE was a priority. Officials met with colleagues from across the 4 nations to discuss additional supply requirements and best practice guidance
19. The Curriculum, Qualifications and Standards Directorate (now Qualifications, 14-19 Strategy and Youthwork Policy) had regular weekly meetings, at three levels of seniority from March 2020 onwards: Deputy Secretary/ Director General level; Director-level; and 'working level' (Grade 7 and 6). These meetings were an important contributor to informing policy for Ministerial approval because they facilitated a comparison of approaches for GCSEs, AS levels and A levels awarding following the cancellation of public examinations in March 2020. The substance and regularity of the meetings, cross-referenced at three levels of organisational seniority, helped DE align approaches to qualification awarding with those in England and Wales. Furthermore, whilst Scotland offers different general qualifications at the equivalent of KS4 and post 16, the inclusion of counterparts from Scotland in these meetings helped inform general approaches to the relevant Results Day and examination appeals processes. These meetings have been retained throughout subsequent examination series to safeguard GCSE, AS level and A level comparability and portability between jurisdictions as all jurisdictions chart a return to pre-pandemic statistical awarding standards.
20. A regular informal meeting of colleagues with policy responsibility for school food from across England, Scotland and Wales was established in the early weeks of the pandemic. This initially focused on verbal sharing of plans and approaches being considered on how pupils entitled to free school meals would be supported by each nation in terms of school food provision during periods of school closures. As the pandemic progressed, the discussions widened to include aspects such as provision to these pupils during periods of school holidays and other non-pandemic related areas of school food policy. These meetings continued through and since the pandemic and while at the start of the pandemic were usually weekly meetings, the group currently meet on a monthly basis.

ROLE OF DE IN STRATEGIC DECISION MAKING IN THE EARLY PHASE OF COVID-19

- 21.** DE officials had no role in the initial strategies in relation to community testing, surveillance, the move from “contain to delay” or advice to health or social care providers. These decisions were taken by the Executive Committee, as advised by public health advisors. At the early stage of the pandemic, when the Executive decision had been taken that schools should be asked to close for most pupils, the closure became the most significant Non-Pharmaceutical Intervention (NPIs) that DE implemented. DE did not participate in any modelling or provide advice on the appropriateness or otherwise of NPIs.
- 22.** I have detailed below the evolution of DE’s advice to schools on NPIs as schools began to open again to face to face teaching from late August 2020 through to the latest iteration of guidance which reflected DoH advice in 2022. At all stages NPIs in school settings were amended only following prevailing DoH and Public Health Agency (PHA) advice.
- 23.** The Department did not provide advice to the Executive on behavioural management or public communications in relation to the pandemic. The Executive Information Service managed central NI communications relating to the pandemic.
- 24.** In March 2020, as an integral part of NI public service, DE was in an unprecedented pandemic crisis with significant emerging impacts that affected every aspect of the Department, its staff, and every aspect of the education sector.
- 25.** DB - PS as Permanent Secretary and Accounting Officer for DE at the time, assumed overall responsibility for response arrangements and, at the on-set of the crisis period, invoked the Major Emergency Response Plan (MERP) to provide a framework for decision making, resolving issues, allocating resources and reporting progress throughout the crisis.
- 26.** DB - PS established the DE Incident Management Team (IMT) (first meeting 16 March 2020 and final set of minutes dated 13 October 2020) comprising the top management of the whole Department. This was chaired by the Permanent Secretary with membership initially including all Deputy Secretaries, Chief Inspector, the Director of Corporate Services and Governance, the Head of Press Office and Head of Business Services Team. This membership was tailored further accordingly to consider elements of the DE response to education sector impacts and key business priorities for the Department,

including support to staff. During this period the IMT was meeting, in some cases on a daily basis, to ensure an agile and timely response to the crisis as the top decision-making structure in the Department. The Minister and/or his Special Adviser were invited to all meetings, and regularly attended, thereby ensuring regular information flows to the Minister, Civil Contingencies, DE staff, and wider sector stakeholders together with Ministerial input to the day-to-day implementation of the DE COVID-19 Response Plan. In addition, he stood up a DOC whose role was to record decision making, actions and to support the wider civil contingencies response through providing daily situation reports (samples of these reports are evidenced as **Exhibits MB/45 - INQ000176143, MB/46 - INQ000176144, MB/47 - INQ000176145, MB/48 - INQ000176146, MB/49 - INQ000176147, MB/50 - INQ000176150, MB/51 - INQ000176151, MB/52 - INQ000176152 and MB/53 - INQ000176153**) to the NI Hub and the NI Civil Contingencies Group. The Inquiry should be cognisant that there were no reports in July, August and September due to the school holidays.)

27. DE provided both a weekly written progress report and, for the most part, weekly oral briefings by DB - PS and other senior officials, to the Assembly's Education Committee to ensure political accountability during this period. The Minister also routinely attended meetings of the Assembly's Education Committee to brief it on the Department's response to COVID-19.
28. An Education Sector Partners Engagement Forum comprising representatives from across the sector listed below was also established by the DB – PS to engage on a round table basis with all relevant education partners on plans for addressing the COVID-19 crisis.

- Education Authority (EA)
- Council for Catholic Maintained Schools (CCMS)
- The Council for the Curriculum, Examinations and Assessment (CCEA)
- Northern Ireland Council for Integrated Education (NICIE)
- Comhairle na Gaelscolaíochta (CnaG)
- Middletown Centre for Autism (MCA)
- Governing Bodies Association (GBA)
- Controlled Schools Support Council (CSSC)
- Catholics Schools' Trustee Service (CSTS)
- General Teaching Council Northern Ireland (GTCNI)

29. Intensive day to day engagement took place with a number of the NDPBs on, for example, public examinations (CCEA), guidance to schools (EA and CCMS), services for special needs pupils (EA), the provision of free school meals (EA) etc. Regular engagement with the NDPBs, a Practitioner Group of school Principals from across the educational sector (PG) and representatives for Trade Union Side (TUS) enabled the development and implementation of the Department's COVID-19 Response Plan.
30. Following an announcement by the Executive, the then DE Minister Peter Weir issued a Ministerial letter on 18 March 2020 directing schools to close at the end of the day on 20 March 2020. Remote learning was put in place for most mainstream pupils with schools remaining open for vulnerable and key workers' children. Special schools were to remain open for all pupils. A daily survey was set up and administered by EA to monitor these arrangements including the number of staff and children in schools, with daily figures provided to the DOC. EA set up an app which allowed parents to view which schools were open each day.
31. DE issued a Ministerial letter on 7 July 2020 directing schools to re-open from 24 August 2020.
32. As Northern Ireland (NI) and the Northern Ireland Civil Service (NICS) moved out of the initial crisis period DB - PS de-escalated the MERP as planning and provision commenced for Education & Departmental Restart and a 'New Normal'. The Department continued to rise to the challenges and act collaboratively with the education sector, wider community and the NICS in an agile manner, adapting to changing circumstances as necessary and required. A list of submissions which were provided to the Ministers for their agreement is attached as **Exhibit MB/3 - INQ000087647**.

DE ADJUSTMENT TO WAYS OF WORKING

33. DE working arrangements evolved over the initial period of lockdown from March 2020, with staff working remotely, making use of remote access IT and the NICS facilitated the provision of PCs and laptops to staff. NICS staff, including those in DE and school staff, were granted "key worker" status.
34. Access to supervised learning was quickly established for vulnerable children and those of key workers, with officials providing guidance (Coronavirus (COVID-19) Guidance for

Schools and Educational Settings in Northern Ireland) and FAQs (Restart FAQs) to support schools, parents and pupils.

35. A volunteers' scheme was developed to identify a pool of people willing to assist with the staffing of those schools which remained open for the children of key workers, and the Department quickly established fora for maintaining close liaison with sectoral practitioners (i.e., a representative group of school leaders) and TUS to discuss and agree a range of practical issues in relation to management of the impact of the pandemic on the education sector. On 31 March 2020 the Minister wrote to schools to advise them of guidance for clustering arrangements and provision of a helpline as first point of contact.
36. DE funding remained in place for targeted early years interventions, maintaining support throughout the pandemic to vulnerable children and those facing disadvantage; service delivery was adapted e.g., via on-line platforms.
37. A joint TUS / Management COVID-19 group was established to engage directly with all teachers' unions, employing authorities and sectoral bodies during the pandemic. This group held virtual meetings, initially daily at the start of the pandemic, dropping to twice a week by June 2020. They resumed weekly from August 2020 and ultimately were arranged on an ad hoc basis as required. Meetings continued right through until autumn 2022.
38. The group was chaired by DE and consisted of the DE COVID-19 team, all teaching and non-teaching unions (approximately 10) plus all employing authorities (Education Authority and CCMS) and all sectoral and relevant education bodies (e.g., GBA, NICIE, CnaG, CSSC etc.). This was an open forum and was conducted in a shared and open manner, often with well over 30 attendees.
39. The group considered all issues related to COVID-19 matters in schools, either by way of a general update or dealing with issues raised by trade unions or education bodies. The meeting also included expert attendance and advice regularly from DoH and Public Health Agency (PHA) and occasionally from other bodies such as CCEA regarding examinations.
40. Departmental staff resource was re-prioritised to meet the urgent initial tasks of the pandemic, by temporarily suspending less urgent Departmental business.

DEPARTMENTAL COVID-19 RESPONSE PLAN

41. DE engaged with The Executive Office (TEO) C3 arrangements, including scheduled updates and the provision of weekly situation reports on issues affecting education. The COVID-19 Response Plan highlights the decisions / actions taken across the following themes. These component parts framed the Department's actions throughout the initial phases of the pandemic.
- Business Continuity/Emergency Planning.
 - Communications/Advice.
 - Workforce Issues.
 - Powers.
 - Operational Delivery.
 - Intersectoral Engagement.
 - Child Welfare.
 - Recovery Planning.
42. The actions of DE in response to the pandemic are outlined in chronological order in **Exhibit MB/5 - INQ000087652**.

ROLE OF DE IN EXECUTIVE DECISION MAKING

43. At all stages of pandemic response, the Northern Ireland Executive, with the advice of the Chief Medical Officer and Chief Scientific Adviser, set the Northern Ireland approach at the highest level. Decision making was then implemented by the relevant Executive Ministers through their officials. This included the provision of health advice on the use of NPIs, decisions on how and when to restrict social contacts, and ultimately, for DE, when to close schools.
44. The DE response is detailed in the **Exhibit MB/4 - INQ000087651** COVID-19 Response Plan document and shows the DE approach covering Business Continuity and Emergency Planning, Communications and Advice, Workforce issues, Powers, Operational Delivery, Sectoral Engagement, Child Welfare and Recovery Planning.
45. On 13 February the Department sought the Minister's agreement to the relevant clauses in the Pandemic Influenza (Emergency) Bill (**Exhibits MB/34 - INQ000176129, MB/35 -**

INQ000176133, MB/36 - INQ000176132 and MB/37 - INQ000176130), which stated that officials understood this was to be introduced urgently to Parliament by the UK Government.

- Note: that there is insufficient time in the circumstances for the usual process to be followed to secure the consent of the Assembly to the UK Government legislating on its behalf.
- Agree the content of the clauses providing -
 - the Department of Education with the power to direct schools to close in the event of a pandemic; and
 - the Department of Health with the power to direct the closure of childcare provision.
- Agree that officials may approach the Education Committee to offer a briefing, in a closed session given the sensitivity of the subject, on the content of the Bill which pertains to education in Northern Ireland

46. On 19 February the Minister wrote to Minister Swann **Exhibit MB/38 - INQ000176136**, the purpose of this was to signal the Minister's agreement to the relevant clauses in the Pandemic Influenza (Emergency) Bill to the Minister of Health. This letter indicated the Minister's agreement to the content of the draft clauses providing the Department of Education with the power to direct schools to close in the event of a pandemic; and the Department of Health with the power to direct the closure of childcare provision in the event of a pandemic.

47. DE actions were predicated on minimizing the impact on children and to reduce hardship. The Department of Education's strategy and plan supported the NI Executive strategy and was built around the following strategic priorities:

- To ensure the continuity of learning for children and young people.
- To support vulnerable children and children of key/critical workers.
- To ensure families do not experience hardship as a result of schools closing.

48. At the outset, there was much uncertainty about the virus, and decisions were taken very quickly on the basis of the best information available at the time. For example, it was not known in March 2020 how long schools would be required to stay closed, and the Department worked quickly and closely with the sector to set up processes to support vulnerable children, young people and their families, to enable remote learning, to assist key worker families and to ensure that local "hub/cluster arrangement" schools could offer places where other schools could not do so.

49. Under the clustering arrangement a group of schools could come together and agree the use of the available premises for supervising children of Key Workers and vulnerable children. The service was only for those Key Workers who were unable to find a viable alternative option to care for their children at home and was not about creating large hub schools or settings with large numbers of children. The setting up of Emergency Hubs, by the Education Authority, to operate over the 2020 Easter Period was only under consideration in the event that major gaps in provision emerged and were only to be implemented when all other cluster arrangements had been exhausted.

SECTION 2: SUMMARY OF KEY DE ACTIONS IN RESPONSE TO THE PANDEMIC

DE ALLOCATION OF INFORMATION TECHNOLOGY (IT) RESOURCE TO PUPILS

50. In response to advice provided on 10 May 2020, the Education Minister agreed to approve the procurement of portable IT devices as recommended by the Education Authority's analysis of requirements. This was followed-up with advice on 15 May 2020 regarding the criteria to be used regarding distribution of those devices, i.e. priority was given to children in year groups: 11, 13, 6 and 3 in that order; and categories: Free School Meal Entitlement (FSME), Special Educational Needs (SEN) 1-5, Newcomer target groups (this means Asylum Seeker, Refugee and Roma children), Looked After Children (LAC) and children who are considered vulnerable. A letter from the Minister issued to all schools on 22 May 2020.

ADDITIONAL SUPPORT FOR LEARNERS FOR KEY TARGET GROUPS

51. On 10 June 2020, officials put advice (SUB/1425/2020 attached as **Exhibit MB/6 - INQ000087653**) to the Minister regarding 3 interventions –
- Establishment of a Summer Scheme for two to three weeks, late July, early August to support children as they prepare for return to education in September 2021. The focus is on emotional health and well-being, enabling children to socialise and play with their friends safely, with an emphasis on play-based learning and providing support for circa 10,000 children.
 - Virtual Classroom / Distance Learning with initially 210 primary schools having availed of the offer of virtual learning software in literacy and numeracy for pupils entering Year 7 in 2020/21 academic year.
 - A mini-Signature Programme called 'Engage' was established to limit any long-term adverse impact of the COVID-19 lockdown on educational standards by supporting

pupils' learning and engagement on their return to school through provision of high quality one to one, small group or team-teaching support in every school in Northern Ireland.

52. This work was taken forward, resulting in Summer Schemes in 2020 involving 49 schools and 1,700 pupils (and 2021 - 490 schools and 44,000 pupils); the availability of on-line learning to pupils in Year 6 and the launch of the Engage Programme which has continued and grown from 980 settings in 2020/21 to 1,700 settings in 2022/23.

PUPIL ATTENDANCE

53. In summer 2020 DE, in consultation with Education Welfare Service within EA, re-designated existing attendance codes for use by schools to capture data around the impact of COVID-19. Schools were informed of this change via a letter and DE Circular (DE Circular 2020/08). This was used by schools from September 2020 until December 2020. During this time, we engaged and listened to schools regarding the use of these specific attendance codes.
54. On 14 September 2020, advice (SUB/1704/2020) was sent to the Education Minister regarding the recommendation to publish pupil attendance data on a weekly basis by drawing on the attendance records maintained daily by schools.
55. On 14 December 2020, advice (SUB/2059/2020) was sent to the Education Minister regarding the use of 6 new COVID-19 absence codes which would take effect from 4 January 2021 (DE Circular 2020/08 addendum). These continued to be used until June 2021. The absence codes are still available for schools to apply where appropriate, however they are not being used to the same degree as in 2020 and 2021.

FREE SCHOOL MEALS DIRECT PAYMENTS SCHEME DURING PERIODS OF SCHOOL CLOSURES DUE TO COVID-19

56. The submission to the Executive and background papers which include policy background and Ministerial agreements associated with the Free School Meals Direct Payments Scheme, School Holiday Food Grant payments and provision of food parcels are summarised in **Exhibits MB/7 - INQ000087654, MB/8 - INQ000087655, MB/9 - INQ000087656, MB/10 - INQ000087626, MB/11 - INQ000087627, MB/12 - INQ000087628, MB/13 - INQ000087629, MB/14 - INQ000087630, MB/15 -**

INQ000087631, MB/16 - INQ000087632, MB/17 - INQ000087633, MB/18 - INQ000087634, MB/19 - INQ000087635, MB/20 - INQ000087637 & MB/21 - INQ000087638. This includes detail of individual arrangements made to take account of the specific challenges associated with provision to pupils in special schools and a detailed timeline and breakdown of costs can be provided if required.

SCHOOL HOLIDAY FOOD GRANT PAYMENT SCHEMES

- 57.** Following Executive agreement on 18 June 2020, a school holiday food grant payment scheme for the summer 2020 was established for families of children entitled to free school meals (FSM) as at 30 June 2020. Exhibits **MB/7 - INQ000087654** (Email from officials - Submission to Minister), **MB/8 - INQ000087655** (Draft Executive Paper – Summer Activity), This scheme ran from 1 July to 31 August 2020 and cost £11.9m.
- 58.** The Executive agreed on 22 October 2020, that financial assistance will be provided from 26 to 30 October for families of children entitled to free school meals (FSM) during the extended Halloween break. Exhibits **MB/9 - INQ000087656** (Email from officials - Submission to Minister), **MB/10 - INQ000087626** (Halloween Submission) , **MB/11 - INQ000087627** (Revised submission), **MB/12 - INQ000087628** (Submission to Minister of version 2), **MB/13 - INQ000087629** (Minister's email confirming approval to add to Executive Agenda) and **MB/14 - INQ000087630** (confirmation from Private Office), **MB/15 - INQ000087631** (Response from Infrastructure Minister), **MB/16 - INQ000087632** (Response from DAERA Minister), **MB/17 - INQ000087633** (Response from Justice Minister), **MB/18 - INQ000087634** (Response from Communities Minister) **MB/19 - INQ000087635** (Response from Finance Minister) which has been prepared and are attached to this statement details the submissions from the Minister. This scheme ran from 26 October to 30 October 2020 and cost £1.27m.
- 59.** At its meeting on 19 November 2020 the Executive agreed to fund a School Holiday Food Grant scheme to cover all school holiday periods, including mid-term breaks (approximately 20 weeks) between Christmas 2020 and Easter 2022. Exhibits **MB/20 - INQ000087637** (Email from officials - Submission to Minister), **MB/21 - INQ000087638** (SUB-1917-2020 - Submission re Food support to children during Christmas, February and Easter breaks), The following schemes ran as follows:
- Christmas 22 December 2020 to 4 January 2021 and cost £2.7M.
 - Feb half term 15 to 19 February 2021 and cost £1.36M.
 - Easter 29 March to 9 April 2021 and cost £2.75M.

- Summer 1 July to 31 August 2021 and cost £12.2M.
- Halloween 25 October to 29 October 2021 and cost £1.3M.
- Christmas 20 to 31 December 2021 and cost £2.7M.
- Feb half term 14 to 18 February 2022 and cost £1.35M.

- 60.** The aim was to alleviate hardship for families of children entitled to free school meals during the school holidays. Parents received a payment equivalent to that of the free school meal direct payments, £13.50 per child per week, paid by the EA directly to their bank accounts or by cheque.
- 61.** School Holiday Food Grant payments were provided to children entitled to free school meals in full time nursery and school settings. Students aged 16-18 attending a full-time course at a Further Education College are also able to apply for free school meals. The Department for the Economy has policy responsibility for further education for the provision of free school meals to these students. Following the Executive decision on 19 November 2020 to provide School Holiday Food Grant payments from Christmas 2020 to Easter 2022 (as referenced two paragraphs above), an agreement was reached with the Department for the Economy that the Department of Education would take the lead in developing the School Holiday Food Grant scheme and securing the necessary funding. The Education Authority would then make the payments to all the above children and young people entitled to free school meals
- 62.** It is important to note that School Holiday Food Grants are a response to holiday hunger/food poverty and while they commenced during the pandemic because food poverty was exacerbated during this period, they are not a direct response to the COVID pandemic.

HOME TO SCHOOL TRANSPORT

- 63.** The Education Authority (EA) contracts Translink to provide dedicated home to school transport services alongside EA vehicles. Free bus passes are also provided to eligible pupils to use on public transport services.
- 64.** As the Department for Infrastructure (DfI) is the department responsible for non-pharmaceutical interventions (NPIs) on public vehicles and DE is responsible for NPIs on EA vehicles, DE and DfI Ministers agreed the home to school transport policy during COVID-19 for school pupils, including wearing of face coverings and social distancing,

for submission and agreement by the Northern Ireland Executive. **Exhibit MB/54 - INQ000228386** (Submission letter from Minister Weir to Minister Mallon and Executive colleagues).

65. The aim of the approach to COVID-19 restrictions on school transport was to enable pupils to access education and to allow pupils to avail of transport in an environment where all possible risk mitigations were in place. DE followed advice from the then Minister of Infrastructure, whose department held policy responsibility for public transport in NI. This included following advice on use of face coverings on buses, and social distancing.

QUALIFICATIONS AND EXAMINATIONS - KEY ACTIONS

SUMMER 2020 EXAMINATION SERIES

66. In late February and early March 2020, officials in DE had been liaising closely with colleagues in Education Departments in England, Wales and Scotland, as well as with colleagues in CCEA (NDPB with responsibility for examinations), around contingency planning for the summer exam series in light of the COVID-19 situation. CCEA had implemented emergency responses in response to the emerging public health crisis, but this was in the context of schools remaining open. The intention was to try to operate within the published timetable for exams but provide additional contingency papers in a number of subjects.
67. On 18 March 2020 (SUB-1167-2020) officials provided advice to the Minister, based on the advice submitted by CCEA, and recommended that the Minister approve the cancellation of the summer exam series and the implementation of CCEA's recommendation to use estimated/calculated grades to award qualifications. This was announced on 19 March 2020 by the Minister. Following detailed work and analysis of advice from CCEA the Minister took decisions on awarding arrangements, using "calculated grades", for CCEA GCSE, AS and A level qualifications in August 2020 (SUB-1234-2020). He received separate advice and took separate decisions on arrangements for awarding CCEA's Entry level, Occupational Studies and Vocationally Related qualifications (SUB-1285-2020).
68. In August 2020, the Minister took the decision to award GCSEs, AS and A 'levels on the basis of Centre Assessed Grades, rather than the calculated grades (SUB-1633-2020).

ARRANGEMENTS FOR QUALIFICATION AWARDING IN 2021 AND THE IMPLEMENTATION OF ALTERNATIVE ARRANGEMENTS FOLLOWING CANCELLATION OF EXAMS

- 69.** In autumn 2020, work was progressed for a managed return to public examinations in 2021 (SUBS 1607, 1742 and 1784 of 2020) and contingency arrangements were developed in case exams had to be cancelled (SUBS 1982 and 2056 of 2020).
- 70.** On 7 January 2021, following the announcement of a second national lockdown and the Education Minister's subsequent statement to the ad hoc committee of the Assembly on 6 January 2021, officials sought the Minister's agreement on a number of points of detail in relation to alternative arrangements for different types of qualifications, as well as clearance of initial communication to pupils, parents and schools to update them on developments in relation to examinations that had been planned for 2021. (SUB-0016-2021) GCSE English and Maths modular exams due to take place the following week were cancelled.
- 71.** While there was considerable detailed work required to finalise the contingency arrangements for awarding qualifications without exams for a second year, drawing on lessons from 2020, it was important to issue initial communications to parents and pupils quickly to provide as much clarity as was possible at that point in time. Following detailed work and engagement with stakeholders, the Minister announced details of the arrangements for alternative awarding of GCSE, AS and A level qualifications in 2021 on 2 February 2021 (SUBs-0110-2021 and 0116- 2021). The Minister took separate decisions in respect of arrangements for CCEA's Entry level, Occupational Studies, and Vocationally related qualifications (SUB-0109-2021).
- 72.** To support the implementation of these arrangements the Minister took a number of additional decisions including:
- Provision of indemnity for schools against potential legal action in relation to qualifications awarding (SUBs 0329 and 0416 of 2021).
 - Provision of "Qualification Procedure Days" to provide time for teachers to complete the grading and moderation procedures (SUB-0243-2021).
 - Provision of funding for substitute teacher cover to provide time off in the autumn term for teachers required to work on results days during the summer break (SUB-0548-2021).

73. In May 2021, the Minister took decisions on a managed return to public examinations in 2022, with modifications (SUB-0471-2021).

SUMMARY OF PROVISION FOR SUBSTITUTE TEACHERS DURING COVID-19

74. Supply teachers are a unique group of staff who are temporarily employed by the relevant Board of Governors (BoG) for each school setting but only during the temporary period of each engagement for which they are booked by a school through the Northern Ireland Supply Teachers' Register (NISTR) (previously known as the Northern Ireland Substitute Teachers' Register). Unless they have a part-time permanent post, when supply teachers are not 'employed' / working in schools, fully qualified and GTCNI-registered day-to-day supply teachers make themselves available for teaching work in schools when school principals require cover e.g., during absences of permanent teachers.
75. At the beginning of each period where schools were only open for key workers' children or vulnerable pupils, the Minister announced that school-based permanent staff would be paid their normal pay regardless of whether they were working in schools, working from home, providing remote teaching, self-isolating or had COVID-19 symptoms.
76. The Minister announced that supply teachers who had already been booked to work in schools would have their bookings honoured and would also receive their normal pay for the period of their booking.
77. Following representations from substitute teachers, teachers' unions and MLAs, DE in consultation with teachers' employers and the teachers' unions, funded, developed and delivered a discretionary Income Support Scheme for Substitute Teachers in 2020 for the full school term from 1 April 2020 to 30 June 2020. Entitlement was calculated based on 80% of substitute teachers' average earnings for days / hours worked through NI Substitute Teacher Register (NISTR) in the previous full school term from 1 January 2020 to 31 March 2020 - during which period schools were fully open and substitute teachers had their normal opportunities for work in schools.
78. A further discretionary income support scheme for substitute teachers was approved by the Minister in 2021 for the full school term from 1 January 2021 to 31 March 2021. Again, entitlement was calculated based on 80% of substitute teachers' average

earnings for days / hours worked through NISTR during the previous full school term – in this case, 1 September 2020 to 31 December 2020 - during which period schools were fully open.

79. In March 2020 the Department developed a set of frequently asked questions for the Key Workers and vulnerable children and in May 2020 DE provided detailed COVID-19 Guidance to schools and education settings on NPIs. The guidance was initially developed with the Practitioners Group of local school Principals and reviewed regularly to reflect the latest public health advice. In August 2020 the Department published the Revised New School Day Guidance and a further version issued in September. In January 2021 the Coronavirus Guidance for Schools and Educational Settings replaced the New School Day guidance. Addenda and further editions of this are reflected in **Exhibit MB/5 - INQ000087652**.

THE USE OF STUDENT TEACHERS IN SCHOOLS

80. In early 2022, the Department's Initial Teacher Education (ITE) Working Group, whose members include the four Higher Education Institutions (HEIs) in NI, collaborated on arrangements which enabled the rules for Postgraduate Certificate in Education (PGCE) and final-year Bachelor of Education (BEd) student teachers, undertaking school placements, to be temporarily relaxed. This was introduced as a measure to help alleviate the staffing pressures in schools up until Easter (2022).
81. The modified arrangements, which required Ministerial approval (SUB-0061-2022 and SUB-0096-2022 refer), permitted unqualified / trainee teachers to be released from direct supervision for extended periods throughout the day and enabled them to be used elsewhere within their schools. To address concerns about any possible legal challenges, the Department also provided schools with an indemnity agreement, which was approved by the Departmental Solicitor's Office in the Department of Finance.

JOINT HEALTH AND EDUCATION RESPONSE

82. In April 2020 health and education officials established a joint oversight group due to emerging concerns about maintaining health and education support to children and young people with complex needs during the COVID-19 pandemic. This engagement was initially on a weekly basis (**Exhibit MB/39 - INQ000176137**) and then reduced to a monthly basis. The mechanism remains in place, to meet as and when required, to discuss and address any issues arising, which prevent vulnerable children from

accessing school which can only be resolved by way of health and education services working jointly.

83. Health and education officials also worked closely to provide funding support and guidance to the childcare sector in relation to sustainability issues and temporary closures during the COVID-19 pandemic.

SPECIAL SCHOOLS RESPONSE

84. This initially formed part of the joint/health education in relation to the requirements for additional assistance to ensure that children with the most complex needs continued to have access to supervised learning and subsequently through the re-opening of special schools. Meetings were initially held weekly via zoom with the Special School Leadership Group, EA, PHA and DoH. These meetings addressed and informed several high-profile unique areas of support for children with complex needs –

- Re-opening of special schools.
- Bespoke guidance development.
- Engage Programme for Special Schools programme development.
- Vaccination Programme for high-risk children.
- Vaccination programme for staff working in special schools.
- Saliva Based Testing Programme.
- Transport of children requiring Aerosol Generating Procedures.
- General issues emerging for special schools arising from the COVID-19 pandemic: staff resourcing issues; PPE supply; additional training needs for staff.

85. These meetings moved to a monthly basis from September 2020 and continued on a monthly basis until August 2022. The meetings remained in place on a bi-monthly basis for 22/23 Academic Year.

VULNERABLE CHILDREN AND YOUNG PEOPLE'S PLAN

86. On 10 April 2020 the Department published the first guidance following the Department's implementation of the NI Executive's decision to keep schools open for vulnerable children and the children of key workers. This early guidance was published to ensure educational settings and parents were aware of the supports that were in place for those

children and young people who were within the agreed cross-departmental definition of vulnerable children.

87. The Department introduced a Weekly Reporting system across a range of EA Services to update on the status of vulnerable children across the school closure period, with particular focus on those children / families previously in contact with social services. The reports provided a breakdown across all the EA services which supported vulnerable children, according to the agreed definition, of the numbers of children, families and schools on current caseloads, the frequency and type of contact i.e. via phone or face to face and what types of support were being provided including pathways to support from other agencies or parts of EA. The report also detailed numbers who were considered to be in the red risk category and what support and safeguarding measures were in place for those children and young people.

TEMPORARY MODIFICATION NOTICES – SPECIAL EDUCATIONAL NEEDS DUTIES

88. The Department issued the Temporary Modification Notices, modifying duties in relation to SEN, specifically the Statutory Assessment and Statementing process, to a 'best endeavours duty', as an appropriate and proportionate action in light of the prevailing circumstances at the time. Engagement was ongoing with colleagues in the EA, DoH and other parties as to the required duties of special schools, as part of a continuous review, during each 28 day Notice period, to establish the requirement for further notices.
89. The Department of Education exercised the power provided under Section 38(3)(c) and paragraph 17(1), (2)(b) and (d) and (7) of Schedule 17 Coronavirus Act 2020 to issue a Notice modifying the provisions listed in Part II of the Education (NI) Order 1996 and the Education (Special Educational Needs) Regulations (NI) 2005 for 28 days. The requirement for the Notices was kept under continuous review by officials from DE, DoH, PHA and EA. This was to ensure that they were in line with the prevailing public health circumstances. The Notices ran from April – August 2020.
90. Supplementary guidance was published to support special schools in June 2020, this has remained under review and published alongside further iterations of the overall guidance issued by the Department for all education settings.

91. In conjunction with PHA, the Department issued guidance to educational settings on safe working during the coronavirus (COVID-19) outbreak. This was first issued in June 2020 and remained under continuous review until it was subsequently withdrawn for school restart September 2022. All relevant information was transferred to the Department's main guidance document.

GUIDANCE TO SUPPORT VULNERABLE CHILDREN AND YOUNG PEOPLE DURING JULY AND AUGUST 2020

92. This guidance was published to advise providers and users of a range of summer support services on minimising the risk to vulnerable children, staff and parents attending settings during July and August 2020. The focus of the guidance was to reduce the risk of infection and transmission of the COVID-19 virus.

EDUCATION RESTART WELLBEING FUND – FINANCIAL YEARS 202/21 AND 2021/22

93. A £10million fund was launched to assist educational settings as they supported the mental health and wellbeing of children and young people returning to education following the school closures, with a portion of funding being directed toward additional provision for vulnerable children. Through this funding, education settings were given flexibility in how they supported the emotional health & wellbeing of children and young people and the staff working with them.

CONTINGENCY FRAMEWORK FOR VULNERABLE CHILDREN AND YOUNG PEOPLE

94. This framework (**Exhibits MB/40 - INQ000176138, MB/41 - INQ000176139, & MB/42 - INQ000176140** ED1/20/340072 - VCYP Contingency Framework - Final Version, ED1/20/340073 - VCYP Contingency Framework - Annex A, and ED1/20/340077 - VCYP Contingency Framework - Annex B respectively) was first issued in December 2020 and remains in place, under continuous review to ensure contingencies are in place to support vulnerable children and young people within education settings in the event of a public health emergency.

DE STRUCTURES TO MANAGE COVID-19 RESPONSE - EDUCATION RESTART PROGRAMME

95. By the end of April 2020, the Department was conscious that the immediate response phase to the COVID-19 pandemic was nearing an end and consideration needed to be given to planning for recovery and restart (when public health conditions allowed). As a starting point, DB - PS re-purposed the DE Transformation Programme Office (the Transformation Programme had been suspended by Minister on onset of pandemic to redeploy staff to priority areas) as the Education Restart Programme Office and commissioned staff to consider an appropriate approach to give assurance to the Minister and Accounting Officer that the Department was taking proper account of COVID-19 issues in its actions.
96. The first meeting of the newly constituted Restart Programme Board was on 5 May 2020 (minutes at ED1/20/105095). It consisted of Senior Management in DE, EA, CCMS and CCEA and was chaired by DB - PS. The Terms of Reference for the Board (ED1/20/94710) stated that -
- “The Education Restart Programme (the Programme) has been established to coordinate work on restarting the education system in a safe and effective way; reviewing Departmental priorities and re-establishing working practices; and capturing lessons learned and preparing for future disruption.”*
97. It was the role of the Board to *“provide overall direction and management for the Programme and will take key decisions including the direction of travel and commitment of resources.”*
98. The purpose and design of the Programme was set out in a Blueprint document that served as a Programme Initiation Document (ED1/20/110206 **Exhibit MB/33 - INQ000176123**). It explained the Programme would include the following strands -
- **Strand 1 - Education Restart** – considering all matters central to restarting the education system (schools and wider settings) in a safe and effective manner.
 - **Strand 2 - DE Restart** – considering all matters central to restarting the Department and ensuring the Department is appropriately structured to deliver on a new set of priorities.
 - **Strand 3 - Lessons Learned and Preparedness** - ensuring that key lessons learned from the current response from DE, its partners and the education sector are captured and inform the “new normal” and robust preparedness plans to respond to further periods of lockdown or school closure.

Strand 1 is relevant to the Inquiry.

99. The Programme Board met usually on a weekly basis between May – September. Papers are stored in ED1-20-3179: Strategic Management DE - Working Groups, Meetings, Forums & Committees - Education Restart Programme - Board Meetings and can be provided if required.

100. The Minister provided an update to the Executive on 21 May 2020 (ED1/20/122642 attached as **Exhibits MB/22 - INQ000087639** (SUB-1346-2020 Covering email from officials) **MB/23 - INQ000087640** (SUB-1346-2020 Draft Executive paper) **MB/24 - INQ000087641** (SUB-1346-2020 Education Restart Planning Annex A) **MB/25 - INQ000087642** (SUB-1346-2020 Minister's Agreement) on the design of the Programme and its priorities. The individual projects / priorities were described as being:

- **Physical Protection** – We must protect the physical health of our workforce and learners as they return to schools and settings – minimising the risk of COVID-19 transmission.
- **Well-being** – We must promote the mental health and emotional well-being of our workforce and learners as they adjust to a “new normal”.
- **Special Educational Needs (SEN) Services** – We must ensure the delivery of vital services to vulnerable learners, including SEN services.
- **Standards and Learning** – We must maintain (or redress) educational standards, provide continuity of learning and ensure appropriate assessment.
- **A new normal** – We must make practical arrangements to deliver a new normal which is consistent with guidelines on social distancing.
- **Funding** – We must monitor the impact on education funding as schools and setting deal with disruption costs and recovery costs.

101. These were kept under review, with “Childcare” being added to the list a few weeks later.

102. From June, Checkpoint meetings (Papers at Strategic Management DE - Working Groups, Meetings, Forums and Committees - Education Restart Programme - Checkpoint Meetings) were held. These were primarily to share information across the above projects, co-ordinate communications and discuss highlight reports.

- 103.** Two further Executive Papers were prepared by the Programme Team. These were on 18 June (on Progress and Assumptions ED1/20/150601) attached as **Exhibits MB/26 - INQ000087643** and **MB/27 - INQ000087644**, and 6 August (on Progress and Revised Assumptions ED1/20/195148), attached as **Exhibits MB/28 - INQ000087645** and **MB/29 - INQ000087646**. There were a number of other submissions to the Minister during this time.
- 104.** The Programme Board and Checkpoint meetings continued to September and the Programme was wound down in November 2020, as the Programme Board were content that COVID-19 response had been “mainstreamed” into DE and ALB operational management.
- 105.** In early summer 2020 – John Smith – Deputy Secretary took on overall management of the DE COVID-19 Response, with a communications, guidance and correspondence function headed by Grade 5 (James Hutchinson), who was also responsible for the DE Restart Programme. This became the standing DE COVID-19 response team and coordinated the Departmental actions going forward.
- 106.** At the same time DE developed support schemes for substitute teachers, provided support to the pre-school and childcare sectors, advised the Voluntary Grammar sector on furlough, provided payments in lieu of free school meals and dealt with significant correspondence from the sector, parents and young people.

DE FINANCE DIRECTORATE

- 107.** The role of the DE Finance Directorate is to manage the Department’s Resource Budget, in line with Departmental priorities and draft Programme for Government targets, to ensure propriety, regularity and value for money. As such, the Directorate is responsible for securing funding, allocating resources, monitoring expenditure and reporting results.
- 108.** Throughout the pandemic, the Finance Directorate continued to provide financial support to policy colleagues and education stakeholders for business-as-usual activity and policy led response measures to COVID-19, in line with Managing Public Money Northern Ireland.

109. Over the two-year period 2020-21 to 2021-22, £323.5m of Resource and £25m of Capital COVID-19 funding was agreed by the Executive for the education sector. A breakdown of this funding is in **Exhibit MB/30 - INQ000087648** (COVID-19 Funding Spreadsheet). The Finance Directorate was responsible for securing this funding and ensuring that the necessary approvals were in place to facilitate expenditure.
110. The Finance Directorate also led on the provision of a number of indemnities to childcare providers and school settings to ensure the provision of care for vulnerable children and the children of key workers, and to support schools as a result of the impact of COVID-19.
111. The Finance Directorate's Statistics and Research Team was responsible for the collection, analysis and dissemination of management information in relation to pupil and teacher absences. The purpose of the information was to monitor trends over time and provide evidence to the Minister and officials in DE and managing authorities to inform decision making. The information was published on the Department's website weekly. Some of the information was shared with The Executive Office and the Cabinet Office for inclusion in weekly situation reports to monitor the position in relation to the pandemic. The Executive office were able to access the published information each week if required. A spreadsheet was also sent to the Cabinet Office each week showing the proportion of pupil half day sessions recorded as (i) In School, (ii) COVID-19 Self Isolation & Learning from Home, (iii) COVID19 Learning from Home – Social Distancing, (iv) Total Present, (v) Total Absent.
112. The data collected changed over time, reflective of the extant guidance and situation in schools and included (but not limited to) statistics and information relating to daily/weekly attendance rates for key workers, pupils, vulnerable children, teachers and non-teaching staff.

SECTION 3: NARRATIVE OF ACTIONS OVER THE PANDEMIC

113. Further to the detailed timeline included in **Exhibit MB/5 - INQ000087652**, below is additional contextual narrative.

SCHOOL REOPENING IN SEPTEMBER 2020

- 114.** DE began to address the issue of safely reopening schools in the period immediately after the initial closure of schools. DE worked closely with DoH, ALBs and school practitioners to co-design appropriate “Day One” guidance (New School Day) to allow schools to resume classroom teaching. A Programme Team (DE Restart Programme) was established to provide assurances to the Permanent Secretary and Minister that departmental actions were coordinated and aligned to the Departments strategic priorities.
- 115.** DE Guidance (New School Day) to schools was developed via co-design with a Practitioner’s Group (i.e., a representative group of school leaders from across the educational sector selected from a pool of nominees put forward by the Trades Unions and all education partners), ALBS and Trade Unions in the period from April to June 2020 and issued to schools. It was reviewed regularly in the fortnightly meetings and on an ad hoc basis considering any wider changes to NPI within Northern Ireland and receipt of guidance from the PHA on dealing with COVID-19 cases within schools and subsequent contact tracing.
- 116.** Updated DE Guidance continued to be shared with PG and TUS representatives in the lead up to the reopening of schools for face-to-face teaching in August/September 2020. At that stage guidance permitted a limited curriculum, with restrictions on the school day – pre and post school clubs and extra-curricular activities were not permitted, inter school sports were not allowed, social distancing where possible was encouraged, with the use of bubbles, and in post-primary there were limitations placed on the practical elements of some subjects. Advice was given not to share materials etc. and around the delivery of practical subjects. This was in line with the prevailing public health advice and with the agreement of DoH officials.
- 117.** During the autumn term in 2020 school attendance figures reflected the overall pattern of COVID-19 cases in the community and there were numerous incidences of outbreaks which affected schools. At this stage in late 2020 the Delta variant became prevalent, with significant impacts on case numbers and hospitalisations. The NI Executive decided to add an extra week to the October half term to provide a “fire-break” in the hope that this would help to curb the spread of COVID-19 infections.
- 118.** Schools in NI then closed in the week before Christmas 2020 as usual. It was the expectation at that point that schools would reopen in January 2021. At the same time

the NI Executive imposed additional measures to restrict social interaction, including restrictions on hospitality and gatherings indoors. Over the period between Christmas and New Year 2020/21 the NI Executive considered the best approach to dealing with the high level of cases and stress on health services and in January 2021 imposed a further set of restrictions on social interactions, which also required that schools move to remote learning. The Department introduced emergency legislation to make it a legal requirement for schools to provide remote learning to all pupils and also supervised learning for vulnerable and key worker pupils.

119. DE officials were in regular contact with DoH, PHA and sectoral bodies through weekly meetings in relation to the necessary steps for reopening schools and continued that contact during the period between Christmas and New Year 2021. Further meetings were held on an ad hoc basis as the situation developed and decisions by the Executive were announced. Drafts of the revised DE guidance were subsequently put in place which advised the use of face-coverings in schools and enhanced ventilation guidance was developed in consultation with other UK regions and with health advisors. These meetings were additional to the fortnightly meeting held with the various groups.
120. PHA created a school's "cell" or teams made up of experienced staff specifically set up to work with educational settings to identify close contacts of positive cases and advise the relevant self-isolation periods required for parents, relatives and teachers/educational staff. This advice was in line with prevailing public health guidance on self-isolation for close contacts of positive cases.
121. The Minister submitted a paper to the NI Executive around the Prioritisation of Vaccination for Staff Working in Schools and Childcare (ED1/21/103900 **Exhibit MB/31 - INQ000087649**) and announced that schools would remain closed for a further period of two weeks following the winter half term from 22 February to 5 March 2021.
122. Schools were reopened for face-to-face teaching in phases from w/c 22 March with post-primary exam years i.e., year 11 - year 14 and all primary pupils returning first. This approach was based on health advice. At that time face coverings were recommended for use in all post primary settings and school transport. This was in line with wider NI Executive NPI advice on the use of face coverings in other communal settings in society.

- 123.** On return in March 2021, asymptomatic testing of staff and post-primary pupils was in place, and schools were encouraged to participate in distributing Lateral Flow Device kits. Test kits were also available to all through the DoH website.
- 124.** In January 2021, DE and EA, in close co-operation with DoH and PHA, developed an award-winning Special Schools testing programme, designed to increase confidence in parents and staff that special schools were safe, so that the most vulnerable pupils could have access to education. Following health advice that many pupils with sensory or complex needs could not easily complete LFD tests, a specific test was identified, and analysis was carried out in Queen's University Belfast laboratories, with a same-day response. This was the first such programme of its kind in the UK or Ireland.
- 125.** Schools remained open until the end of the summer term in June 2021 as expected. Summer 2021 then saw relaxations in restrictions more generally at the wider societal level.
- 126.** Schools returned in late August/September 2021, with updated DE guidance (key points: face coverings still required in post primary and increased focus on ventilation) and it quickly became apparent that as case numbers increased in the community, many close contacts were being identified in schools. This led to significant pupil absence and placed a substantial burden on school leaders who acted as the lead contact point with PHA track and trace.
- 127.** In conjunction with DoH a revision to the PHA close contact policy for schools was developed amending previous advice, as evidence suggested that there was a very low chance of transmission in the classroom and pupils were therefore unnecessarily self-isolating as close contacts. This was followed up with CMO seminars to explain and reassure that schools were still safe places.

ENGAGE II PROGRAMME AND SCHOOL SUMMER SCHEME 2021

- 128.** On 22 March 2021 officials provided advice to the Minister (SUB-0324-2021, ED1/21/84617) regarding development of a second year of the Engage Programme, agreed on 23 March (ED1/21/124864). This updated the Minister on progress and sought agreement on programme design and estimated expenditure. A summary was later included in an Executive paper seeking agreement to the package of measures in support of education recovery.

- 129.** On 30 April 2021 officials provided advice to the Minister (SUB-0454-2021, ED1/21/115304) to agree the policy for a programme of Summer Schemes in schools during the summer of 2021. This was agreed on 5 May 2021 (ED1/21/133854) and schools were invited to volunteer to host a summer school and advise the number of pupils that would be supported; the Department then agreed a resource for the EA to support these schools.
- 130.** On 30 April 2021 officials provided advice to the Minister (SUB-0452-2021, ED1/21/130155) regarding a package of Educational Recovery Measures, including the Engage II programme and a programme of summer schemes in schools. It was agreed on 5 May 2021 (ED1/21/136097). This updated the Minister on progress towards establishing the package of measures and provided a letter to advise Executive colleagues and the Education Committee (sent on 5 May 2021).
- 131.** Throughout the pandemic DE maintained ongoing interaction with stakeholders – PG and TUS to discuss ongoing issues and identify any areas which may be working well or adapting changes to practice to inform changes to guidance and regular informal contact with 4-nations colleagues confirming consistency of approaches in relation to any new guidance.
- 132.** DE maintained a close relationship with the sector and actively monitored staff and pupil absences. In early 2022, in response to the Omicron variant, DE took steps to increase teacher supply, including asking recently retired teachers to make themselves available for supply work and by redirecting staff from support programmes to classroom teaching.
- 133.** From March 2022, the Department has wound down its standing COVID-19 response.

THE ROLE OF THE EDUCATION AND TRAINING INSPECTORATE (ETI)

- 134.** On the 18 March 2020, ETI wrote to all schools and providers informing them that ETI was pausing all inspections. This pausing of inspections enabled schools and providers to focus on the health and well-being of staff, pupils and students and plan for the imminent closures. All ETI inspectors and staff were redeployed to support the education system. Key support included: providing on-demand advice to school through the Cross-organisational Link Officer role; publishing evaluations of children and young people's experiences during the COVID-19 pandemic; providing advice and guidance on learning

and teaching to support continuity of learning; and providing policy advice and support to DE in relation to the creation, implementation and evaluation of alternative approaches to learning and assessment.

LESSONS LEARNED

- 135.** DE has not yet commissioned, nor does it foresee the need to commission, a formal lessons learned exercise in relation to the COVID-19 pandemic, as regards the decision making by government in Northern Ireland in its initial response to the pandemic. It did, however, commission an independent review of qualifications awarding in 2020 which was carried out by Deloitte. This was due to the suspension of public examinations, and the revised method of awarding qualifications, which was one of the key elements of the Department's response and proved to be controversial, attracting considerable public and political attention.
- 136.** DE also commissioned a study, carried out by Queen's University Belfast, published in May 2022 which examined published academic material in relation to the pandemic. The study examined the impact of COVID-19 on pupil attainment, pupil well-being and teaching practices. The key findings are at **Exhibit MB/32 - INQ000087650** and the full study has been published on the DE website - Pupil Attainment, Wellbeing, and Teacher Practices during the Pandemic: Findings from an Evidence and Gap Map | Department of Education (education-ni.gov.uk).
- 137.** The digital admissions process, first launched in January 2019, provided a stable platform for pre-school and primary admissions during the pandemic. The system enabled parents and carers to apply for places and to receive information directly and without delay, despite lockdown arrangements. For pre-school admissions, an additional digital element was put in place during 2020 as a result of the pandemic, enabling eligibility for the "Socially Disadvantaged Circumstances" criterion to be checked and validated remotely, without the need for parents and carers to visit Jobs and Benefits offices or schools. This process ensured that the admissions process was delivered without any delay or compromise to the integrity of the process. Feedback from all types of users of the system was overwhelmingly positive.
- 138.** In addition, the Department invested some £580k in ICT equipment for the non-statutory pre-school sector. This enabled these settings to provide remote learning for pupils, fully engage with the digital admissions system and link remotely with other settings for

training and support. This was the first investment of its type within the sector and made a significant positive impact for settings and children alike.

- 139.** Almost £40m COVID-19 funding was provided to the childcare sector during the period 1 April 2020 to 31 March 2022, to support the sector to remain viable during periods of reduced demand for services and adhering to additional Department of Health COVID-19 guidance for childcare services and periods of temporary closure due to COVID-19 cases within the childcare provision.
- 140.** During this period there was no significant reduction in the number of childcare providers or childcare places.
- Survey results in March 2022 showed 99% of respondents confirmed that ‘the funding encouraged them to **stay open** during the period’.
 - A Post project evaluation stated that between 99 -100% of respondents said the support was either “very important or important to their business at the time of temporary closures.
- 141.** The Minister for Education and the Minister for the Economy approved continued payment of Educational Maintenance Allowance (EMA) during school closure due to Coronavirus.
- 142.** The Department feels that having the safe space of the Practitioners Group and TUS where practitioners and policy makers were able to engage on the co-design of guidance went extremely well and provided opportunity for free and frank discussion to develop practical and workable solutions to enable the restart of the education system. This is evidenced by the fact that a number of business areas continue to use the PG or a group very similar as a sounding board for new policy areas.

STATEMENT OF TRUTH

We, as the Permanent Secretary and former Permanent Secretary of the Department of Education, declare to the best of our knowledge and belief that the events and contents of this statement are true and accurate and reflect the Department's actions during the period of the Rule 9, spanning January 2020 to February 2022.

Signature

Personal Data

Dr Mark Browne

Permanent Secretary

Date: 7 August 2023

Signature

Personal Data

Derek Baker

Former Permanent Secretary

Date: 7 August 2023