

COMMITTEE FOR EMPLOYMENT AND LEARNING

Legacy Report 2011-16

Remit, Powers and Membership

The Committee for Employment and Learning is a Statutory Departmental Committee of the Northern Ireland Assembly established in accordance with paragraphs 8 and 9 of the Belfast Agreement, Section 29 of the Northern Ireland Act 1998 and under Standing Order 48 of the Northern Ireland Assembly. The Committee has a scrutiny, policy development and consultation role with respect to the Department for Employment and Learning and has a role in the initiation of legislation.

The Committee has power to:

- consider and advise on Departmental budgets and annual plans in the context of the overall budget allocation;
- approve relevant secondary legislation and take the Committee stage of relevant primary legislation;
- call for persons and papers;
- initiate inquiries and make reports; and
- consider and advise on matters brought to the Committee by the Minister for Employment and Learning.

The Committee has eleven Members, including a Chairperson and Deputy Chairperson, with a quorum of five. The Membership of the Committee is as follows:

Mr Robin Swann (Chairperson)
Mr Thomas Buchanan (Deputy Chairman)
Mr Sydney Anderson
Mr Gerard Diver
Mr Alex Easton
Mr Phil Flanagan
Mr David Hilditch
Ms Anna Lo
Mr Fra McCann
Ms Bronwyn McGahan
Ms Claire Sugden

Details of the various changes to the membership of the Committee since 5 May 2011 are attached at Appendix One.

Achievements and Successes

Over the course of the 2011-2016 mandate the Committee for Employment and Learning has worked tirelessly to both scrutinise and assist the Minister for Employment and Learning and his Department. In doing this the Committee can claim a number of achievements.

During a briefing by the Minister the Committee requested that he explain a perceived lack of engagement with the Committee on the development of policy and the Minister agreed that he would consult more with the Committee at each stage of the policy development process.

The Committee has been particularly focused on the Department's new Employment Programme, Steps 2 Success. In addition the Committee noted the issues raised by a number of stakeholders about the new Programme and raised these with the Department, a fact that was acknowledged by the Minister in his statement to the Assembly on 18 June 2013 when he pointed to the "invaluable feedback" given by the Committee on the Programme.

The Committee ensured that the Department has done all it can within the limits of procurement law to guarantee that local organisations are given the chance to secure local contractors were given every chance in the Steps 2 Success procurement process. The Committee has been briefed by the 3 successful providers in each of the contract areas.

The Committee also kept itself up to date with issues for the Department emanating from the European Commission and every quarter it received a briefing from the Assembly Research and Information Service on the legislative and non-legislative issues relating to Employment and Learning coming out of Brussels. The Committee also led the way in using video conferencing in their public meetings to carry out these oral briefings at a great saving to the Assembly.

The Committee has engaged in issues regarding the European Social Fund programmes for 2007-2013 and 2014-2020 and received briefings from the Community and Voluntary Sector regarding the application process. Due to the Committee's intervention the Minister re-opened the application process which resulted in additional organisations being approved for funding than would have originally been the case.

The Committee has engaged with stakeholders and has frequently held meetings outside of Parliament Buildings in order to better engage with a broad range of organisations and individuals. The Committee is justifiably proud of the three major Inquiries it has undertaken and the impact that these have had on policy. The Committee has also provided scrutiny of two Bills during the mandate; the Work and Families Bill and the Employment Bill.

In its scrutiny of Departmental Budgets the Committee has been mindful of the difficulties of the economic climate over the period of the mandate and has worked closely with the Department to ensure that best use is made of the resources available. The Committee noted that the demand for the Department's services are

closely linked to the wider economic climate and that this puts additional strain on the Department's services just at the time when its budget was being cut.

Over the course of the mandate the Committee engaged with the Department on cuts to Higher Education and Further Education and received a number of briefings from Queen's University Belfast, Ulster University, Open University, Colleges NI and related Unions on the impact of cuts to budgets and has helped advise the Minister on options to mitigate against cuts to student places. During briefings by the Minister and his officials, the Committee received assurances that any savings to be made would be found by efficiencies within the Department and would have as little impact as possible on frontline services.



Mr Robin Swann MLA, Chairperson of the Committee for Employment and Learning welcoming attendees to the Showcase Event for the Open University in the Long Gallery, Parliament Buildings

Committee Motions

The Committee laid a number of Committee Motions in the Business Office for Plenary Debate to highlight important issues. These motions included one calling on the Minister to ensure that the implementation of the Agency Workers Directive would not have an adverse impact on the needs of workers and that the costs to businesses would be taken into account.

Other Committee motions included calling on the Minister to ensure adequate funding for Higher Education and Further Education to maintain the excellent standard of teaching and research. The Committee also laid a Motion calling for an effective and cross-departmental strategy for young people Not in Education, Employment, or Training (NEETS) and the on-going Review of Education Maintenance Allowance (EMA), in order to address the issues of record levels of youth unemployment and increasing disengagement with mainstream education.

The Committee also requested that necessary improvements were made to ensure that EMA is targeted at those in greatest need. The Committee is content that the Minister has acted on these motions and has conducted a number of reviews to address Committee concerns.

In addition, when there were issues regarding the European Social Fund (ESF) the Committee laid a Committee Motion calling on the Assembly to acknowledge the important role of the European Social Fund in delivering essential support and services to the most vulnerable people in Northern Ireland; to recognise the challenges faced by the community and voluntary sectors in the administration of the current and previous programmes; and to call on the Department to learn from its mistakes and to ensure that it works in partnership with the community and voluntary sector to deliver, efficiently and effectively, the European Social Fund programme.

All of the Committee motions laid by the Committee were carried in the Assembly.

Inquiries

Inquiry into the Dissolution of the Department for Employment and Learning and the Transfer of its Functions

The Committee's [Inquiry into the Dissolution of the Department for Employment and Learning and the Transfer of its Functions](#) aimed to establish the views of stakeholders on the proposed dissolution of the Department. The Committee produced a report on the results of its consultation which heard from a wide range of stakeholders, including Departmental staff, the universities and colleges of further education as well as business organisations, unions and voluntary and community organisations. On 1 May 2012, the Assembly debated and carried a Committee motion that called on the First Minister and deputy First Minister, when considering the transfer of the functions currently exercised by the Department to other Departments to take note of the views of key stakeholders. The Committee's Inquiry report was published on 15 May 2012.

Inquiry into Careers Education, Information, Advice and Guidance (CEIAG) in Northern Ireland

The Committee also undertook a substantial [Inquiry into Careers Education, Information, Advice and Guidance \(CEIAG\) in Northern Ireland](#) which aimed to identify the areas where the CEIAG strategy for Northern Ireland was failing to meet the needs of target groups such as school age pupils, young people, the unemployed and those living in rural and urban areas.

As part of its consultation the Committee developed an online survey of students and recently unemployed young people on their experiences of Careers Guidance. The Committee received 8428 completed responses.

The Committee's Inquiry has had a profound impact on the work of the Department. Even before the Committee finished the Inquiry the Department for Employment and Learning and the Department for Education were making changes to their careers structures in response to some the issues being highlighted by the Committee. For instance the Committee focused in on the lack of information for parents in helping their children choose career paths. In addition, the Committee questioned the online

support for making careers decisions and the Department began a review of its website.

The Committee also sought to engage with parents and raised concerns with the Department as to the lack of information received from schools, colleges and universities about what career opportunities exist for their children. The Department responded to the Committee's concerns and published a booklet for parents on careers advice for their children.

Following the publication of the report the Department for Employment and Learning and the Department for Education agreed to undertake a formal review of the careers strategy and careers provision and they used the issues raised by the Committee in its Inquiry Report to form the Review's Terms of Reference. Departmental officials briefed the Committee on the 26 February 2014 on its response to the Committee report and accepted all 25 of the Committee's recommendations and outlined its proposed actions.

Inquiry into Post Special Education Need Provision in Education, Employment and Training for those with Learning Disabilities

The third and final Inquiry undertaken by the Committee in this mandate was the [Inquiry into Post Special Education Need Provision in Education, Employment and Training for those with Learning Disabilities](#). The Committee agreed to conduct this Inquiry to address the concerns raised by the Committee and by advocates for those individuals with learning disabilities and their families, that once they leave full time education, where they have had long-term support, they find themselves with very little help or options for what they do next. The Committee critically examined post School provision in Northern Ireland, including consideration of the current policies, programmes and opportunities available in Northern Ireland, for those with learning disabilities leaving education.

The Committee wrote to key stakeholders requesting written submissions to the Inquiry. The Consultation period ended in June 2014. A total of 53 written responses were received.

The Committee also commissioned 21 research papers from the Assembly Research and Information Service on aspects of the transition process to assist it with its considerations.

Given the volume of responses and the time constraints on the Committee, inviting all respondents to Committee to provide formal evidence would have proved difficult. Therefore the Committee agreed to hold a range of events with stakeholders, parents and, most importantly with young people with learning disabilities. These are outlined below:

- 3 December 2014 - [Stakeholder Event, Mellon Country House, Omagh](#)
- 28 January 2015 - [Parents & Carers Event, Parliament Buildings, Belfast,](#)
- 4 February 2015 - [Stakeholder Event, Dunsilly, Ballymena,](#)
- 21 May 2015 - [Service Users Event South West Regional College, Enniskillen](#)
- 4 June 2015 - [Service Users Event, South Eastern Regional College, Bangor,](#)

The three large Stakeholder events were held as evidence sessions and were Hansarded.

The Committee also looked at issues raised regarding the transition planning process. The Report highlighted several concerns with the current arrangements for transition planning and the options available to those with special educational needs leaving school aged 19. These concerns were raised in the 44 recommendations present in the Report, and covered a wide range of issues including: the transition process, the scope of Further Education, a person-centred approach, progression, co-ordination, social inclusion, transport, demand, information, good practice, work experience, opportunities to work, day services for people with complex care needs, support, legislation, funding and benefits. The Committee only reported on this Inquiry towards the end of the Mandate however the Department has already begun to implement changes in light of the Committee's concerns.

Primary Legislation

The Work and Families Bill (NIA 34/11-15) was referred to the Committee on 12 May 2014 and made provisions to allow working parents the ability to manage their parental and work priorities with flexibility.

The Committee consulted on the Bill and established the impact it could have on employers. Over the 2013-14 period the Committee received two preliminary briefings on the content of the Bill. During these briefings the Committee established the impact of the Bill on employers. The Committee also ensured that the changes in requesting flexible working hours would not have a negative impact on carers.

The Committee published [a report on its scrutiny of the Work and Families Bill](#) on 8 October 2014.

The Bill received Royal Assent on 12 January 2015.

The Employment Bill (NIA 73/11-15) was referred to the Committee in accordance with Standing Order 33 on completion of the Second Stage of the Bill on 13 January 2016.

The Employment Bill makes provision for early resolution of workplace disputes and creates an assessment service. It also introduces significant reform to the law around public interest disclosures. Finally, the Bill permits the Department to deal with the provision of careers and apprenticeships and traineeships through regulations. The Committee scrutinised the Bill and liaised with the Department to strengthen clauses on careers guidance and apprenticeship and traineeship provision. The Committee also tabled two amendments to the Bill which was to introduce a statutory duty on the Department to review the operation of the early conciliation and assessment services and report on the findings. The Committee supported the Bill.

The Committee published [a report on its scrutiny of the Employment Bill](#) on 27 January 2016.

The Committee's Approach to its Work

Since the start of this mandate the Committee's approach has been to engage as widely as possible with stakeholders through a variety of methods. The Committee has hosted 50 events in Parliament building to showcase the work of our Universities and Colleges as well as the Armagh Planetarium, Social Farming and the Belfast Rotary Club Technology Tournament for school children. The Committee has ensured that it has visited all three universities and many of the campuses of the 6 further education colleges.

The Committee has held 28 meetings outside of Parliament Buildings and made 58 visits to a wide range of stakeholders.

The Committee also held a joint meeting with the Committee for Education on 29 May 2012 to discuss the Review of Teacher Education. The two Committees met to discuss issues of concern and to form a joint response on the Review being conducted by the Department of Education and the Department for Employment and Learning.

The Committee also hosted its own 'Masterchef' style event on 29 November 2011. Nine trainees from the NOW group prepared a gourmet meal, dressed tables and escorted the invited guests, including MLAs and two well-known local chefs. The NOW group, which is based in North and West Belfast, works with adults with learning difficulties to prepare them for work and provides them with skills and support to help them live independent and productive lives.



The Committee 'Masterchef' event in Parliament Buildings with the NOW group.

The Committee also hosted an event in the Long Gallery to promote the Armagh Planetarium and to explain how the science, research and development that has gone into space exploration has led to new and innovative products for everyday use.

An example of one engagement exercise on 13 November 2012, at the request of the Committee, Dr Steve Myers, Director of Accelerators and Technology at the CERN Institute, Switzerland, gave a presentation to MLAs and Assembly staff in the Senate Chamber on the discovery of the Higgs Boson particle at CERN. The Committee had invited Dr Myers, who was educated at Queen's University Belfast, to talk to the Assembly in recognition of his role in the discovery.

As a result of the event, Dr Myers invited the Committee to visit the CERN Institute to see its work. On 4 March 2013, the Committee led a delegation of representatives of the colleges and universities in Northern Ireland to CERN to build links between them and the Institute. During the 3 day visit, the delegation also visited the International Labour Organisation to discuss its work and to the University of Geneva, to look at its facilities and some of its on-going work.

The delegation was successful at building links between CERN and the Northern Ireland Colleges and Universities as was evidenced by the fact that, since the visit, the CERN road show visited Queens University, Belfast and CERN representatives including Dr Myers visited the Belfast Metropolitan College and the Ulster University Magee campus. In addition a member of the teaching staff at the Belfast Metropolitan College was awarded a place on the "Engaging Pupils in STEM – Sharing Good Practice" teachers' course at CERN.



The Committee and delegates at CERN, Switzerland.

During the application process for the ESF 2014-2020, the Committee met with large numbers of the Voluntary and Community Sector prior to engaging with the Department to discuss problems with the process.

As part of its Inquiry into post School Special Educational Need provision the Committee visited a number of Special Schools to view the excellent and inspirational work being undertaken by the students.



The Chairperson and Deputy Chairperson and Members of the Committee with representatives of the staff and parents at Glenveagh Special School, Belfast.

In addition the Committee was very impressed by the work of Social Farms in giving employment opportunities to adults with learning disabilities. The good work of social farming was outlined to the Committee during a visit to the Dolan Farm in Garrison, Enniskillen. The Committee was so impressed with social farming that it hosted an event in Parliament Buildings on 19 January 2016 to showcase the work of social farm to MLAs and Ministers.



The Committee and Social Farmers at Dolan's Farm, Garrison, Enniskillen.

Issues for the new mandate

There are a number of issues that the new Committee for the Economy should consider for the new mandate. The Department for Employment and Learning has carried out a range of reviews in this mandate and developed a number of interlinked strategies. The incoming Committee should keep these under review and ask the Department to give regular updates, including the Careers Strategy which was introduced as a vehicle for some of the Committee's Inquiry Recommendations. The Committee recommends that the Committee for the Economy takes early briefings on the following strategies:

- Preparing for Success - Careers Strategy
- Graduating to Success – Higher Education Strategy
- Generating to Success – NI Strategy for Youth Training
- Securing our Success – The NI Apprenticeship Strategy
- Pathways to Success – The NEETs Strategy
- Access to Success – The Widening Participation Strategy
- Further Education Means Success Strategy
- The Skills Strategy - 'Success through Skills - Transforming Futures'
- Success through STEM Strategy

A number of other areas for review are:

- Assured Skills Programme
- Gender Inequality
- European Social Fund Programme 2014-2020
- Part time and Postgraduate Student Finance

- Frequency of Student Support Finance
- Zero Hours Contracts
- The Big Conversation – funding for Higher Education
- Employment Tribunal Consultation
- Review of the Conduct of Employment Agencies
- The Departmental Business Plan

The Committee recommends that the Committee for the Communities takes early briefings on the following strategies:

- The Economic Inactivity Strategy
- Steps to Success programme

In addition the Committee for the Economy should receive regular briefings on the Labour Force Survey and on relevant issues coming from the European Community.

The Committee should follow up on the closing of the ESF 2007-2013 fund which was causing difficulties for some Community and Voluntary groups who were still awaiting final Payments.

The Committee for the Economy should also follow up on the issue of the requirement under ESF 2014-2020 for tutors on funded projects to achieve the Ulster University Certificate in Education. The ESF Managing Authority has since asked a number of ESF Project Promoters to work collaboratively to identify a list of specific courses / qualifications being delivered, which they consider could be exempted from a tutor holding the University of Ulster Certificate in Teaching. The Committee for the Economy should ask the Managing Authority to provide an update on this.

During briefings on the ESF 2014-2020 programme, it was noted that there were issues emerging from the requirement for participants to complete the ES1 Form and bring this to their local Jobs and Benefits Office or JobCentre. These barriers were practical, physical or psychological in nature, and served to dissuade many individuals from participating on the Programme. The Department indicated that it was putting measures in place to mitigate against this. The Committee for the Economy should therefore follow up on this issue.

The Committee would strongly recommend that during the new mandate, the new Committee for the Economy should review how Departments intend to action the recommendations emanating from the Committee Inquiry into Post Special Education Need Provision in Education, Employment and Training for those with Learning Disabilities. In addition, the Committee agreed that the Assembly should hold a plenary debate supported by a sign language interpreter and that the Committee for the Communities should bring this forward.

The committee also recommends that the Committee for the Communities receives an early briefing and continues to review the Employment Strategy for People with Disabilities.

Regarding the Budget for 2016-17, it is important that the Committee for the Economy and the Committee for the Communities note that the only opportunity for

them to influence Departmental spending will be during the June Monitoring 2016 as Ministers will have the opportunity to allocate spending as they wish.

Lastly, the Committee considered a proposal for the Statutory Paternity Pay, Statutory Adoption Pay and Statutory Shared Parental Pay (Amendment) Regulations (Northern Ireland) 2016 and was content for the Department to bring forward the Statutory Rule. This proposed SR is subject to negative resolution procedure and comes into operation on the date when reached. This Statutory Rule can be annulled by the Assembly within 30 calendar days or 10 sitting days, whichever is longer. The new Committee should note that 2 sitting days have already been used therefore the new Committee has 8 sitting days in the new mandate to annul the statutory rule if it so wished.

The Committee also produced a Report on a Legislative Consent Motion on the Enterprise Bill going through Westminster to allow for data sharing with HMRC over a levy on Employers for Apprenticeships. The Committee would recommend that the new Committee for the Economy watches closely for the outworking of the Enterprise Bill for adverse effects of this Levy on employers in Northern Ireland.

The 2015-2016 Session

During the 2015-2016 Session, the Committee had its focus on three main pieces of work. Firstly, finalising its Inquiry into Post Special Education Need Provision in Education, Employment and Training for those with Learning Disabilities. Secondly, the scrutiny of the Employment Bill. Thirdly, the Committee kept the pressure on the Department to ensure that the ESF 2014-2020 was being managed effectively.

In addition the Committee considered student finances in detail. The Committee considered the issue during a Committee meeting at Queens University Belfast on 7 October 2015 when it was briefed by Queens University Belfast and the Students Union. It also considered the matter at its meeting in Stranmillis University College on 14 October 2015 with a briefing by the Ulster University Students Union.

The Committee also considered the Department's "Big Conversation" consultation to open up the discussion about the future funding of Higher Education and engaged with the Universities on the matter.

The Committee also scrutinised how the Steps to Success programme was working during its first year of operation. The Committee visited People Plus, a contractor for the programme, in Derry/Londonderry and was briefed by People Plus at a Committee meeting held in Ulster University, Magee, Derry/Londonderry on 18 November 2015.

Appendix One

Committee for Employment and Learning

The Committee for Employment and Learning has eleven Members, including a Chairperson and Deputy Chairperson, with a quorum of five. The Membership of the Committee is as follows:

Mr Robin Swann (Chairperson)^{1 2}

Mr Thomas Buchanan (Deputy Chairman)

Mr Sydney Anderson^{3 4}

Mr Gerard Diver⁵

Mr Alex Easton⁶

Mr Phil Flanagan⁷

Mr David Hilditch⁸

Ms Anna Lo⁹

Mr Fra McCann¹⁰

Ms Bronwyn McGahan¹¹

Ms Claire Sugden¹²

¹ With effect from 19 February 2013 Mr Basil McCrea is no longer Chairperson nor a member of the Committee

² With effect from 27 February 2013 Mr Robin Swann became Chairperson of the Committee

³ With effect from 28 January 2013 Mr Alastair Ross replaced Mr George Robinson

⁴ With effect from 01 December 2014 Mr Sydney Anderson replaced Mr Alastair Ross

⁵ With effect from January 2016 Mr Gerard Diver replaced Mr Pat Ramsey

⁶ With effect from 05 October 2015 Mr Alex Easton replaced Mr William Irwin

⁷ With effect from 10 September 2012 Mr Phil Flanagan replaced Ms Michelle Gildernew

⁸ With effect from 01 October 2012 Mr David Hilditch replaced Mr Sammy Douglas

⁹ With effect from 29 September 2014 Ms Anna Lo replaced Mr Chris Lyttle

¹⁰ With effect from 06 February 2012 Mr Fra McCann replaced Mrs Sandra Overend

¹¹ With effect from 21 January 2013 Ms Bronwyn McGahan replaced Mr Barry McElduff

¹² With effect from 12 May 2014 Ms Claire Sugden replaced Mr David McClarty

Appendix Two

Committee for Employment and Learning

Committee meetings & visits

Session	Number of meetings held	Percentage minutes public / closed	Number of meetings held outside Parliament Buildings	Number of committee visits
2011/2012	37	97/3	7	12
2012/2013	30	100/0	7	12
2013/2014	28	95/5	4	14
2014/2015	32	99/1	5	14
2015/2016	22	95/5	5	6

Bills

Session	Name of Bill	Committee report (Ordered to print)
2014/2015	Work & Families Bill	24 September 2014
2015/2016	Enterprise Bill	27 January 2016

Committee Inquiries

Session	Name of report	Committee Report (ordered to print)	Date debated in Plenary (if applicable)
2011/2012	Inquiry into Dissolution of the Department for Employment and Learning and the Transfer of its Functions	15 March 2012	15 May 2012
2013/2014	Inquiry into Careers Education, Information, Advice and Guidance (CEIAG) in Northern Ireland	16 October 2014	25 November 2013
2015/2016	Inquiry into Post Special Education Need Provision in Education, Employment and Training for those with Learning Disabilities	7 February 2016	01 March 2016

Statutory Rules

Session	Number agreed by Committee
2011/2012	19
2012/2013	12
2013/2014	8
2014/2015	29
2015/2016	6

Committee Reports (excluding Bill and Inquiry reports)

Session	Name of report	Date <small>(date approved by Committee)</small>	Date debated in Plenary (if appropriate)
2012/2013	End of Session Report 12 May 2011 – 31 August 2012	12/11/2012	
2013/2014	End of Session Report 1 September 2012 - 31 August 2013	19/11/2013	
2014/2015	End of Session Report 1 September 2013 - 31 August 2014 Report on the Pension Schemes Bill Legislative Consent Motion	17/11/2014 27/11/2014	9/12/14
2015/2016	End of Session Report 2014-2015 Committee for Employment and Learning Report on its Consideration of the Legislative Consent Memorandum Concerning the Enterprise Bill (Apprenticeships – Data Sharing Provisions)	09/10/2015 02/03/2016	08 March 2016

Witnesses

Session	Number of Organisations who give evidence to the committee
2011/2012	41
2012/2013	54
2013/2014	24
2014/2015	70
2015/2016	32

Appendix Three

Committee for Employment and Learning

Expenditure for the period 1 September 2015 – 31 March 2016

Budget area	Details	Expenditure
Committee Travel - committee members and staff travel and subsistence in relation to visits and meetings outside Parliament Buildings	Includes the cost of committee visits to:	£6,149.34
Printing of committee reports	Includes the 2 Committee Inquiry Reports	£602.80
Advertising – the cost of public notices relating to committee inquiries, the committee stage of Bills and meetings held outside Parliament Buildings	Includes the cost of public notices in relation to: 3 Committee Inquiries and 2 Bills	£1,204.61
Consultancy support - the cost of specialist advisers appointed by the committee and commissioned research, also the cost of drafting Standing Orders	Specialist adviser to the Committee on its Inquiry into post Special Educational Need (SEN) Provision in education, employment and training for those with Learning Disabilities in Northern Ireland	£0
General expenses	Cost of refreshments for committee meetings, working lunches, seminars, room hire, witness expenses, gifts provided by the committee during visits and conference fees for members.	£6354.12
Total Expenditure		£14,310.87