

## MEMORANDUM OF UNDERSTANDING (MOU)

between

the Education Authority

and

the Controlled Schools' Support Council

This Memorandum of Understanding (MOU) sets out a framework for co-operation between the Education Authority (EA) and the Controlled Schools' Support Council (CSSC).

### I. Purpose & scope

The purpose of this MOU is to clearly identify the respective roles and responsibilities of each party. This MOU is not intended to be legally binding and accordingly no legal obligations or legal rights shall arise between the parties from its terms.

### II. Background

The five Education and Library Boards (ELBs) were dissolved on 31 March 2015. The Education Authority was established on 01 April 2015 and is now responsible for all of the operational functions previously carried out by the five ELB's in accordance with the Education Orders.

The Education Authority is the managing authority for Controlled Schools and its responsibilities are outlined in section III.

The Controlled Schools Support Council was established in September 2016 to provide support for controlled schools in accordance and its functions as outlined in section IV.

### III. Education Authority responsibilities

The Education Authority has responsibility for the provision of education and youth Services in Northern Ireland in accordance with the Education Act (Northern Ireland) 2014. These responsibilities include;

**Education:** School Improvement; School Governance, Professional Learning and Development; Strategic Area Planning; Community Planning; Shared Education and Community Use of Schools.

**Children and Young Peoples' Services;** Special Education Operations and Provision; Pupil Support Services; Pupil Welfare Services (including Child Protection); Youth Service and Early Years.

**Operations and Estates;** Capital Development; Estate Services and Maintenance; Energy Management and Efficiency; Health and Safety; Catering Service; Emergency Management and Planning; Free School Meals and Clothing; Transport Service; Schools Admissions; Claims and Legal and Student Finance.

**Finance;** Budgetary Control; Management Accounting; Financial Accounts; Financial Planning; LMS; Payroll and Pensions; Accounts Payable; Accounts Receivable; Cash Management; Income Generation; Reprographics; Registry and ICT.

**Human Resources;** HR Policies and Procedures; Employee Welfare; Recruitment; Employee Records; Equality Monitoring; Industrial and Employee Relations and HR Advisory Services for Schools.

#### **IV. CSSC Responsibilities under this MOU**

The functions of CSSC as agreed by the Executive include:

- providing a representational and advocacy role for controlled schools including advice and support in responding to consultation exercises in respect of education policies, initiatives and schemes and in regard to relationships with the Department, the Education Authority and other Departments;
- work with schools within the sector to develop and maintain its collective and inclusive ethos, including, where appropriate, a role in identifying, encouraging and nominating governors and ensuring that ethos is part of employment considerations;
- work with the Education Authority to enhance educational standards within the sector;
- participating in the planning of the schools estate, assessing ongoing provision within the sector; participating in area-based planning coordinated by DE and the Education Authority, including membership of the Department's area planning steering group;
- engaging, where appropriate, in strategic planning processes, including community planning; and
- building co-operation and engage with other sectors in matters of mutual interest, including the promotion of tolerance and understanding.

## **V. Terms and conditions**

It is mutually understood and agreed by and between the parties that:

1. Each party takes legal and financial responsibility for the actions of its respective employees, officers, agents, representatives and volunteers.
2. Each party, at its sole cost and expense, shall carry insurance or self-insure to cover its activities in connection with this MOU.
3. The EA and the CSSC will provide advice to each other for the purpose and scope of this MOU. Unless agreement is made to the contrary in writing, the EA and the CSSC will provide this advice at no cost. Where permitted by relevant legislation, the EA and the CSSC may, by mutual agreement, enter into arrangements to pay for advice or services from the other.

## **VI. Collaboration**

It is agreed that the EA and the CSSC should work together in the best interests of all Controlled Schools in Northern Ireland, sharing an open and transparent relationship which recognises and respects one another's roles and responsibilities. This necessarily implies ongoing dialogue and exchange of information on matters of mutual interest. This MOU will be supported by protocols which will set out respective roles for agreed areas of collaboration:

- Collaboration will at all times respect the individual responsibilities of the Education Authority and the Controlled Schools' Support Council.
- EA and CSSC will work together to facilitate the effective delivery of the functions, roles and responsibilities of each organisation.
- EA may invite the CSSC to carry out special projects, including research and evaluations, as appropriate.
- Collaboration work will be approved by the Director of Education in the Education Authority and the Chief Executive of the Controlled Schools Support Council.
- For each area of collaborative work a named officer from each organisation will be identified by the Director of Education in EA and the Chief Executive of CSSC.
- Each organisation will commit the necessary staff time/resources to enable effective collaboration.

**VII. It is mutually understood and agreed by and between the parties that:**

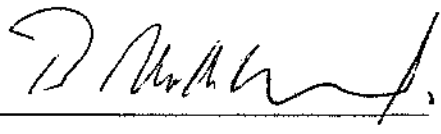
1. The EA and the CSSC will review this MOU not later than 3 years after it has been agreed.
2. This MOU will be amended as required to reflect changes in policy.
3. The agreement will be terminated upon the agreement of both parties giving 2 months' notice in writing to the other party.

**VIII. Effective date and signature**

This MOU shall be in effect upon the signature of the EA's and CSSC's authorised officials. It shall be in force from 23 November 2017.

  
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Mr Gavin Boyd, Chief Executive

5/12/17  
\_\_\_\_\_  
Date

  
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Mr Barry Mulholland, Chief Executive

5/12/17  
\_\_\_\_\_  
Date

## **Protocol outlining collaborative work between the Education Authority and the Controlled Schools' Support Council**

This protocol should be read in conjunction with the Memorandum of Understanding (MOU) which sets out a framework of co-operation between the Education Authority (EA) and the Controlled Schools' Support Council (CSSC) and the collaborative working practices which will enable both organisations to fulfil their respective functions in the interests of schools in the controlled sector.

*For the purposes of these protocols "where appropriate" relates to the functions of the CSSC as outlined in the MOU.*

### **General Principles**

The Education Authority and Controlled Schools' Support Council will:

- Seek to promote the development of constructive working relations for the mutual benefit of both organisations.
- Develop and implement arrangements for the exchange of information.
- Where appropriate ensure representatives are nominated to the structures developed by the Education Authority working in partnership with other sectors and relevant stakeholders.
- Seek to identify opportunities for shared education and, where appropriate, encourage and facilitate proposals which promote mutual respect, tolerance and understanding.
- Review these protocols on an annual basis and add or amend protocols as is deemed appropriate and through the agreement of both parties.

The Education Authority will:

- Fulfil its duties as Managing Authority for controlled schools.
- Commission CSSC to provide services where appropriate.

The Controlled Schools' Support Council will:

- Act as an advocate for the interests of controlled schools.

- Assist in the development of policy, procedure and practice through direct communications with the Department of Education and the Education Authority.
- Contribute to the implementation of the Education Authority's strategic plan where appropriate and advise and inform the Education Authority of matters relating to the interests of the controlled sector.
- Where appropriate provide constructive and informed contributions to the implementation of the Education Authority's strategic plan in support of the controlled sector.
- Provide timely, considered, evidence based responses to consultations initiated by the Education Authority.

### **School Governance**

The Education Authority and Controlled Schools' Support Council will:

- Work together with all stakeholders to support school governance.

The Education Authority will:

- Promote equality of opportunity through its employment practices, service delivery and engagement activities.
- Make provision by means of a Board of Governors to be appointed by the Board for the management of each controlled school.
- Prepare a scheme of management, to be approved by DE, outlining membership, procedure and functions of the Board of Governors of controlled schools.

The Controlled Schools' Support Council will:

- Support the Education Authority, where requested, in ensuring effective governance in controlled schools.

- Support the Education Authority to develop procedures to support governance in controlled schools.
- Work in partnership with the Education Authority to encourage, identify and nominate individuals who, in accordance with Schedule 4 of the 1986 Education Order (as amended), may be formally chosen by EA to be governors of controlled schools.
- Advise and inform the Education Authority of matters relating to the interests of the controlled sector in the development of governor training programmes.
- Contribute to and participate in the development and delivery of agreed aspects of the Education Authority's governor training programme, developing training specific to the needs of the controlled sector.
- In consultation with the Education Authority provide support, guidance and training on ethos in controlled schools, including ensuring ethos is part of employment considerations.
- Contribute to the Education Authority's review of the scheme of management for controlled schools.
- Work with the Education Authority in respect of the recruitment and training of assessors to support the appointment of principals and vice-principals, as appropriate, in controlled schools.

### **Raising Educational Standards**

The Education Authority will:

- Work with the CSSC and other stakeholder groups to implement the Programme for Government commitment that every child has the best possible start in life.
- Through the School Development Service, provide advice and support to schools across a range of school improvement functions including post inspection support and professional development.

The Controlled Schools' Support Council will:

- Contribute to the implementation of the Education Authority's Education Directorate Business Plan where appropriate.
- Provide assistance to the Education Authority in addressing under achievement and educational disadvantage in controlled schools.

- Consult with the Education Authority to inform the initiation of innovative, evidence-based projects which enhance provision and bring additionality to the controlled sector.

## **Area Planning**

The Education Authority will:

- Contribute to the development of policy and practice in relation to area planning through participation and leadership of appropriate fora.
- Produce and publish an area plan for school provision in Northern Ireland in line with the requirements of the Department of Education and the Authority's legislative requirement for securing appropriate provision for education.
- Produce the Annual Area Profile and Annual Action Plan for all schools in Northern Ireland.
- Plan for the controlled schools in relation to number, size, location and character.
- Initiate and where appropriate publish development proposals for controlled schools.
- Publish development plans for all sectors and schools in Northern Ireland.
- Provide comments to Department of Education on all development proposals.
- Investigate imaginative solutions to issues relating to school provision and present these to the local area planning groups.

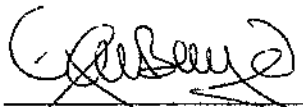
The Controlled Schools' Support Council will:

- Work in partnership with the managing authorities and other sectoral support bodies to plan school provision through active participation in the various levels of the Education Authority planning structures.
- In the development of annual area plans, advise and inform the Education Authority of matters relating to the interests of the controlled sector.
- Respond to pre-publication consultation and public consultation on development proposals relating to controlled schools and those with the potential to impact on controlled schools.
- In consultation with the Education Authority, investigate imaginative and innovative solutions to issues relating to controlled schools.



**Effective Date and Signature**

These Protocols shall be in effect upon the signature of the EA's and CSSC's authorised officials. It shall be in force from 23 November 2017.

  
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Mr Gavin Boyd, Chief Executive

  
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Mr Barry Mulholland, Chief Executive

5/12/17.

  
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Date

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