



Northern Ireland
Assembly

Committee for Education

OFFICIAL REPORT (Hansard)

COVID-19 — School Closures, Examination
Contingency and Post-primary Transfer:
Mr Peter Weir MLA, Minister of Education

13 January 2021

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Chris Lyttle (Chairperson)
Ms Karen Mullan (Deputy Chairperson)
Mr Maurice Bradley
Ms Nicola Brogan
Mr Robbie Butler
Mr William Humphrey
Mr Daniel McCrossan
Mr Justin McNulty
Mr Robin Newton

Witnesses:

Mr Weir	Minister of Education
Mr James Hutchinson	Department of Education
Mr Ricky Irwin	Department of Education
Mrs Karen McCullough	Department of Education
Mrs Janis Scallon	Department of Education

The Chairperson (Mr Lyttle): I welcome Peter Weir, Minister of Education; Ricky Irwin, the Department's inclusion and well-being director; James Hutchinson, Restart director; Janis Scallon, sustainable schools policy and planning director; and Karen McCullough, curriculum, qualifications and standards director. I advise the Minister and officials that the session will be reported by Hansard.

I invite the Minister to make an opening statement of 10 to 15 minutes. I understand, Minister, that you are available until 11:00 am, so we will hand over to you and get started.

Mr Weir (The Minister of Education): I had you on my screen a minute or two ago and, then, everyone seemed to disappear. Can you see me?

The Chairperson (Mr Lyttle): We can, yes.

Mr Weir: That is OK. I am not sure whether that is a curse or a blessing. Even though I do not have you visually in front of me, the principal thing is the audio connection. With your indulgence, I will continue.

The Chairperson (Mr Lyttle): Thank you.

Mr Weir: Thank you. I join the Chair in welcoming Aoibhinn to her new post and wishing Peter all the best in his new role in the Assembly.

Folks, thank you for inviting me to appear today. As indicated, we have representatives from the Department as well: Karen McCullough, Janis Scallon, James Hutchinson and Richard Irwin. Members will be aware that, from a departmental and Executive point of view, we have sought to prioritise education and the needs of our young people. It is worth reiterating that we have faced a situation in which, because of the public health situation, wider measures have had to be taken than any of us would have liked and that any level of disruption to educational opportunities will damage the long-term mental health of our young people. Therefore, some of the actions that have had to be taken were a last resort.

A range of measures have been undertaken in education settings, and those were outlined in statements to the Assembly on 21 December and 31 December. They followed discussions with the Department of Health, and we were cognisant that schools could not reopen as normal in January. A range of those measures are, I think, ready to be put in place. We had already given a specific direction on making face coverings compulsory in classroom settings; there has been work with the Education Authority (EA) on increased enforcement on school transport; work is ongoing with the Department of Health on widening test and trace; and there is work on improving the visibility of signage for parents. Clearly, for the most part, schools will not open to most pupils until after half term. Some work on that is ongoing, and there will be work with the EA on that.

Obviously, further announcements were made to the Ad Hoc Committee on the COVID-19 Response on 6 January. Those were agreed by the Executive, I think, on the previous day. Clearly, in those, the principal issue is a shift for mainstream education providers, from preschool through to the completion of post-primary school, to remote learning being provided at home.

On remote learning, there have been contingency plans for some time. From that perspective, at the start of this academic year, there was a requirement on all schools to ready themselves for remote learning. It has not been, if you like, simply something that has had to be stood up in a very short time. Clearly, irrespective of the wider picture with schools, a range of schools used remote learning at various stages during the first term when children had to self-isolate. In particular, all post-primary schools have been in a strong position to have that in place. Again, as was indicated — I think that you have some of the details — prior to the start of this term, the Department issued an education continuity directive, so it was, if you like, not simply an aspiration for remote learning to be used but a legal requirement of schools. We are in a better position on remote learning than some other jurisdictions. With the C2k system, we have a system that can operate throughout schools. While I appreciate that, in Northern Ireland, there will be gaps in the market because of the availability of broadband, we will make use of link officers in the Education and Training Inspectorate (ETI) to make sure that there is monitoring of remote learning.

Beyond mainstream education providers, special schools remain open, and I am sure that we will get into the detail of that. The rationale for that and why there is differentiation is that those schools care for some of the most vulnerable children, and it is vital that we continue to prioritise their education. Many families depend on special schools as their lifeline for some of the medical attention that their children receive in the schools, the educational background that simply allows them to get through the week and the fact that some children, particularly autistic children, will seek that routine in their life. Understandably, some parents of children with special needs will have a strong preference for their children to be with them at home at this difficult time. There will be no sanction or admonishment for any family that finds itself in that position. That is likely to result in reduced attendance at special schools, and we can come later to some of the work that is going on in the sector.

Vulnerable children and children of key workers will also have access to supervised learning. They are being given that opportunity to ensure that there is a level playing field, and there is very much a need for some vulnerable children, in particular, to be in school. We sent out the first survey yesterday, but, anecdotally, it is strongly anticipated that the number of children of key workers or vulnerable children who will be in school is likely to be considerably higher than it was in the first lockdown period. To some extent, that reflects the fact that the severity of the lockdown is not quite what it was in March of last year, so more people will be working. However, more specifically, it shows that there is a broader acceptance of the level of risk in schools.

It is worth reiterating that the rationale behind the closure of schools is twofold. Schools represent a relatively low risk; however, particularly during January, there was, across the board, a strong belief, which was the driver for a lot of the action that was taken by the Executive on a wide range of sectors,

that, given the high levels of coronavirus in the community, there was a need to take every step that we could to reduce the overall contact that people were having. Secondly, the R rate in schools has little to do with what happens in the classroom or the school environment, where there has been some excellent work, particularly by our education staff and our teachers to make sure that that is a very safe environment. However, a range of behavioural issues happens when schools are open. For example, parents and adults have greater freedom of manoeuvre, and they can be out more. Physically speaking, even driving their child to school and interaction will drive up the level of contact. Similarly, socialisation for many age groups increases when school is open.

Mention was made of examinations. Work has been ongoing for some time by the Council for the Curriculum, Examinations and Assessment (CCEA). We are trying to liaise with stakeholders and trade unions to make sure that we find a satisfactory point around examinations, and I hope to bring forward the detail of that by the end of the month. It is important that all our children are treated fairly. There has been one consistent theme around examinations, and it is that the benchmark by which the 2021 cohort is graded will effectively be the same as it was in 2020. Given the disruption to children, there is a realisation that, whatever exact methodology is used, we need to produce fair and comparable results for the two cohorts.

As you will be aware, childcare settings, including those based in primary schools, are to remain open. Childminders are also allowed to continue their provision. While they will be able to absorb some movement from the nursery and preschool sector, it will be a challenging time. Provision has been made and money has been found in the budget that will be made available to the childcare sector to ensure that there is protection as we move ahead. We have also found funding to ensure that free school meals will continue throughout this period.

There is also funding to ensure that there is equality with what happened before for substitute teachers, who are, effectively, losing out; the same sort of scheme as was there earlier in the year will be available to ensure that they do not fall through the cracks because of the way in which things are set up in the system.

I am sure that there is a wide range of other issues, but I am trying to keep my remarks brief at this stage. I appreciate that there is a load of issues that you will want to bring up, so I am happy to deal with whatever the Committee has in mind.

The Chairperson (Mr Lyttle): Thank you, Minister.

Pupils, staff and parents have shown amazing resilience and creativity throughout the pandemic, but it is important that we also acknowledge that, at the moment, there are pupils, staff and parents across Northern Ireland who are exhausted and concerned. Many are quite distressed about a wide range of education matters, including the safety of schools, the safety of special schools, the safety of school restart, remote learning, ICT access and exam outcomes. They are looking to you and to all of us for leadership, so — I accept this challenge myself — the tone and tenor of our exchanges today should recognise that distress and show the leadership that people are looking for.

I start by asking you to set out briefly the grounds on which you have deemed it necessary to cancel the A-level and GCSE examinations.

Mr Weir: I welcome your remarks. There is a lot of anxiety out there, and we need to do all that we can to address it. That is natural.

There are two principal drivers on the examination side of things. I have always indicated that the best-case scenario in all circumstances is that examinations take place. Two things have made that untenable. In terms of covering particular elements of the course, particularly as we look towards the June period, there is now a period of six weeks' remote learning. We hope that it will be the last period in which that has to happen, but nobody can give any level of guarantee about that; it depends on the health situation. That creates a level of disruption; it makes preparation, particularly for those June exams, extremely difficult. From that point of view, although the preparation was in place for those who were due to do the January examination series, having a situation in which one group of GCSE students who are doing, effectively, exactly the same exam — some have a choice, for instance, of whether they do it in January or June — being treated in a very different way from other pupils in their class or in the school system would be wrong.

Secondly, the overriding desire is to ensure that students in Northern Ireland are not disadvantaged. A levels, GCSEs and AS levels are national examinations that, largely speaking, take place in England,

Wales and Northern Ireland. A levels, in particular, are used, effectively, on a competitive basis with counterparts from other parts of the United Kingdom to compete for future education prospects, university and jobs. If there were a unique scenario for Northern Ireland in which students did examinations here and were then compared with students elsewhere, it would be utterly inequitable. It would also be inequitable because we have a range of students here who will be taking English board and, to some extent, Welsh board qualifications. There needs to be a situation in which there is also equity between students in Northern Ireland.

The Chairperson (Mr Lyttle): OK. When will you set out the specifics of the alternative approach to grading for those exams this year?

Mr Weir: I hope to do that by the end of the month. Work is ongoing. We want to make sure of that in terms of discussions with stakeholders etc.

Because people had to move quickly last year in the different jurisdictions, we ended up with a system that gave unfair grading to a number of individuals. That was going to be difficult no matter what the circumstances. I am determined that we learn the lessons of that and do not make that mistake again. There is a little bit longer to go before we create that level of *[Inaudible.]* As well as giving certainty to students, it is critical that we get it right as far as possible.

The Chairperson (Mr Lyttle): OK. Obviously, the other set of tests or examinations that is of significant public interest is the post-primary transfer tests.

I will briefly summarise the actions taken by the Education Committee. We wrote to all selective schools in May 2020 to ask what contingency plans they had in the event of pupils being unable to sit tests. For the record, we received few responses. In the summer, we conducted an online survey that received responses from over 8,500 people. The results are available online. The highest-scoring response from that survey was not to sit the tests and to use non-academic criteria. We asked that that survey be sent to all teachers via the C2k network, and it was not possible to do so. I do not revisit that; I just state the fact. We laid a motion, in November, calling on you to set out a contingency plan. That is the record of the actions of the Committee.

Mr Weir: I understand, yes.

The Chairperson (Mr Lyttle): To find a solution this year — I hope I do not summarise your actions incorrectly — you said that the grounds for the cancellation of the other exams are public health and disruption to school-based learning.

Mr Weir: No, I am sorry. I indicated that two things are the drivers: the preparation, particularly for June exams, via remote learning and the comparability of our qualifications in the context of the UK. Had it purely been a question of how we can do tests that are public health-compliant, that could have been done. The principal driver, rather, is the extended period of remote learning ahead of the exams.

The Chairperson (Mr Lyttle): OK. These are genuine questions, Minister. Do you not think that the public health grounds or the disruption to school-based learning that applies to A levels and GCSEs apply to post-primary transfer tests?

Mr Weir: Public health applies to everything, which is why we have consistently said that any tests have to be public health-compliant. Whether a test can go ahead, irrespective of whether it is a transfer test, a public examination or mock exams or internal transfer, the key driver is assessing whether it is public health-compliant and what the public health situation is at that time. As regards public examinations, the principal drivers are what the preparation would have been, the level of disruption as it compared to June, and the wider, national picture of comparators. Clearly, public health is in a position that, if they feel that any test or form of action is one that — can you hear me?

The Chairperson (Mr Lyttle): Yes.

Mr Weir: My computer suddenly said, "No signal", and I thought that I had disappeared from the ether.

If there is a public health call to be made, public health should make it. Irrespective of whether it is education or anything else, there is a requirement for anybody, doing any action, to be public-health-

compliant. Clearly, if public health and the Department of Health say that this or anything else cannot go ahead on public health grounds, that means that it cannot. That is very clear.

The Chairperson (Mr Lyttle): I am almost out of time, so I will put my position to you on this, Minister, and seek your response that way. It is regrettable, because, as you have said, and as everyone agrees, no one wants to see school closed or exams disrupted. However, I put it to you that the prevailing public health circumstances, the extent of the disruption to learning and the need for certainty, given the number of cancellations that have occurred, mean that you ought to use your power to extend that cancellation to post-primary transfer tests to provide a degree of certainty and work with stakeholders to bring forward alternative fair criteria for entrance to grammar schools this year.

Mr Weir: A judgement on public health circumstances is a matter where, ultimately, the call should not lie with me or with you. It lies in that broader level with public health. We have worked with a range of people, and there have been good attempts at suggestions. We will, maybe, pick this up in answer to other questions. In that context, academic selection is a legal entitlement, and I think that it is also a question of parental choice. Parents have a right to choose that, but it is also the case that, for individual schools or, indeed, for parents, it is certainly not compulsory.

Schools were asked before Christmas to start drawing up their criteria, particularly in light of a COVID situation. A letter was sent out to them earlier this week, and, in its publication on the transfer process at the beginning of February, EA will publish every school's position on criteria. There are criteria that are test-related, academic selection-related or non-academic-selection-related. There are options for schools to decide on, and, obviously, we will explore the detail of those. To some extent, it is fair to say that we have given advice to schools that they should take advice before they finalise their position. Given the year that is in it, there is no set of criteria that anybody will select that does not come with some level of risk and some level of risk of challenge from, for example, a parent.

The Chairperson (Mr Lyttle): I will finish, Minister. It would be interesting to hear your assessment of and reaction to some of the contingency criteria that are being published. I will move on.

Mr Weir: I am sure that somebody will ask that.

The Chairperson (Mr Lyttle): No problem. I will bring in the Deputy Chairperson, Karen Mullan MLA.

Ms Mullan: Thank you, Minister and everyone from the Department, for attending this morning. I echo the Chair's comments on the anxieties that are in place in our schools and our school community in these challenging times and the importance of us working together. Minister, will the Association for Quality Education (AQE) holding the test on 27 February impact on any delay of the admissions process, which has already been changed?

Mr Weir: No, I do not think that we can see any particular delay. It is important that any deadlines are met, and I think that that becomes abundantly clear. Does that potentially put any level of additional pressure on the parents going through the AQE? I think that there is something to be looked at in relation to that. On the timing of parents applying into the portal, transfer in any year, even when schools have non-academic criteria, is not a quick process. Therefore, the aim throughout this is to ensure that, in the latter stages of June, everybody receives their place. That then gives them the opportunity for some parents to appeal that on the grounds of exceptional circumstances. That happens every year. It is likely that, come what may, whatever way we land with things this year, given COVID, I anticipate that there will be a much greater number of parents appealing under exceptional circumstances, probably citing some elements of COVID. There will be, I think, a level of additional support given to the appeals process because, inevitably, whatever happens, there will be more appeals.

Ms Mullan: Minister, I have been informed that, aside from the appeals, there is a potential for more than we usually have in relation to this. I just want assurance from you today that the 20,000 pupils under your care will not be adversely affected by a private company or that our public education admission programme will not be delayed or impacted.

Mr Weir: They will not be adversely impacted by a private company. We should be in a position to move ahead. One slight level of unknown that could disrupt the system would be, for example, if someone tried to take legal action because they disagreed with what a school had done. That can

always put a spoke in the wheel. We do not know precisely, but we have a reasonable idea. As we move through the academic year, hopefully things should ease as regards COVID and we should be in a better position. No one can give an absolute guarantee, but there should not be disruption to the timetable.

Ms Mullan: Have school staff been added to the vaccine priority list? If yes, when will that roll-out start?

Mr Weir: I have written about and spoken on that. Broadly speaking, I share the views of probably most of the Committee. In the letter that I wrote to the Executive setting out the arrangements for the first part of 2021, I indicated that I would bring forward a further paper on vaccinations. There needs to be prioritisation: at the moment, that is decided by the Joint Committee on Vaccination and Immunisation (JCVI) on a UK-wide basis.

The Executive need to argue that there now needs to be a level of prioritisation. At present, we are in a roll-out in which the most vulnerable groups are likely to be covered at some stage in February. Beyond that, the timing has not been established. There appears to be some shift on a UK-wide basis to recognise the importance of education and the teaching profession. We shall have to see, but I would like to see the Executive as a whole lobbying in that UK-wide context. I suspect that we will not go on a solo run with regard to vaccination.

It is important for direct safety but also in trying to ensure continuity. The figures suggest that, be it here or in other jurisdictions, the levels of positive tests among teachers are largely the same. The big advantage of vaccination for staff would be the provision of education. It would then be able to carry on on the basis of schools being uninterrupted in what they could provide. That is not to say that we will not still have positive tests that take some students out of the equation, but, if we had teaching staff vaccinated, that would at least mean that continuity. I suspect that I am largely at one with you on that issue.

Ms Mullan: It will not be of much comfort to school staff to hear that, Minister. It will not help with their anxieties and concerns.

Special schools are fully operating. What extra resources and support have your Department and the Education Authority given to special schools since last week?

Mr Weir: There are opportunities to bid for additional finance. We have been told by the Finance Minister that he is seeking bids. It may be worthwhile to bring in Ricky Irwin, who has been dealing directly with special schools.

The issue with special schools, indeed with any school, is that there is a limit to what you can put into a school that makes a direct difference. There is not some additional measure. We are keen to work closely alongside special schools, and last Friday — this will happen on a regular basis — officials had a meeting with a number of special school principals. I will let Ricky expand on that. He can give a bit more detail.

There are not very obvious routes where some additional thing could be brought in that would help special schools more than any others. Some of the pressures will be eased. First, the level of transport requirements in mainstream education will be a lot less in the next number of weeks, so there can be a certain amount of redeployment to spread that more evenly. The number of pupils who will be coming in will also inevitably lessen. I do not think that there is a magic bullet, but, if any issue is raised that we can meet, we will. Ricky, I do not know if you want to give a wee bit of further detail on that.

Mr Ricky Irwin (Department of Education): Sure. Thanks, Minister. Can everybody hear me OK?

The Chairperson (Mr Lyttle): Yes, but I need the respondents to make their answers more concise, or we are never going to get through the questions. Thanks.

Mr Weir: Apologies, Chair.

Mr Irwin: As the Minister set out, we met the strategic leadership group for special schools on Friday past and discussed a range of issues with it. We had representatives from the EA and the Public

Health Agency (PHA) and other departmental colleagues. The group raised a range of issues around the coding of pupils, clinically extremely vulnerable pupils, transport, remote learning, vaccination, testing and meals. We worked through all those issues with it. We have committed to meeting the group on a fortnightly basis, with the same organisations involved.

We have issued updated guidance. Through the EA, the Department is also updating guidance. We have issued a contingency framework for vulnerable children and young people to all schools that provides support and guidance to schools. The most important thing that we are doing right now is providing ongoing support to all those school leaders. They have been given direct contacts in the EA to discuss any emerging operational issues that they need some assistance with.

Ms Mullan: Thank you. Finally, Chair — I will be really quick — Minister and Ricky, that meeting should have happened before Friday. It should have happened before the reopening. I understand the pressures that we are under, but we could not expect our special schools to open without that. Minister, you said that nothing will make a direct difference. I am sure that there is quite a bit that would, particularly redirecting extra staffing support because they are dealing with a lot of staff absences. It should also be ensured that health therapies and other support continue and that it is not just left to education.

Mr Weir: Ricky can correct me if I am wrong, but health therapies will continue. If any additional staffing can be put in, we will be more than happy to do that. As part of the overall package of additional COVID money that will be sought, we will look to see whether any additional staffing can be put in. The particular problem as regards special schools and staffing is that there is a specialist quality. The list from which an available substitute teacher with the required background can be drawn is not to the same extent as it is for a mainstream school. There is a much smaller group of qualified teachers on the special needs side. That means that it is not simply a question of putting in x amount extra, because there are not necessarily the people to draw in. To be fair, I did not say that there was not anything that could be done. What I am saying is that it is difficult to think of many direct additional supports, but we are certainly open. There are resources there with the COVID money. It is just that, generally speaking, there is not some additional form of protection that would be a game changer for special schools. However, if there are specific requests, we are happy to meet those, if they are practical.

Mr Newton: I thank the Minister again for attending and being generous with his time this morning. Minister, I can speak only on behalf of schools in east Belfast that I contact or that contact me. I appreciate the commitment of the people in those schools from the principals to the boards of governors and every member of their teaching staff. Minister, you are fortunate in having committed staff in the schools. The innovation that is demonstrated in many schools, which has addressed many problems, has been amazing, and we need to support them.

Minister, I want to ask about prioritisation of vaccination. You commented in the Chamber on how that comes about. If I read the minds of Committee members correctly, we would all support the prioritisation of school staff. With the Chair's indulgence, that might be a short item that we could add to the agenda on how the Committee can support the Minister in that work via the Executive.

Those are not my questions, Chair. I have three areas of questions. Is there a way of testing the effectiveness of remote learning as we go through these months and the work that is being done and the progress that pupils are making?

Much has been said about attendance at special schools, and there has been a lot of concentration on the work that is being done by the principals' leadership group in special education, which has been excellent. Is there a need to give parents the confidence that they can safely send their children to school?

My third and final question is this: on 21 December 2020, Dr Darrin Barr of AQE wrote to the Committee indicating that, on the subject of the health and well-being of any candidates attending AQE testing, it would follow all relevant and current health and safety guidance from PHA and the Department of Education. Is there ongoing contact between AQE, PHA and your Department as we work towards what has been established as the next testing date?

Mr Weir: I will touch on those points briefly. Broadly speaking, work is being done by the ETI on the monitoring of remote learning to look at what is happening on the ground and to carry out an assessment. One of the major challenges is to ensure that there is consistency across the board. The

experience of the first lockdown was a sharp learning curve. I concur with your remarks about the innovation and dedication of the workforce. For all of us who faced the scenario in the spring of last year, there was a steep learning curve, particularly with regard to remote learning, and some of the dividends of that are paying off.

I would say to parents that schools are very safe places. Nowhere is entirely risk-free, but actions were not taken on the basis of what was happening in classrooms in particular; they were taken in the wider context in which schools being open contributed to the situation.

Similarly, there is ongoing dialogue with stakeholders as regards transfer. Ultimately, it is up to the organisation concerned whether any test goes ahead — different approaches have been taken by the Post Primary Transfer Consortium (PPTC) and AQE — and it is critical that any test that goes ahead is entirely compatible with public health guidelines. Where possible, any action should always strive to go beyond the public health guidelines. There is a job of work for AQE to provide a level of reassurance to the public, part of which is what additional actions it can take. For instance, it was announced a good while ago that anybody doing the test would be sitting entirely within their own classroom bubble. If actions can be taken by AQE that go well beyond that, those should be taken.

Mr Newton: Minister, is there any direct contact between the Department and the parents of pupils at special education schools or is communication only from the school to the parents?

Mr Weir: The principal link is between the school and the parents, because there will be individual circumstances. There will be broader communications going back and forward. One of the advantages in Northern Ireland is that we are quite a contactable society. We like to think of ourselves as a very special place, but we are a very small place. There is direct contact between special schools, parents or whoever and the Department through contact with the private office or others. There is that direct flow of information. Specifically for children with particular vulnerabilities, Ricky and his team will work with Health to make sure that, beyond the special schools, we work with social services, for instance. It is important that that liaison happens on the ground for all those individual cases.

The Chairperson (Mr Lyttle): That is almost time, Robin.

Mr Newton: Thank you, Chair.

Mr McCrossan: Thank you, Minister, and I welcome you to the Committee.

Like colleagues in the Committee, we have been inundated with calls from staff and teachers from special schools that remain open. They are concerned that not enough has been done to protect them in the school environment. There has not been sufficient action by the Department to put in place the protections and resources that are necessary. It is also not clear whether any further teaching staff have been employed or what has been done to ensure that adequate social distancing is in place, given the new variant of the virus.

I will go straight to a few questions, Minister. I have asked this question before in the Chamber. Will you now, as a matter of urgency, establish a working group composed of special school principals and public health experts to examine the special circumstances that staff in special educational needs schools work in and to devise additional and improved safety measures to protect staff and pupils?

Mr Weir: Daniel, as indicated, we are meeting regularly on a structured basis with the special school principals. It is understandable that there is a high level of anxiety out there; that is shared across society. On the issue of the new variant, while there is an acceptance that it is in Northern Ireland, it is not as prevalent as anywhere else. That is why, for example, directly after Christmas or a few days ago, the R rate was sitting at 1.8 and it is now down to 1.1 or 1.2.

I highlighted that the principal constraint on whether additional staffing resources could be brought in was not finance or an unwillingness to do that. The Northern Ireland substitute teacher register has a wide pool of people who are qualified to substitute in mainstream schools. The pool is a lot smaller with those who are qualified for special schools. You cannot take somebody with general experience and throw them into a special school.

I understand the anxiety on the ground. From the point of view of distancing, if schools are to operate with social distancing, it is difficult for schools to operate at full capacity. However, I anticipate that, during lockdown, we will see a considerable reduction in the number of children going through the

gates of special schools. That will be inevitable, given that many parents will want to keep their children at home at this time, so that will ease things. In terms of a specific safety measure, I am open to any suggestion that is put in place to say, "Here is a specific safety measure". We need to get beyond the general references to, "We want sufficient put in"; we want to drill down to where people have specific suggestions. If there is something that is practical, we would be happy to take that on board and implement it. There is a problem that sometimes these things are talked about in generalities.

Mr McCrossan: I appreciate that, Minister, but I am being very specific in my point. My suggestion is that the special school principals work with the PHA experts to discuss how we can ensure that schools are safe. That is necessary. I do not think that you are doing that or have anything in place at present. As a suggestion, I strongly believe that that would be the way forward.

Mr Weir: I am sure that there is no problem in having them at the regular meetings, and I would be happy to encourage that. Ricky, I am not sure whether there has been somebody at the table during those meetings. If not, we will do what we can to ensure that somebody from the Public Health Agency is there. We have to be careful that we do not create an expectation that there is a magic bullet that will mean that there are specific measures that will elevate special schools to a different place on the level of safety compared with mainstream schools. If there was a specific measure that could be taken that would mean that there would be an additional level of safety, we would be looking to take it in all schools.

Mr Irwin: If I could confirm —.

Mr Weir: We will make sure that there is that interaction with the Public Health Agency on special schools.

Mr McCrossan: Special schools, Minister, are different in that there is a higher level of infection with their staff because they are directly exposed to vulnerable children *[Inaudible]* and social distancing.

Mr Weir: Daniel, do you have direct evidence of that? Across the board, the evidence on teachers from all sectors, whether that is primary, post-primary or whatever, suggests that the level of positive COVID tests is pretty much the same throughout the sectors. Let us not make suppositions that *[Inaudible.]*

Mr McCrossan: I appreciate that time is against us. The PHA figures show that over 70% of infections in special schools are among staff and are a great cause of concern.

Mr Weir: I have been on direct calls where the PHA has given evidence — the same has been said elsewhere — that there is a considerable level of cross-contamination of infection between adults. There is a considerable level between pupils. However, there is very little evidence and only in rare cases that there is a direct transfer between the children and staff. It is not to say that it does not happen, but it is very much the rarity in the risk to public health. The bigger issue is probably the interactions between adults and between children.

Mr McCrossan: Did the PHA specifically say that about special schools, Minister?

Mr Weir: It has said that throughout in terms of giving assurance. I was on a webinar in which a senior figure from the PHA was talking specifically about that regarding one of the school bodies. It is the same evidence as is available from the European Centre for Disease Prevention and Control (ECDC). The Scientific Advisory Group for Emergencies (SAGE) has given indications that there is no particular additional evidence of higher levels of transmission for teachers in connection to that.

We are open to practical suggestions that can provide some level of additional reassurance or protection for people. There are no obvious interventions that we can take, but, if there are any suggestions, we would be happy to implement them on that basis.

The Chairperson (Mr Lyttle): Daniel, that is your time.

Mr McCrossan: May I ask a brief question on PPE? Is that OK?

The Chairperson (Mr Lyttle): Sorry, that is your time. If there is time at the end, I will bring you back in.

Mr Butler: Minister, thank you for coming to spend some time with us today. I will devote half my time, if the Chair reminds me, to AQE, if you do not mind. However, before I get there, I would like to ask a few short questions, and I would appreciate —.

Mr Weir: To maximise your time, I will try to give short answers.

Mr Butler: OK. You made an announcement at the start of the week about further resources for schools, with more investment in Chromebooks, Wi-Fi and that type of stuff. I want to go back to the Chromebooks that have already been sourced and delivered. Has the initial batch been fully rolled out? Are there any threats to Chromebooks and that type of resource being put into the hands of those who need them, or are you confident that that has been dealt with?

Mr Weir: Look, as far as we can, we have reacted to where the demand is. Some 24,000 devices have been made available. The vast bulk of those have been asked for and received. There is a pool of between 500 to 1,000 devices that can still be drawn down, and requests are in there. Before Christmas and, indeed, in 2020, the EA started a process of procurement, with the aim of getting an extra 10,000 devices. There will be opportunities. The Finance Minister has indicated that, regardless of whether there is a rollover of COVID money, there is a pool of COVID money across the Executive that can still be spent, and he wanted bids to be in by the end of this week. As part of that, we are looking to see whether, in terms of diverting resources and bids, further bids can be made for funding for additional devices and materials. There will be additional support.

Mr Butler: My call on that is about making sure that the procedures are in place to get them distributed as fast and as fairly as possible. That is good to hear.

My next question, which is, hopefully, really simple, is about BTECs. Will BTEC exams still go ahead, or will they be treated like GCSEs and A levels?

Mr Weir: BTECs fall directly under the Department for the Economy, as do other qualifications. On a national basis, flexibility was given to the host organisations. Generally speaking, some BTECs are done through schools, but they are often done through colleges. From that point of view, there is flexibility. The detail on vocational qualifications is probably most directly related to the Department for the Economy.

To clarify an earlier point — sorry to take up your time — about meetings with special schools, the PHA is directly involved in those meetings as well. I appreciate that I did not bring in Ricky at that point. The PHA is at the table.

Mr Butler: No problem. We will not be taking that out of my time; that was Daniel's question.

Mr Weir: I understand that.

Mr Butler: I appreciate that. BTECs are being taught at mainstream schools, so I ask that you work with the Department for the Economy.

Mr Weir: I understand that. All I mean is that regulatory quality does not lie with my Department.

Mr Butler: This is a point to note rather than a question. In special needs schools, there is growing concern from those working there about the level of mitigations. You are right: it is time for all of us to stand up and try to give solutions. I will put my shoulder to the wheel on that one.

I do not often get this, but you did respond to a question that I asked this week about sub teacher payments, and it was covered today.

Chair, if it is OK, I will go on to AQE with the rest of my time.

The Chairperson (Mr Lyttle): Go ahead.

Mr Butler: Minister, you will be aware that, last week, I wrote to you and every member on the Committee with a solution. I will not waste any time, and I will not blame anybody for the situation that we are in, but I will say that our P7 pupils have been treated despicably, and a lot less consideration has been given to them than to our GCSE and A-level pupils, given that we have come up with solutions for them.

People have offered solutions and done different things. While I do not think that my solution is absolutely perfect, it is an absolutely fair and compassionate response. You talked about a health response: you will agree with me, I am sure, that there is no inequity between physical health and mental health. One of the things that everyone listening today will be aware of is the testimony of the brave P7 pupils who have been on the radio and TV to vocalise what is happening to them, the stresses that they are under and how alone they feel. I am not blaming anybody for that, because multiple stakeholders in that. I have had one response — it is a positive one — from one of the parties that sits at this table, and I will be free to share that at some stage. I want the other parties to do likewise. I have had a very favourable response from schools that I have contacted in the grammar sector. I have primary schools contacting me. I have a letter with the unions. This will take a cross-stakeholder effort. I know that it will not be easy. I have discovered that fear of litigation is probably holding everyone back. However, as you said, fear of litigation exists whether or not the test runs because it has substantively changed from what was promised. In essence, it is one exam, not three, and GL is not running because of the threats. I believe in common decency, and the threat of litigation will be mitigated if parents and pupils believe that we have done our very best, and there will be less litigation than ever. I call on those who are using that terminology at the minute to desist. If you can give some resources towards it and AQE is prepared to step up, we have the genesis of a solution for P7 pupils. We all need to remember that this is not about a test or academic selection; it is about doing our best for those P7 pupils.

Thank you, Chair, for allowing that. There was no question there, Minister.

Mr Weir: I commend you for your efforts, Robbie. I will make a couple of points. There are litigation issues that will be at different levels and that depend on what solutions are put in place. The problem with litigation is that it tends to involve relatively small numbers of people. Even if we reach a point at which 99 out of 100 people think that something is grand and do not intend to litigate, there may be problems. There are specific problems, which is why the Department has written to schools about the options that are open to them. There are three suites of options: the first option is to do the test; the second option is to use non-academic selective criteria; and the third option is to use an alternative form of selective criteria. The Department has told schools, whatever direction they take, to get legal advice because there is a level of vulnerability.

Specifically and being honest with you, there are major problems with the models that are being put forward for academic selection without the test. That is not to say that there are no problems with the test. It may be useful for me to outline those problems, Chair.

The Chairperson (Mr Lyttle): It will be useful to hear about what scoping has been done on alternative criteria as concisely as possible. Thank you, Minister.

Mr Weir: We have looked at three potential models, one of which was suggested by Robbie. We can think of three ways in which it can potentially happen. The first is, essentially, by way of cooperation with primary schools and for them to supply general information, do some form of ranking and level of assessment. Clearly, primary schools are not up for that. Some schools may be willing to do that, but other schools are not, and there is no equitable way to do it. The two main options that have been put forward are the standardised test, which is largely based around progress in English (PiE) and progress in maths (PiM), or the mock test, as it has been put.

The problem with the PiEs, PiMs and commercial standardised tests is that we know from previous surveys that about 90% of primary schools do some form of commercialised test, be it a PiE and PiM or a cognitive abilities test (CAT). That means that about 10% of primary schools do not do a test, and a number of applicants will have no data at all. Again, those who are doing tests are doing different tests, and, while they are standardised, because they are of a different nature, it is difficult to make comparisons. The biggest drawback with making comparisons using that option is that schools take different approaches to the frequency of those tests, and the tests have been disrupted by the virus. Schools are in very different places on what testing has been done. Therefore, for some schools, the last standardised test for the current cohort was, essentially, in P5. Some may well have done the test in P5 and P6, and some will have done it in P7. It is very difficult to see how commercial assessments

that are not necessarily standardised in Northern Ireland can be used. The tests are not a level playing field, and making those comparisons will create a level of vulnerability. Now, we are not saying that those tests are entirely off the table. However, there are major problems with those tests, which has been acknowledged by many in the sector.

There is probably less reassurance, certainly from the feedback that we have had, on the practice tests. Not every school does those so, again, data would be available for some students but not for others. We are talking about a competitive process. They are not done or marked in the same way. The practice tests are not necessarily of the same standard or difficulty. If you compare the results of the best test, or the two best tests, you are not necessarily comparing like with like. It is also the case, particularly as regards AQE practice papers, that they are all commercially available. There will be occasions when people have bought and done the practice tests before they are done in schools.

There are all those factors. We do not entirely rule that out, and schools have the option to do it, but it leaves us in a very difficult position in comparing pupils fairly. In that area, we would be particularly vulnerable to legal challenge. We do not rule it out for anybody but, as regards any of those routes, schools have to take advice as to how robust they are.

The Chairperson (Mr Lyttle): I genuinely say this with respect, Minister. I appreciate that you have set out your position on some of those issues. However, some of that was fairly well known. The Committee and the public hope that the Department of Education has scoped alternative criteria.

Mr Weir: We have other criteria. We write to schools with the normal list of criteria, some of which we recommend and some of which we do not. We have also made it clear that, if a school goes by non-recommended criteria, it does not have that level of indemnification.

I appreciate Robbie's efforts on the issue, but I do not think that anybody has suggested a new solution. There are advantages to certain solutions, but there are also disadvantages to every one. That includes the disadvantages in where we are with AQE; I do not deny that. My point is that there is no magic bullet solution that will be universally regarded as fair and robust. That is where the difficulty lies. The letter that has gone out to schools lists non-selective criteria that are recommended and others that are not recommended.

The Chairperson (Mr Lyttle): Clearly, we do not have the time today to discuss this properly.

Mr Weir: I understand that.

The Chairperson (Mr Lyttle): The 'New Decade, New Approach' paper came out of a number of working groups. There was a Programme for Government education working group. Minister, would you consider convening a meeting of that nature with relevant party spokespeople as a possible way to allocate adequate time to have this type of discussion? We simply do not have the time today. Can I leave that with you?

Mr Weir: I am happy with that. If we want to have lengthy discussions among the representatives of each of the parties, I am more than happy to arrange that.

The Chairperson (Mr Lyttle): That is a possible format, and our format today simply does not have adequate time. I appreciate that there will be member and public frustration with that.

Mr Weir: I also suggest that, if that meeting is held and the only people at it are school representatives, a platform for people to air their views could also be part of it.

The Chairperson (Mr Lyttle): There are other ways. We can be creative. It should have happened before now, but maybe it is not too late.

Mr Humphrey: Good morning, Minister. Thank you for your time and that of your officials. I declare an interest as a governor in two schools: Edenbrooke Primary and Belfast Model School for Girls. I start by thanking those involved in education: the principals, teachers, governors and all those who work across the education estate. This is a difficult time, and I especially thank them for their work over the last 10 months or so.

Minister, as you know, I have written to you quite extensively over the last week about special education and the concerns of special education staff. You have dealt with that, and I had answers to other questions this morning. However, I want to raise with you the issue of the Joint Committee on Vaccination and Immunisation. You have written to the Executive asking that those working in special education be given priority on the list for vaccination. I understand that the membership of the JCVI is largely made up of scientists. What input do the regional Governments in Northern Ireland and across the United Kingdom have to that?

Mr Weir: I understand that there will probably be an interface on that between the Health Ministers of the three devolved institutions and Matt Hancock. A position was taken relatively early on and, effectively, the Health Ministers' devolved responsibilities, for want of a better word, to that joint committee, I suppose with the argument that those things should not be political decisions but should be taken on the basis of a wider clinical scenario. I suspect that, if there were a united voice from the four Ministers that something needs to be done, I could only think that the Joint Committee on Vaccination and Immunisation would take note of that.

Although we are all very strongly in favour of teachers, particularly those in special schools, being vaccinated, I do not think that anyone in the sector would say that they should take priority over an 85-year-old or whatever else. I think that the window of opportunity will be when the principal most at-risk groups are out of the way. I would not necessarily say that there is a blank page on that, but I do not think that there has been a determination of precisely how things will be implemented from that point on. I do not think that I am breaching any particular Executive confidentiality, but I think that further briefings will be given by the Health Minister on the vaccination programme at tomorrow's Executive meeting. There may be opportunities to raise that again at that stage.

Mr Humphrey: OK. In your ongoing conversations with the Health Minister and the Chief Medical Officer (CMO), can I suggest that you advise the Health Minister to consider, with the Ministers from the other devolved Administrations in the UK, making approaches to the Health Secretary at a national level and put that forward? That would be very helpful.

I also welcome the commitment by you and your officials to work with those across education, including principals and the trade unions, on communication. That is hugely important. For school governors, who also have to make very difficult decisions, communication and early decisions are crucial.

If I may, I want to move on to the AQE. I have been speaking to primary and grammar school principals over the last week, and I am sure that other members have done the same. Yesterday, I received a text from a primary school principal in my constituency. It stated:

"William, I want to give you a heads-up"

— he then named a school, but I do not want to name it here —

"have released criteria that will exclude most children in our area. The criteria is against that advised by the EA and the Department of Education".

You will probably share that concern more strongly than I will, but that is a concern. I am genuinely concerned, and I welcome your comments today about working with others to get a solution. I am concerned that young people from the constituency that I represent, which is one of the most deprived constituencies in the UK, will not have the opportunity that they would have in any other year, to get a grammar school education. I know that we are in extremely difficult circumstances and that you are working hard with colleagues on that. However, all that can be done to ensure that those children get that opportunity, as you set out from a personal perspective in the Chamber last week, should be done. That is not a question; it is just a statement.

I want to finish by raising the issue of the other pandemic, which I mentioned in the debate that we had in the Chamber recently. We are all very concerned about the general mindfulness and well-being of our young people and their parents. I welcome the decision to keep special schools open. I wrote to you in particular about a young couple in my constituency who have three children with autism and the concerns that they had, and there will be many families like that across Northern Ireland. We had huge mental health issues before COVID, and I think that it is accepted across the board that those will be exacerbated and that that problem will grow. Can you assure us that, in terms of the work that you are doing with the Department of Health, the Public Health Agency, the Department for Communities, local

government and so on, everything is being done to try to minimise the effect that that will have on our young people? I am concerned that, at the far end of this, those issues, whether they are to do with A levels, AS levels or the transfer test, will affect not just young people but their parents, who are under tremendous pressure.

Mr Weir: I am happy to give that assurance. One of the very well-founded worries out there about the pandemic and some of the steps that have had to be taken in education and beyond to counteract it is the very damaging effect that they could have on people's and, particularly, children's mental health. Some of the SAGE papers that highlight concerns over transmission also highlight the fact that, if there is disruption to education, there will be a price to be paid in terms of mental health. The other thing, which is, perhaps, less obvious in certain regards, is that the pandemic creates a barrier to what level of interventions can take place. What I mean is that, for a lot of one-to-one counselling work, you can Zoom and do things of that nature, but that is not the same as someone being physically in the same room and having very close contact with whomever is counselling or helping them. That is certainly an additional barrier in the short term. All of that is, frankly, very worrying for all of us.

The Chairperson (Mr Lyttle): That is time, William. Thanks very much indeed.

Ms Brogan: Minister, thank you for coming in front of the Committee this morning. As you mentioned, higher numbers of vulnerable children and children of key workers are attending school this time round. What extra support and resources have been given to deliver a better quality of learning in school and remote learning and to help to manage staff absence?

Mr Weir: With staff absences, we have worked consistently as part of the COVID bids, to have clear levels of substitute cover. The Finance Minister has made clear that, across the board, there is a pot of money that can be directly drawn down for COVID. He is hoping to do a COVID monitoring round, if I can put it that way, very shortly. As part of that, we are finalising bids that would provide additional resources for extra staffing cover.

From that point of view, direct provision in school should match what is there for children outside school. Yesterday, the first school attendance surveys were done. I have yet to see the results. Those will be done regularly. Anecdotally, it is clear that considerably more vulnerable and key worker children are directly in school buildings than were there in the first lockdown. I think that, in the first lockdown, there was such a climate of fear that the number was minimal. This time round, it will be considerably higher, which is a good thing. We will make bids to the Finance Minister for additional resources. Although I cannot give a guarantee, I think that there is a willingness from him to meet the changed circumstances, and I think that all those things adapt to the circumstances that are prevalent.

Ms Brogan: You mentioned support for children who are not at school and are receiving education by remote learning. I have been contacted by people who are concerned about the quality of the remote learning. You mentioned the role of the Education and Training Inspectorate: can you provide detail to us about the direction that your Department has given on that and how you are ensuring equality of education for every child?

Mr Weir: The ETI and the EA provide link officers for each school. In part, their role is to monitor and to see how things are going with remote learning. Specific complaints can be brought to the Department, and we can ensure that those are dealt with directly on the ground.

We are trying to make sure that remote learning remains of the highest quality, as it has been, through continuity directives that mean that it has now become a requirement. Additionally, considerable work has been done on remote learning. However, when dealing with more than 300,000 children, it is difficult to get to a situation where it is entirely uniform across the piece; sometimes, the quality of remote learning may differ even within a school. The other factor is that families' expectations of remote learning may differ.

The other drawback with remote learning is that, no matter how brilliantly it is delivered, it is still not the same as direct face-to-face teaching. It is not just about the material or the actions that are taken. Largely speaking, children develop more and respond more when in a classroom setting than when at home, and it is impossible to overcome that barrier entirely. It is about trying to minimise that gap, rather than saying that anything that can be done will be of the same standard and have the same effect as direct face-to-face teaching.

Ms Brogan: I agree with you that it can be difficult to ensure that equality, but it is our role to bring that to your attention and your role to ensure that we deliver it as much as we can.

Mr Weir: Everything will be done, Nicola, to ensure that that is the case. I will not pretend that we will reach a situation where everything will be perfect on that front, but we need to make every effort to do our best.

Ms Brogan: Thank you, Minister.

Mr McNulty: Minister, how many children are in school today?

Mr Weir: I do not have the figures. We put out a survey yesterday, and we are trying to collate that information. It is clear from the responses that we have that there are considerably more than during the first lockdown. Once the survey information is collated, we can provide that to the Committee.

Mr McNulty: How many children are in special schools today, Minister?

Mr Weir: Again, once the information is collated, we will get that to you.

Mr McNulty: Minister, are you telling me that, as a constituency MLA, I have more data on how many children are in mainstream schools and how many children are in special schools than you, the Minister of Education?

Mr Weir: I could never aspire to your level of wisdom, Mr McNulty.

Mr McNulty: Now, listen: do not make a mockery of this, Minister. This is not a joking matter.

Mr Weir: Here is the thing, Justin: we have put out surveys and await that information. There is no point in producing something that is inaccurate. We will get the data directly to the Committee as soon as we have it.

Mr McNulty: Are you aware of what is going on in special schools across the North today? Are you aware of the pressure that teachers are under? Are you aware of the efforts that parents are making to make sure that their children are safe and provided for? Are you aware of what is going on on the ground in schools today?

Mr Weir: We are liaising closely with special schools. It is a difficult time for everyone, but there is a clear need for those schools to be open, particularly for the many parents who need that help. As I indicated, if there are any resource issues or any specific suggestions, we will take those on board and implement them, but there is no perfect or golden solution that can transform the position and give some additional layer of safety that is beyond what is there at present. However, if there are any specific suggestions, we will be happy to take those on board.

Mr McNulty: Minister, I am really angry. I do not think that there has been any recognition from your Department that special schools are different. Teachers in special schools are different. They are being treated like teachers in mainstream schools. Whilst the level of provision in mainstream schools is extraordinary, special schools are different. Not enough PPE has been provided, and the mitigations put in place for those teachers are not enough. Those teachers are fearful.

Mr Weir: We have followed the guidance from the Public Health Agency on PPE. Where it has suggested what needs to happen in educational settings, those suggestions have been fully followed. If you are talking about face coverings, it has been made clear from day one, and I reiterate it today, that it is entirely permissible for any staff member or child to wear one. The Public Health Agency has never recommended, at any stage, outside of where some form of specialist health action needs to be taken for a child, that teachers should wear full PPE in any setting, whether in special schools or whatever.

Mr McNulty: I am sorry; I will stop you there. Special school teachers do not feel safe. The provision of PPE is such that they do not feel safe.

Mr Weir: I want to clarify that, Justin. Sometimes, when people talk about PPE, there is not necessarily a common understanding. Are you talking about face coverings or the full gowns that you would find, broadly speaking, in a hospital setting?

Mr McNulty: Social distancing is not practical and cannot be practised in special school settings where there is physical education as well as academic education, as you know. There is a huge physical education element in special schools.

Mr Weir: I understand that, Justin. However, if we are saying, first, that we need to follow entirely the Public Health Agency guidance on those issues, we also need to find solutions to any problems. If schools are to be open for everyone, the two-metre social-distancing rule cannot be applied. To some extent, that problem will be eased by the fact that, across the board, there will be parents who, for very good reasons on their part, will say that they are not comfortable with their child being in school at the moment. That is perfectly fair in the current circumstances. Any practical action that can be taken is being taken.

As I indicated when I mentioned the meeting with special schools, the Public Health Agency was directly involved in that and will continue to be involved. Where there are any recommendations or suggestions from the PHA that would be of benefit to special schools or, indeed, mainstream schools, we will follow them entirely.

Mr McNulty: I know of one special school that has 90 of 140 pupils in class, with 38 staff missing from a cohort of 100. How on earth do you expect that school to operate when it cannot get access to substitute teachers? They are scared, worried and frightened. Another school has 40% of its staff absent. The headmistress has told me that staff are dropping like flies, and the school cannot get access to substitute teachers.

Mr Weir: Substitute teachers will be provided where possible. There is a restriction because of the number of people who are available — people who are qualified and trained and who have chosen to go down that route. The numbers are smaller than in mainstream settings where there is more flexibility and adaptability. There are people in those settings who can move into different scenarios, whereas, in special education, they have to have specialist qualifications. I will bring Ricky in to talk about some of the detail of the safety issues.

Mr Irwin: Some of the issues raised have been very clearly articulated to us by the unions and the school principals. We have a PHA rep in those meetings and will continue to do that. We have said to school leaders that they have operational discretion in making some difficult decisions on maintaining safety in their schools. We understand that there is an issue of access to staffing. We have said very clearly to them that, where they are faced with making difficult decisions about the level of provision, they should, in the first instance, engage very closely with their exceptional teaching arrangements (ETA) support officers, who will assist them as best they can. We are also asking that they work closely with the parents who are affected by those decisions and, of course, that they work, if necessary, with the health and social care representatives who are supporting some of those pupils. We are very aware of the issues being raised and are trying to support schools as best we can.

The Chairperson (Mr Lyttle): Very briefly, Justin.

Mr McNulty: I am saying frankly to you, Ricky, and to the Minister, that special schools do not feel that you are aware of what is going on there. Schools, parents and teachers are pulling together to do their best for the kids and are working things out as best they can, but they are on their knees. They do not feel that they have had support from the Minister or the Department, and they are really frightened.

The Chairperson (Mr Lyttle): Justin, really briefly. *[Interruption.]* I am sorry; just let me come in there.

Mr Weir: There are lots of mixed views out there.

The Chairperson (Mr Lyttle): Minister —

Mr Weir: A lot of people have contacted me saying that —

The Chairperson (Mr Lyttle): Minister, can you hear me OK?

Mr Weir: — now that a position has been taken of keeping special schools open, we need to ensure that that is the case. Do not always assume that there is a uniform view out there on any issue, because there is not.

Mr McNulty: I fully agree that special schools should be open. I am just saying that they do not feel that they have had the support or the provision of information that they need.

Mr Weir: Again, if there are specific suggestions, rather than generic issues, we will be happy to take those on board from anyone, whether it is *[Inaudible.]*

Mr McNulty: We are going past the time for most of those suggestions. You should know, Minister, what they are experiencing.

Mr Weir: You say that we are "past the time" for suggestions. Does that mean that, if somebody comes forward suggesting, "Here is a way that you can improve things", we should ignore it?

Mr McNulty: Minister, I cannot believe that, at this point, you are asking me for suggestions about what should be done. I cannot believe that.

Mr Weir: No. The point that I am making, Justin, is that it is very easy simply to make generic criticisms and not put forward specific suggestions. I will not be entirely at one, for example, with the —

Mr McNulty: Access to staff and PPE are two separate things, Minister.

Mr Weir: — *[Inaudible.]*

Mr McNulty: Access to staff and PPE are two separate things.

Mr Weir: As I have explained, there is a limit to what can be provided for staff. I am happy to provide what I can.

There is a limit to the number of people who can physically be there. You cannot just pull somebody off the street and put them into a special school. You cannot just pull in other teachers who have no experience and put them into a special school.

On PPE, if we are talking about the full gear that is worn in, for example, a hospital or care setting, we will follow entirely the Public Health Agency advice. Those are the people who make the judgement call on that, and if provision needs to be made, that will be made. However, if they are saying that they do not recommend something, frankly, we have to go with their professional judgement on that.

Mr McNulty: OK, Minister. I have one final point. Indulge me, please, Chair.

The Chairperson (Mr Lyttle): Justin, I will let you ask the question. I just want to supplement one that you asked directly to Ricky. That is all that I was trying to do. Ricky referred to "difficult decisions": what did you mean by that?

Mr Irwin: That relates to a school not having full access to the staff needed and considering what options it has for its level of provision during the week. Some schools have looked at cohorts being in on certain days or in the mornings. We are asking those school leaders to work closely with the EA and Health and Social Care (HSC) staff to support them in making those decisions so that the impact on children can be minimised. Those are the difficult decisions that I am referring to.

The Chairperson (Mr Lyttle): Do you think that there are some situations in which the circumstances faced by a special school might require it to adjust its hours?

Mr Irwin: We know that some schools are looking at those options. However, the position changes daily and depends on the level of staffing that they have access to. Some schools are considering that, yes.

The Chairperson (Mr Lyttle): We are tight for time. I want to let Justin back in, and Maurice has the final question. However, it is significant that the Department of Education is acknowledging that the situation for special schools is so challenging that full opening and normal operation may have to be reconsidered. That is what I take from that, although I do not think that the Minister said something like that today.

Mr Weir: No. I certainly acknowledge that things are very challenging. There may be individual cases where there may have to be a limit to what is practically deliverable. The aim is to have special schools as open as possible all the time. However, there is a recognition that, at some points, there may be practical constraints that mean that that cannot be 100% delivered. We are saying that schools need to engage and work with the EA to ensure that, if there is to be disruption, it is kept to a minimum.

The Chairperson (Mr Lyttle): Minister, after a final — concise — question from Justin, I will go to Maurice. I am doing my best to keep to the time that you have.

Mr McNulty: It is extraordinary the lengths that special school teachers, staff and parents are going to to ensure that their kids are looked after. It is extraordinary and unbelievable. Well done to them all.

Yesterday, I got a message from the principal of a mainstream school. He said:

"It is a privilege to be in a position to help families who genuinely need our help by providing supervision of key workers' children and for those pupils who are vulnerable. It is inspirational to work with colleagues who have excelled in providing online and remote teaching, guidance and comfort to the spectacular number of families who have engaged with us. It has been extremely informative to see the performance and data that was accumulated prior to Christmas, which revealed a high level of achievement in numeracy and literacy, coupled with a recording of much higher levels of emotional [Inaudible] amongst our SEN pupils".

I am torn. I can say, "Well done, teachers. You are wonderful", but that is patronising. It is patronising of us to sit round the Committee table and say, "Well done, teachers. Thank you. You're wonderful", when teachers are frightened and feel that they are being treated like second-class citizens. They feel that their profession is no longer being treated as a profession. They are sick of hearing on the BBC and Twitter what will happen to them, and they are sick of the last-minute approach to their everyday lives. How long will that continue for, Minister? For how much longer will teachers have to find out information via media and social media? How much longer will that go on for teachers?

Mr Weir: That is an entirely valid criticism on the part of teachers. I will give you an example. Last week, I brought forward something [Inaudible] examinations. I cannot make that public until it is brought to the Assembly, yet, within minutes of it being sent to the Assembly and to the elected representatives and others who were there, it was on the media. Similarly, there is frustration that, often, when we are sitting in Executive meetings, there are leaks and the media have almost verbatim coverage of what is happening, which is supposed to be confidential. The protocols are such that things have to be announced directly to the Assembly, the Executive or whatever, but, sometimes, things are simply made public. I entirely understand that.

Mr McNulty: Minister, are you saying that the Executive is not a tight ship?

Mr Weir: There have been a number of occasions. If you go on to Twitter, you will see that, fairly frequently, things that are being said at an Executive meeting are leaked, at that time, to the press. Shame on whoever is doing that, rather than respecting confidentiality.

The Chairperson (Mr Lyttle): OK.

Mr Weir: I can understand entirely the position of teachers and staff on that.

The Chairperson (Mr Lyttle): We are straying slightly, and we are out of time, Justin. Thank you.

Mr M Bradley: Thanks very much to the Minister and his team for giving their time so freely this morning. It has been a very interesting debate so far. Minister, I want to take you back to your opening remarks about face coverings in the classroom. A fair number of parents have contacted me about that, saying that they feel that it will be damaging to pupils' health. They say that wearing the same

mask for long periods will trap moisture in the coverings and provide the possibility of further complications, especially in children who may already have respiratory conditions. Can that directive be relaxed, or can your Department work with the Health Department to lessen the impact of wearing face coverings in the classroom?

Mr Weir: Anything that we have suggested has been with the support and imprimatur of public health, among others. As with other regulations on face coverings, we appreciate that some people, although not in every medical case, will have a reason why it is impossible for them to wear a face covering for a lengthy period. That applies in work situations or whatever. Clearly, where there are medical exemptions, there will be full or partial exemptions from wearing a face covering. There may well be public concerns over masks that are not necessarily borne out by medical facts. However, where there is a legitimate reason — physical or psychological — why someone cannot wear one, there will be exemptions. We will always work with the Health Department on that. There is broad consensus across society that, if more face coverings are worn, that can play a role in combating the spread of COVID. A point that will be made on the medical side is that doing so cannot simply be a crutch and that, whether it is in the school setting or somewhere else, someone wearing a face covering does not create a level of immunity whereby all the other possible measures, particularly around hygiene, can be ignored.

Mr M Bradley: Thanks for that, Minister. It is a wee bit much to expect children to wear masks all the time. However, I am sure that you will work to help to protect them and remedy that.

Minister, pupils, including those needing grades for university places, were hoping to complete resits this year. Those resits will not go ahead. A lot of hard work and preparation has been done for those important exams. Children have doubled their efforts to get the grades needed to secure a place at university on a course of their choice. What method of marking will be in place for pupils who were hoping to complete resits? It applies also to GCSEs.

Mr Weir: Maurice, those will be some of the factors when it comes to the overall announcements on the examination replacements. That is why I have consistently said that the ideal situation is that examinations take place. On the decisions that can be taken, yes, a lot of students will say, "Actually, we are very relieved that the examinations are not taking place, given the level of stress". However, we have also had feedback from a large cohort of students who would quite like to have taken the examinations. There is a concern that the preparation work that students have done will not directly translate into those examinations, but that preparation work will not be wasted and will be able to factored in when any grading system is put in place.

The same applies, to some extent, to face coverings. There is a range of things that would not be done, or even contemplated, in normal circumstances, but it is all about what is needed to combat COVID. As I said, a range of things is not, broadly speaking, advantageous from a non-COVID point of view but has had, and will have, to be done. All of us would share the view, whether it is in education or otherwise, that, the sooner that we can move safely to being closer to normality, the better it will be for everybody.

Mr M Bradley: OK, Minister. Finally, will the Department look at setting some sort of mini examinations, as were announced across the water recently?

Mr Weir: We will come forward with overall proposals. Wales's proposals for some form of assessment were very much disrupted by the wider lockdown announcement. I will bring forward proposals, but I do not want to have a situation where, effectively, we have exams, more or less, just under a different name. We have to be clear and straightforward with people.

Mr M Bradley: OK. Thanks, Minister.

The Chairperson (Mr Lyttle): Minister, may I ask a process question that I did not quite get to draw out? Section 38 of the Coronavirus Act 2020 gives you fairly wide and sweeping powers to direct all or specified schools to take particular steps, as well as the power to direct education provision. Is it your understanding that that, effectively, gives you power to direct the cancellation of transfer tests and direct the use of alternative criteria? Is that your understanding of that from a process point of view?

Mr Weir: Further direct legal advice could be got on that from a process point of view. My position is that parental choice needs to be honoured. Just this week, we have sent different ranges of criteria out

to schools, and it will be the schools that decide. It would go very much against the spirit of wider legislation to say that action will be taken that would, for instance, potentially take academic selection off the table.

The Chairperson (Mr Lyttle): I appreciate that position. The alternative criteria that you directed could include an element of academic selection. I am trying to establish whether section 38(3) of the Coronavirus Act gives you wide powers to direct all or specified schools to take a particular action. Is it your understanding that that would extend to directing all or specified schools not to use tests and to use alternative criteria that could —

Mr Weir: I think —

The Chairperson (Mr Lyttle): — sorry, I will just finish, Minister — that could include academic-based criteria? That power is available to you.

Mr Weir: Again, that may be considered an abuse of process, considering that the right to academic selection is enshrined in law. The approach that has been consistently taken is the same as with other aspects of schools, which is, where possible, nor to direct or enforce. Having a level of parental choice is important, and, if there is a situation in which, from a public health point of view, something cannot go ahead, that, ultimately, is the professional judgement of those in public health, and it will be honoured. I will not step in to create a situation that is outside of that and which means a specific denial of parental choice. I understand the point that you are making about process.

The Chairperson (Mr Lyttle): I have tried to maintain a good level of exchange with you today.

Mr Weir: I appreciate that, yes.

The Chairperson (Mr Lyttle): On your desire to maintain your understanding of parental choice, that is gone. The situation at the moment is not the normal situation, which affects your understanding of what normally happens to allocate parental choice.

Mr Weir: It is not the normal situation, but it is important that parental choice, as much as possible, is maintained. The point that I make is that, if something cannot happen because of public health considerations, the only people who can declare that to be the case are in the Department of Health. People will do a range of activities throughout society, and the key driver is that those activities are public health-compliant.

The Chairperson (Mr Lyttle): Briefly, I would like to clarify what I mean about your understanding of parental choice no longer existing in this year. Multiple schools have decided not to use tests and to use their own admissions criteria instead. Would it not be more consistent to use an alternative and agreed set of contingency criteria?

Mr Weir: The point that I make is that it is entirely the choice of a school, within the broad legal permitted limits of what they can do. There are certain things that schools could not do on criteria and which they would never seek to do. Within that, there is a level of choice. As we saw towards the end of last year, a number of schools have decided not to use particular criteria for one year. Legally, that is entirely their opportunity, and I am not trying to prevent any school from doing that. Equally, if it is permitted within public health and a school wants to use particular criteria, they are legally entitled to do that. As I indicated, there are major problems with any form of alternative academic selection. That is not to say that it is ruled out, but there are very major problems with robustness, fairness and comparability, which may leave schools in an incredibly difficult position.

The Chairperson (Mr Lyttle): In closing, Minister, you will accept that there are pupils, parents and teachers across Northern Ireland who are the end of their resilience in relation to the issues being scoped and concluded on, yes?

Mr Weir: From that point of view, I do not think that a great deal has changed. As part of the scoping exercise, I aim to provide information to the Executive on those issues. With the best will in the world, the constraints are largely the constraints that were there six months ago or before, and they relate to the advantages or flaws of alternatives. There are levels of frustration in different directions. Clearly, there is frustration among the many parents who wanted tests to go ahead as scheduled in January. There is a wide range of views out there, but I entirely accept that there are high levels of frustration,

which is very understandable. Frankly, any parent looking at the potential future of their child will, of course, have a high level of frustration and anxiety in these difficult times.

The Chairperson (Mr Lyttle): Minister, as you can see, we simply do not have the time to cover all of the issues in the detail that you or we would wish. Hopefully, we will see you at the Committee again soon.

Mr Weir: I will be more than happy to facilitate something with the spokespeople of the main parties.

The Chairperson (Mr Lyttle): Yes, and, as I said, hopefully, we will see you at the Committee again soon. A wide range of issues needs ongoing responses.

Mr Weir: If I am not available at any time, my officials will be there.

The Chairperson (Mr Lyttle): Thank you, Minister.

Mr Weir: Thank you.