

DÁIL ÉIREANN

AN COMHCHOISTE UM OIDEACHAS AGUS COIMIRCE SHÓISIALACH

JOINT COMMITTEE ON EDUCATION AND SOCIAL PROTECTION

Dé Céadaoin, 18 Meitheamh 2014

Wednesday, 18 June 2014

The Joint Committee met at 1 p.m.

MEMBERS PRESENT:

Deputy Ray Butler,	Senator Marie Moloney,
Deputy Jim Daly,	Senator Mary Moran,
Deputy Brendan Griffin,	Senator Hildegarde Naughton,
Deputy Derek Keating,	Senator Marie-Louise O'Donnell.
Deputy Charlie McConalogue,	
Deputy Jonathan O'Brien,	
Deputy Aengus Ó Snodaigh,	
Deputy Brendan Ryan,	

In attendance: Deputy Michael Connaughton.

DEPUTY JOANNA TUFFY IN THE CHAIR.

Business of Joint Committee.

Chairman: At the request of the broadcasting service, members are requested to either switch off their mobile phones completely or to put them on flight or safe mode. If one puts one's phone into flight mode, one is not obliged to switch it off. In accordance with the standard procedures agreed by the Committee on Procedure and Privileges for paperless committees, all documentation for this meeting - including a paper on school amalgamation prepared by the Library and Research Service and a policy brief prepared by the clerk - was circulated to members on the documents database. We will now go into private session to deal with the minutes of our previous meeting and other matters.

The joint committee went into private session at 1.05 p.m. and resumed in public session at 1.25 p.m.

Possible Reconfiguration of Schools: Edmund Rice Schools Trust

Chairman: The topic we are discussing is the future provision of education in schools for which the Edmund Rice Schools Trust has responsibility and the possible reconfiguration of schools that may result in proposals for the opening, closure or amalgamation of schools.

By virtue of section 17(2)(l) of the Defamation Act 2009, witnesses are protected by absolute privilege in respect of their evidence to this committee. If you are directed by the committee to cease giving evidence in relation to a particular matter and you continue to do so, you are entitled thereafter only to a qualified privilege in respect of your evidence. You are directed that only evidence connected with the subject matter of these proceedings is to be given and you are asked to respect the parliamentary practice to the effect that, where possible, you should not criticise or make charges against any persons or entity by name or in such a way as to make him, her or it identifiable. The opening statements you have submitted will be published on the committee website after this meeting. Members are reminded of a long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the House, or any official by name in such a way as to make him or her identifiable.

I remind the witnesses and those in the Gallery that we are requested by the broadcasting and recording services to turn off our mobile phones or to put them on airplane, safe or flight mode as otherwise they will interfere with the recording.

In recent times concern has arisen on the part of pupils, parents, teachers and communities over plans to open, close or amalgamate schools in a number of locations, including in Cork and Dublin. The reasons for these plans are varied, including the numbers of enrolments, duplication of facilities and moves to divest responsibility for schools or to have a greater range of patrons. We will look at this next week when representatives of the Archdiocese of Dublin have been invited in. I advise the representatives of the Edmund Rice Schools Trust that this is part of an ongoing review of the issue. To assist our committee to consider the concerns that arise I am pleased to welcome the representatives of the Edmund Rice Schools Trust: Mr. Patrick B. Diggins, chairperson of directors; Mr. Gerry Bennett, chief executive; Ms Louise Callaghan; Mr. Tony McCann; and Ms Helen O'Brien. I invite Mr. Bennett to make his presentation.

Mr. Gerry Bennett: I will introduce our team present. Mr. Patrick B. Diggins is the chairperson of the Edmund Rice Schools Trust. Three members of the executive are here: Ms Louise

Callaghan, Ms Helen O'Brien and Mr. Tony McCann. I work as the chief executive of the Edmund Rice Schools Trust. We are delighted to be here and we would be most willing to provide the committee with any assistance we can.

The Edmund Rice Schools Trust has responsibility for 96 schools, secondary and primary, in the Republic of Ireland. The trust advises and supports its schools and their students, teachers, principals and voluntary boards of management, members, directors and staff in line with our charter. We have copies to the charter and would like to distribute them.

Chairman: I believe we already have them.

Mr. Gerry Bennett: We have hard copies here if anybody needs them.

We were set up as an independent, professional trust in 2008, taking responsibility for these schools from the Christian Brothers. The new trust was established in May 2008 and on 1 September 2008 it became operational.

The Edmund Rice primary and secondary schools are Catholic schools whose unique characteristic spirit is expressed in the Edmund Rice Schools Trust charter. The role of the trust is to uphold our ethos and provide Catholic education in the spirit of Edmund Rice for the people of Ireland. Our schools are open and inclusive; many are DEIS schools and are committed to serving the communities in which they are located.

I will first deal with primary schools and the role of trustees and patron under the Education Act. The legal role of the patron is set out in section 8 of the Education Act 1998. The patron appoints the board of management which manages the school on his behalf. In the case of the majority of primary Catholic schools and parish schools, the patron is the local bishop. The patron of our 34 primary national schools in the Edmund Rice Schools Trust is the local bishop and not the trust.

As trustees of the primary schools, our role mainly relates to ownership of the schools and to the characteristic spirit, that is Catholic education in the Edmund Rice tradition. The patron has a legal role which includes the appointment of the board of management, the determining of the future status of a school, including deciding if it is to become co-educational, single-sex, to amalgamate with other schools, close, etc. All such decisions are carried out after full consultation at local, trustee and patron level and with the final agreement of the Minister for Education and Skills.

The Edmund Rice Schools Trust is a trustee of 34 primary schools but patron of none. Therefore, it does not make decisions in respect of the future of any of the 34 primary national recognised schools under the Act. The patron alone has the power to appoint and dissolve the board and to determine the status of a school and approve the appointment of the principal. As primary trustees, we hold none of the functions of patron as outlined in the Act.

On ownership of primary school property, most of our primary school properties are owned by the Edmund Rice Schools Trust and subject to vesting leases. The leases, as with any other school vesting lease, are in standard terms, and essentially comprise the Minister's security in respect of grant moneys provided for capital grants to the school. As per the charitable objects set out in our memorandum and articles of association, ERST seeks to ensure and foster the advancement of education and to further the aims and purposes of Catholic education in the Edmund Rice tradition in colleges, schools and other educational projects in Ireland and, generally, to further the interests of Catholic education in Ireland and around the world. There-

fore, any property transactions must be in furtherance of the main objects of the Edmund Rice Schools Trust. Further, ERST is obliged to apply all of its assets, including any real property such as school sites, and also other property, including the proceeds of the sale of school sites, towards its objects. The disposal of ERST property is currently subject to the regulations of the charity commissioners, who require that any disposal of charitable property be at market value.

On the role of ERST in relation to its 60 voluntary secondary schools, patronage structures are similar to primary schools, but the trust is the patron, as outlined in section 8 of the Education Act, of our 60 secondary schools. The Trust appoints the board, makes decisions on the future of schools and is responsible for the characteristic spirit, finance and property of the schools. Decisions on the future of a school are made following a process of consultation at local level, with other trustees, diocesan offices and the Department of Education and Skills. Many of our second level schools are currently oversubscribed. We have a number of DEIS schools, which provide a unique service to the communities where many young people are vulnerable, disaffected and in need of specialist support. Our schools provide examples of best practice in educational provision, attendance strategies and advocacy for those who are marginalised. Parents of approximately 36,000 students choose our schools.

The Edmund Rice Schools Trust provides a network of support for all its school communities. Examples of best practice are shared, newly appointed principals and deputies are mentored and boards of management are provided with ongoing advice and support. In the norm, our schools are managed by an eight-person board of management which carries out dedicated work on behalf of the trustees, with reference to the legal requirements and in the service of their school community in a voluntary capacity. The trust is served on its boards of management by a unique group of skilled management personnel, past pupils, parents and teachers. It is our belief that the sacrifices made by these volunteers should be properly acknowledged, valued and affirmed in more practical ways by the Department and Education and Skills and society as a whole. We can never afford to take these volunteers who manage our schools for granted. The trust has a major role in sourcing board members, training them for office and building a strong network among all those associated with or involved in our schools.

An area of concern for ERST is funding into the future for secondary schools. The State contributes less to children in voluntary schools than it does to those in VEC schools or community or comprehensive schools. In 2013, the Economic and Social Research Institute, ESRI, produced a substantial report entitled Governance and Funding of Voluntary Secondary Schools in Ireland. This report advised that in 2011-2012 there were 722 second level schools in Ireland, catering for 359,047 students. Of these, 52% were voluntary secondary schools, 35% were vocational schools and 13% were community or comprehensive schools. The ESRI findings indicate a disparity in the funds available to and the costs to be covered by voluntary, vocational and community or comprehensive schools. It is clear that voluntary secondary schools receive a significantly lower proportion of funding from the State and, as a result, are more reliant on voluntary contributions from parents and on general fund-raising.

An area of inequality is the funding of the trustee function. Trustees of schools have duties that are identified in the Education Act 1998. The trustees of any school promote and protect its ethos and philosophy. At least some elements of the trusteeship function of VECs, now ETBs, are funded through the block grant, and the centralisation of specialist services and expertise at VEC level reduces the need for specialist legal and finance capacities at school level. In contrast, the trusteeship function of voluntary secondary schools is paid for by religious orders or the education trust companies directly by providing support to schools and indirectly through

the provision of specialist expertise on a voluntary basis.

Article 42.3.1° of the Constitution states: “The State shall not oblige parents in violation of their conscience and lawful preference to send their children to schools established by the State, or to any particular type of school designated by the State.” The Edmund Rice Schools Trust will therefore promote diversity in our schools and excellence in educational provision and provide ongoing support, particularly for marginalised and disadvantaged communities.

Chairman: I thank Mr. Bennett for his presentation.

Deputy Jonathan O’Brien: I thank the witnesses for appearing before the committee to discuss this issue. Obviously, I have an interest in this matter because of the proposed amalgamation of North Monastery primary school in Cork with another school. I have listened with interest to what Mr. Bennett had to say in relation to primary schools, namely, that the ERST is the trustee but not the patron. I do not know if anybody has yet said that to the bishop of Cork, because at the time it was proposed to amalgamate the two schools and to close the North Monastery primary school, he stated on several occasions to local media, parents and at public meetings that he was not the patron of the school. One can understand, then, from where the confusion arises. We were told that the proposal to close the North Monastery primary school had come from the ERST. Mr. Bennett will be aware that there is a primary school and a secondary school on the campus about which we are speaking. Despite the fact that both are located on one campus, the ERST is patron of the secondary school but not of the primary school. There is still a lot of confusion in Cork on the future of the North Mon primary school and I hope that we can clear up some of it today.

One of the reasons given at the time for the proposed amalgamation of the school with St. Vincent’s primary school was falling school numbers at the North Mon. There is currently a proposal by parents to enrol junior infants which has the support of the teaching staff at the North Mon. As the delegation will be aware, the North Mon only enrolls from first class upwards but there is a move to rectify the situation which would address some falling numbers. Obviously the initiative would have a knock-on effect for primary schools in the area such as North Presentation so there must be discussion on the matter.

I ask the delegation to take me through what is the crux of the matter. We did not have this meeting at the time, which is unfortunate, because people were unavailable. Therefore, we are still not clear in Cork about the future of the North Mon primary school. We know that any proposal, at this time, to amalgamate or close the primary school is off the table. However, we do not know whether discussions are taking place in the background between the patron and the trustees on the future of the primary campus. We know that there are moves in regard to the second school in terms of intake. This year three sixth classes will leave the school but there are only two classes coming in at a time when there is a desire and demand for three classes, not just from the local community, but also from the teaching staff and principal of the school. As a result, some students have not been accepted into the North Mon Aonad Gaelach secondary school and have been forced to find educational needs in schools elsewhere, outside of the community.

At every opportunity, when these questions were asked, particularly of ERST, we were told that it was an issue for the bishop. When we asked him we were told it was an issue for ERST. Parents did not get answers. Confusion has been generated because ERST is the patron of the secondary school but not of the primary school. There may have been cross-wires regarding this issue. The bishop has said that he is not the patron and ERST is saying that it is not the

patron but both schools are on the one campus. The confusion over the matter has fed into uncertainty in the community.

Let me turn to a wider issue. Is it true that the proposals to amalgamate or close the primary schools under the trusteeship of ERST do not come from ERST but the bishop, school staff or the community? Is it true that ERST does not put forward proposals to close or amalgamate primary schools? Obviously if a proposal is made to the board of ERST it will be considered.

Finally, I seek information on the consultation process that would be undertaken on foot of a proposal to amalgamate or close a primary school. What has happened in Cork is unfortunate and lessons must be learned by everyone, including ourselves and ERST. In that situation the principals of the four schools were called to a meeting and told that the North Mon primary school was closing, that a decision had been made by ERST to close it and the bishop's hands were tied. That is what was said. A campaign was then undertaken to reverse the decision. It could have been avoided if people had been aware of the process which should be undertaken if a proposal is made. Where did the proposal come from? Was it from ERST or from the bishop?

Chairman: This is a specific issue so I call on the delegation to respond to the Deputy before proceeding with other questions.

Mr. Gerry Bennett: The Deputy has asked a lot of questions. Do they all relate to the North Monastery campus?

Deputy Jonathan O'Brien: Yes.

Mr. Gerry Bennett: Before I deal with the questions I shall make a couple of preliminary remarks about amalgamation and so on. As we said earlier, we do not have the authority to sanction an amalgamation at primary level. That is the duty of the patron who is the bishop. We are the trustees and are not the patron. We do not have that authority at all. We are part of a process for determining the future of a school. As trustees, we have absolutely no authority to instigate or decide on the matter.

The overarching principle that should permeate all considerations is the educational needs and benefits of young people. That principle should permeate all considerations regarding proposed reconfigurations. The objective of an amalgamation is to provide an enhanced learning environment for the students, in any situation. The students and their needs should be at the base of this matter. Let us take one aspect at a time, if we can disentangle them.

First, for those who are not aware of the campus, the North Monastery campus has three schools, Scoil Mhuire Fatima primary school, the Aonad Gaelach gaelscoil and the North Monastery, an English speaking secondary school. All three schools are located on the North Monastery campus.

With regard to Scoil Mhuire Fatima North Monastery, the chronology is as follows. We do not normally go to a board of management looking for an amalgamation. That is not what we do, as trustees. Normally, a board of management would come to us and we would provide advice and assistance to the board of management in terms of progression, how best to improve their school, if that is the case, how best to communicate the good practice of their school, etc. Generally speaking, we do not go to a board of management to look for change. It is the other way around. A board of management will normally come to the trustees. That is the universal situation. There may be one or two exceptions but I do not know of any.

The board of management of Scoil Mhuire Fatima North Mon came to us, as trustees, and applied to first introduce infant streams to its school. It came to us, in the first instance. We wrote to the patron in support of the request. The patron requested that we consult with other trustees at that time. Subsequently and very shortly afterwards, the patron turned down the request for the Scoil Mhuire Fatima school to become co-educational or take in infants. That is the decision for the patron. The reason being, we assume, that it would affect the other two primary schools located in close proximity to the school - St. Vincent's school and the Presentation school which are both girls schools. We assume that was the reason given.

The patron said "No" so we turned down the request. We requested a further consideration and the patron requested that we would consult further around the provision of Catholic education in the area. Therefore, we supported the school, went to the patron, but the patron said the other trustees in the area should be consulted. The four trustees in the area are ERST, the Sisters of Charity, the Presentation Sisters and the diocese itself. The negotiations, or discussions, got under way. Then a proposal was drawn up and presented to the board of management of the four schools, at the same time, by the four sets of trustees for discussion among their boards of management and parents. The boards of management were asked to supervise the consultation process with their own teachers, board, parents and school communities. It was given a fairly short timeframe - I think it was 7 February - to come back to the various trustees with their view on the proposal, presented to them as a proposal by the trustees.

The trustees do not have the authority to make a decisions. We were there as part of meeting with Scoil Mhuire Fatima. The other trustees met with their schools at the very same time on the very same day. The parents and the board of management of Scoil Mhuire Fatima rejected our proposal and we withdrew the proposal which was up for consideration by the school. After that, Scoil Mhuire Fatima decided to announce the introduction of infants to the school in September 2014. This was not in keeping with what the teacher unions, the CPSMA, the patrons and the trustees had agreed in terms of how to change the status of a school. There is a process for doing that. There was a meeting with the patron and the boards of management of the four schools. Scoil Mhuire Fatima has since withdrawn the proposal of taking in children into junior infants. The patron has convened a meeting of the boards of management of the three schools and requested the chairs to meet to discuss further proposals. ERST will consider its support for any proposal that evolves from these meetings. That is the chronology of what happened.

Deputy Jonathan O'Brien: Where the confusion arises is that initially, there was a proposal to enrol junior and senior infants. The next thing parents and teachers knew was that there was a proposal, which was presented as a proposal from ERST, to close the school and amalgamate it with St. Vincent's. Now when that hit the airwaves, there was pandemonium. We are talking about a school on a campus, which has sports facilities and 250 years in education, and it was being proposed to amalgamate it with St. Vincent's, which does not have a school yard the size of this room. Nobody knew, or knows, the rationale for that proposal.

Mr. Gerry Bennett: I suppose the context of the proposal was around the falling enrolments in the North Cathedral parish. As we know, there has been a considerable decrease in student population in that parish. I suppose behind the proposal was an attempt to consolidate Catholic education in that part of Cork and how to go about doing that. What was proposed to the board of management and the teachers was not a decision but a proposal to go to the school, the board, the teachers and so on and to come back to us in a very short period of time to see whether it was acceptable and if not, to come up with alternative proposals.

Deputy Jonathan O'Brien: What was the rationale for the proposal to close the school,

which has all of the sports facilities and has the capacity to expand in the future, if needs be, and to amalgamate it with a school which has a school yard the size of this room? Nobody has answered those questions. What Mr. Bennett has told me is that what happened was that there was a proposal to address the falling enrolment numbers by allowing the school to enrol junior and senior infants. That was turned down by the patron. Nobody has given a reason for that. I agree it is probably because of the knock-on effect on the Presentation school and St. Vincent's and that is a real concern for those particular girls' schools. However, we got from that situation to a proposal being presented to the school to close the very school which has a long tradition of education and which is on an educational campus. The school building was just going to be left idle. There was talk about moving Gaelscoil Pheig Sayers into that school building but I do not know whether that was the case or what was the proposal for the school building. Regardless of all that, we are at situation where, according to ERST's press release, the proposal is off the table at this time. We have to presume that discussions are ongoing around the future on the North Monastery primary school.

Mr. Gerry Bennett: In regard to the proposal put to the staff and so on, it was not a decision but a proposal. It was not the only proposal put to the staff at those meetings. Four different options were put, including that the three schools remain as they are and maintain their status. There is a decreasing enrolment in that area, so that did not seem like the wise thing to do. Another option was for the three schools to go co-educational but there are not enough students in that area for three schools to go co-educational. Another option was for the three schools to become single sex schools but we felt this was not what parents would want because that is not the trend. The option the trustees came up with was that two of the three schools would amalgamate, resulting in possibly two co-educational schools in the parish. It was not the intention to close Scoil Mhuire Fatima, the North Monastery primary school. It was an attempt to find a way to reconfigure the schools in the area to ensure the continuance of the schools in that parish. It was a genuine attempt. The proposal put to the local people was not acceptable, which is fine.

As Deputy O'Brien knows, very close by, the Gaelscoil is growing very rapidly. The diocese took that into account as one of the aspects of the discussion because the trustee of Gaelscoil Pheig Sayers is the diocese. That was taken into account as one of the four options in this area of the North Cathedral parish and surrounds. That is from where this came. It was a very genuine attempt to address a situation to ensure the continuance of the three schools in the North Cathedral parish.

I take Deputy O'Brien's point in regard to the site suitability of St. Vincent's in terms of not having the sporting facilities that the North Monastery junior school would have. I appreciate that but it was said that if there was an agreement, those playing fields would be made available to the St. Vincent's school for all its students - boys and girls - to utilise. That was said at that time but I take the Deputy's point that it would not make sense to put all the students on a smaller site.

Deputy Jonathan O'Brien: What is the next step to address the fall in school numbers because if one is not taken, we will be back here in 12 months' time? Will there be a consultation process? What is the next step?

Mr. Gerry Bennett: The patron has asked that the chairs of the boards of management and the principals of those three schools and even the fourth school come together to see if there is a way locally to guarantee the future success and continuance of those schools. There is no magic wand. That is the position currently.

The patron has said to the boards that they need to sit down together, which they have done, and to put options forward for the best approach. The patron would want to go along with that. The trustees have been asked to get involved in that also. A situation arose but it was not acceptable. The questions asked were genuine; I understand that. The North Monastery campus has a lot of history attached to it. When it comes down to it, as I said already, this is all about the children in those schools and ensuring appropriate provision is made for them and a quality education is available in those schools. If the numbers keep going down, that becomes more difficult so something has to be done. It would be remiss of the trustees and patrons not to begin to address a situation where there is an obvious difficulty in terms of enrolments. Although it might not suit people to have a school like the North Monastery being discussed in the context of a possible reconfiguration, it may be in the best interests of that school in the longer term.

Senator Marie-Louise O'Donnell: I have no questions. I am more confused now than I was when I came in today. I am extremely confused.

Chairman: Is there any issue the Senator would like clarified?

Senator Marie-Louise O'Donnell: No.

Chairman: I invite Deputy Ó Snodaigh to pose any questions he may have.

Deputy Aengus Ó Snodaigh: I do not have the same type of detail that Deputy O'Brien has with regard to other proposed amalgamations so my questions are broader. Is the approach being taken by the trust similar to that of other religious orders? Has the trust had discussions with the patron in this instance, namely the bishop in Cork? Is it standard practice that when a school is proposed for amalgamation with another, the order or trust responsible discusses it with the patron first?

Mr. Gerry Bennett: There are two procedures which have been agreed with the educational partners, one on the amalgamation of primary level schools and the other on the amalgamation of second level schools, which are outlined in two separate documents. There is a process to be followed by the trustees and patrons. Basically, there are a number of stages involved. The documents, published by the Department of Education and Skills, outline the reasons for amalgamations or reconfigurations in various situations. We follow those documents rigidly, which set out the process to be followed at both primary and secondary level. The author of the document is Frank Murray, on behalf of the Department.

As I said earlier, there are various reasons for either amalgamations or reconfigurations which are listed and include a decline in enrolments, curriculum developments, the fact a school may be too small, the need for improvements to a site, changes in the circumstances of the patron, an application for major capital funding, enhancement of student learning, provision of an effective educational programme, demographic changes that result in a decline in enrolments, the desire for co-education, maintenance of a particular ethos or characteristic spirit, poor condition of school buildings, financial concerns, parental or teacher demand and the objectives of the Department. As can be seen from the aforementioned, there are a range of reasons for a school going into a reconfiguration or amalgamation process.

The initiative for an amalgamation can come from a variety of sources, including the staff, the board of management, the patron or the Department itself. Any of those groups of people can instigate the amalgamation or reconfiguration process. In that process, there are three stages which are outlined in the documentation. Stage one is the preliminary phase which involves

discussion, data collection and consultation. That consultation process involves the teachers, the board of management, the trustees, the principal, the patron and other stakeholders at local level. Following the process of consultation, any decision by the trustee or the board of management must have the sanction of the Minister for Education and Skills. There cannot be any change without the sanction of the Minister.

Stage two is the decision stage. In the primary sector, the decision is normally taken by the bishop, who happens to be the patron for the Catholic schools. That decision would be forwarded to the Minister for approval or sanction. At second level, we would take the place of the bishop as patron. Again, there would be a long process of dealing with the school, examining proposals, investigating the financial aspects and the possible educational impact and so forth. Then we would make a recommendation to the Minister. They are the steps that we would follow.

Mr. Patrick B. Diggins: It looks terribly complicated but in many ways, it is very simple-----

Senator Marie-Louise O'Donnell: It is getting worse by the minute.

Mr. Patrick B. Diggins: I would direct the Senator to the little town of Mountrath.

Senator Marie-Louise O'Donnell: Not overnight, I hope.

Mr. Patrick B. Diggins: In the town square there is a church and what was a Brigidine convent secondary school. Out the road a bit towards Limerick was a vocational school while way off in the hinterland there was a Patrician Brothers school in Ballyfin. The latter school was made an offer from an American developer for its site which it could not resist. The numbers attending the school were diminishing rapidly-----

Senator Marie-Louise O'Donnell: How Christian were they?

Mr. Patrick B. Diggins: We assume that they applied all of their profits towards education. The Brigidine convent was wonderful in the 1950s but it was in a serious state of disrepair and the VEC school was very small. The Patrician Brothers in Ballyfin decided that they wanted out. They had a boarding school and a day school which was serviced by pupils being bussed in every day. They decided, as school communities, that they would bring all of this together to give the students a better deal. After around three fairly hard years of work involving consultation, communication and so forth, agreement was reached that a new community college would be erected on the Limerick Road outside Mountrath. It is a beautiful, well-appointed school. The Brigidine convent school reverts to whatever it can revert to. The Ballyfin site is now host to a very successful business. All three schools came together to develop a new school. I visited the new school recently and it is in wonderful shape. I had the privilege of working with the stakeholders over the three-year period to help to bring about this amalgamation.

No two amalgamations are the same. They generally happen because one school has seen its numbers dropping. With falling numbers comes falling teacher numbers and a crisis point is reached. Sometimes another school appears out of the blue with what looks like a good deal but it may only be a good deal for that particular school while the other one will suffer. Out of that, one must try to create some method of consultation that will make the best building available for the purposes required. It is no different in Cork. There are many schools there watching each other. One group gets a privileged position while the others suffer and so forth. It will require a lot more consultation and I hope that process has now begun, although it should have begun in a different manner.

Deputy Jonathan O'Brien: Can I just ask about conflicts of interest-----

Chairman: Sorry, Deputy O'Brien, but Deputy Aengus Ó Snodaigh has the floor and Deputy McConalogue is next.

Deputy Aengus Ó Snodaigh: Deputy O'Brien can go ahead.

Deputy Charlie McConalogue: I wish to deal with different points so it is fine for Deputy O'Brien to deal with that issue first.

Chairman: Are you sure, Deputy?

Deputy Charlie McConalogue: Yes.

Deputy Jonathan O'Brien: Thanks. Do the witnesses not think that the situation is strange? The bishop is patron of one primary school and a trustee of a neighbouring primary school. A proposal is made to close the school of which he is patron and to move the school of which he is a trustee into it. Do the witnesses not see the conflict of interest that could arise by having one individual as a patron of one school and a trustee of the neighbouring school? Would they agree that it is not the ideal management structure?

Mr. Patrick B. Diggins: There is no such thing as an ideal way of going about an amalgamation and it would be foolish to think there was. It involves self-interest in some aspects of the case. I do not want to go into the specifics of the case in Cork, but it is no different than in any other place. It is a messy business.

Deputy Charlie McConalogue: I thank the delegates for appearing before the committee to discuss this issue. I know that the roles of patrons, trustees and the Department are clearly laid out, but are the views of the community and parents taken on board and is their consent to any proposal required before it can be signed off on?

Mr. Gerry Bennett: There has to be a partnership approach. Deputy Jonathan O'Brien raised the issue of what was happening in Cork. We have a charter with five key elements, one of the elements of which is that we promote partnership in the school community. It is vital in any school that the parents have their say. There is a process in place to deal with matters that arise. In the case of an amalgamation, it can be the parents who instigate the idea of an amalgamation or some change in the status of the school. It is probably unlikely, but it could come from the parents. Normally in a situation where there is a change in status of a school, the board of management is asked to liaise with the parents' bodies and the teachers' bodies. The parents council has a statutory right under the education Act to be consulted on all matters to do with budgetary or other issues concerning the school. Certainly, the parents have a right to be consulted. They are one of the partners in the school and that is one of their rights. If the parents in Cork are opposed to the proposal, it falls. Schools are set up to serve children.

Mr. Patrick B. Diggins: The simple answer to Deputy Charlie McConalogue's question is that yes, parents are central to the decision-making process involved in any reorganisation.

Mr. Gerry Bennett: They have to be.

Chairman: Are members happy that we have exhausted this topic or do they have further questions to ask? It was informative to listen to the delegates. I take the point that in the context of things changing, it is a messy business. That is what is in prospect until there is a change. It seems there are fewer applications for the patronage of new schools by bodies other than the

Education and Training Boards and Educate Together. It seems the religious patron bodies are consolidating. Am I correct in saying that is what the delegates were saying?

Mr. Gerry Bennett: We were asked to come before the joint committee to discuss amalgamations, the opening and closure of schools. The following three amalgamations have taken place: Scoil San Seamus in Dublin, Tramore, County Waterford and Doon, County Limerick. The Edmund Rice Schools Trust has not initiated proposals for amalgamations. There are on-going discussions between the trustees and boards and we support and advise boards. These are sensitive and cannot always be placed in the public arena as they could have a negative effect on the school. There is agreement on the amalgamation of three primary schools in Wexford. There is also agreement that the three second level schools in Ennistymon - the CBS, the Mercy and the VEC schools - will amalgamate. We are very fortunate and privileged to be asked to become the patron of the new school in Carrigaline and the beautiful new school in Tramore.

From our perspective, there is not a great deal happening in terms of amalgamations, openings and closings. We came to this meeting hoping there would be a sharing of concerns. Our major concern is the future funding of voluntary secondary schools which account for the largest number of schools in the country. We have information to be gone through with members of the committee and would like to place this body of work with the committee because it is such a serious matter in terms of the future of trusteeship and schooling in Ireland.

Chairman: That issue has been raised with us. We can take it on board and raise it to see if something can be done about it. I am sure members will agree that schools should be funded equally, but personally I would have a preference for a State owned system in the long term. We have two types and the voluntary secondary school sector is the larger part and should be funded properly. There is common ground between us on that issue.

Deputy Charlie McConalogue: Will Mr. Bennett elaborate on that point, the extent of the differential and the impact it is having on schools?

Mr. Gerry Bennett: I was in a voluntary secondary school during the week that is suffering hugely because it cannot cover its bills. If it was in the VEC or some other system, it would not be in the same bother. Voluntary schools comprise 52% of schools and educate 58% of students. The VECs, now the ETBs, have 35% of schools but only 25% of the students, while community and comprehensive schools which comprise 12% of schools have 17% of the students. There are three ways of funding these schools. Voluntary schools are funded by way of a *per capita* grant, that is, per head of population in the school. ETBs receive a block grant from the Department of Education and Skills, while a different model applies to community and comprehensive schools. Where are the disparities? According to the ESRI's report, insurance costs are paid centrally for VECs; the pay of non-teaching staff is covered by the ETBs and so on. There is a list of items for which the voluntary secondary schools have to pay, whereas the State is paying for them in State schools in the VEC sector and also community and comprehensive schools. That works out to be a considerable sum of money.

The ESRI states clear differences are evident between the three sectors. Voluntary secondary schools receive on average just over two thirds of their funding from the Government, while the proportion is much larger for vocational and community schools, with average figures of 90% and 93%, respectively. That is a significant difference in the amount of funding allocated to the schools from the State. The ESRI states it is clear that voluntary secondary schools receive a much lower proportion of funding from the State. That seem to us to be absolutely unacceptable - that children are afforded different amounts of moneys for their education, de-

pending on what school type they are in. The knock-on effect is that 44% of voluntary secondary schools were found to use parental contributions to cover the cost of secretarial services, caretakers, light and heat, which is met by grants in ETB schools. Voluntary secondary schools are at the pin of their collar in trying to pay for light bulbs as they do not receive any extra State funding to meet educational provision.

On one or two final points, the percentage of total funding from fund-raising and the voluntary parental contribution together, 6.14%, shows clearly that the voluntary secondary schools are much more dependent on discretionary payments than other schools. Thus, an average of over 12% of all income in the voluntary secondary schools comes from the parents, compared to 5% in the community schools. Faced with the recent and current economic conditions, this militates even more against the voluntary secondary schools, where parents do not have the funds to up the difference between what these schools are getting and what the VECs and community and comprehensive schools are getting.

The ESRI report has pointed out that the cost of the trusteeship function, what we do and what we are tasked to do under the Education Act - a large amount of work - is not funded by anybody. We are funded from the Christian Brothers with a seed grant, we have some funds that come from the schools for capitation for the students we have and apart from that we look after everything else in terms of the school. According to the ESRI report, the cost of the trusteeship function for the student is €25 per head.

Chairman: Would the logic behind that be that when it comes to the education and training boards, ETBs, their schools are owned by the State, but trusts such as the Edmund Rice Schools Trust owns its buildings? The trust cannot have it both ways. It cannot look for the same State funding and keep its private assets.

Mr. Gerry Bennett: The opposite could be true. Could we not turn that argument on its head and say the voluntary secondary schools paid for their school buildings? They provided the school buildings for the State, whereas the other schools did not. Therefore, we can turn that argument on its head.

Chairman: Would the solution not then be that the assets could be handed over to the State?

Mr. Gerry Bennett: The assets of the school are there as a school. They are worth nothing to us. They are a school building and not worth a penny to us. We must run them, but they are not worth anything. We are not going to sell a school. The ESRI has published a significant report and that is our agenda.

Chairman: When was that report published?

Mr. Gerry Bennett: In 2013.

Senator Marie-Louise O'Donnell: Mr. Bennett is making a very interesting point, because many of those schools are now derelict. Many of them have nobody in them and many of them have had to pay significant moneys to keep older members of those communities in homes and may have to sell parts of the schools. However, he is making a point about an unintended consequence of raising a caste system - of a percentage for one and a lesser percentage for another.

Mr. Gerry Bennett: It would seem - the ESRI has pointed this out - that there was a historical situation in the past whereby, for various reasons, VECs were given additional funding to provide certain types of education. However, in terms of what schools are providing, the

educational sector is similar across the country now. Why then should we continue to provide increased funding to two sections of the community but not provide it at all to the other? We are finding that our schools are under more and more pressure, yet 58% of students attend these schools.

We want it put on the agenda of this committee that this is not something small. This is a strategic and structural issue. It is about the future of education in Ireland and the future of trusteeship in Ireland. It is a big question and we would like it to be put on the agenda and taken seriously. If the committee wants to meet us again to discuss and go through the issue, or if it wants us to meet a small sub-committee, we would be willing to do that, as we feel this is so important.

Chairman: As a committee, we would be happy to look further into this. However, the solution is something that would have to be negotiated between the State and the trust and other voluntary bodies. I am sure there is a solution, but it will have to be negotiated.

Mr. Gerry Bennett: We need people from all sides to sit down and discuss this seriously. It will not be simple to achieve a solution, but there could be other ways of looking at the issue to address it. Certain sectors have been disadvantaged.

Chairman: I have found this meeting very helpful.

Senator Marie-Louise O'Donnell: It got better as it went along.

Chairman: I thank the witnesses for their contributions and they should keep an eye out for our discussion next week also because similar issues may arise. We will be in touch with them about the issues they have raised.

Sitting suspended at 2.26 p.m. and resumed at 2.27 p.m.

Recent Closures of English Language Schools: Discussion

Chairman: We resume in public session. I wish to draw the witnesses' attention to the fact that by virtue of section 17(2)(l) of the Defamation Act 2009, witnesses are protected by absolute privilege in respect of their evidence to this committee. However, if they are directed by the committee to cease giving evidence in relation to a particular matter and they continue to do, they are entitled thereafter only to a qualified privilege in respect of their evidence. They are directed that only evidence connected with the subject matter of these proceedings is to be given and are asked to respect the parliamentary practice to the effect that, where possible, they should not criticise nor make charges against any person or entity by name or in such a way as to make him, her or it identifiable.

In this session we are dealing with the closure of private colleges and language schools. Over the past two months or so, five private colleges have closed, and the possibility of further closures has not been ruled out. Many students attached to these colleges have been affected by the closures. Many have lost substantial fees and many face an uncertain situation in regard to their continuing immigration status as a result of the closure.

I welcome the Irish Council for International Students, represented by Mr. Dave Moore and Mr. Bruno Mateus Francio. I invite Mr. Moore to make his presentation.

Mr. Dave Moore: On behalf of the Irish Council for International Students, ICOS, I would like to thank the committee for the opportunity to share the views and experience of our organisation and of the students with whom we have been working. ICOS is an independent organisation, founded in 1970, advocating for the rights of all international students in Ireland. We have been responding to the many issues related to the recent closure of five private colleges that occurred in a five-week period during April and May. Some students have now spent more than nine weeks out of class. The closures displaced several hundred international students who were already in Ireland and have jeopardised the studies of many more who had booked and paid but were yet to travel. The students we are working with are mostly young adults, with a high proportion coming from Brazil, Venezuela and other countries in Latin America to study English. The affected students come from a range of countries, from South Korea to Malawi, and include students pursuing further education and degree programmes.

It is widely acknowledged, including by the Minister for Education and Skills, that there has been a lack of regulation of private colleges for some time. Plans to add a new quality assurance framework were announced in 2009 but are still under consultation. This has meant the proliferation of small, private colleges has continued for a number of years with inadequate oversight. Around 270 are listed as running approved programmes on the quality and qualifications, QQI, internationalisation register. Inclusion on that register confers the ability to recruit students that require study visas. Many schools on the list meet high standards but many others have owners whose motives, ethics and activities are highly questionable. All of the closed schools were listed as running approved programmes on the international register when they closed their doors.

None of the colleges were closed down by the authorities, though some were under investigation. In each case the owners packed up and left students high and dry. The Minister for Education and Skills has acknowledged that more colleges are expected to close and ICOS agrees. This is not the first time several private colleges closed in a single year but this situation is unique in the sheer extent of student displacement and the lack of preparedness exposed.

Many of the students involved have left their home countries for the first time and have been left uncertain and worried about their future studies. They have suffered consequential financial hardship and some students from Venezuela lost access to their Government's currency exchange programme that allowed them draw down funds for living costs and course fees. Many students are anxious to keep their visas in order as their immigration permission may have expired before there was a solution on the issue of emergency renewal. Several students lost part-time jobs as a result of this. Students have been left without insurance for medical emergencies because premiums were not paid by colleges. Students are generally expressing a sense of losing precious time they will never get back. They feel they have been defrauded by college owners who have walked away with their money and this is one of the most hurtful aspects. They feel bewilderment at the fact that it appears the authorities have done nothing.

The majority of the hundreds of students displaced were English language students. At the moment their situations vary and their positions are inequitable. Many have given up on Ireland and returned home early while some have attained places at other language schools at little or no charge. The circumstances are akin to a lottery. Others, who have seen no clear sign of a solution from the authorities, have felt forced to spend significant additional money on new courses. In several cases, even at Government-accredited colleges, the new courses have been turned down for visa purposes leaving the students stuck and deflated. Many English language students have simply been waiting in the hope of a solution because they lack the resources to

do anything else.

The measures announced yesterday essentially say students should pay again for what they have already bought and this is not a fair solution for them. Only students of Eden College, which was formerly accredited by the Government and the Advisory Council for English Language Schools, ACELS, and was a member of the MEI language schools group, are covered by any arrangements on protection for learners. These arrangements are being applied restrictively so that only students who physically attended classes in 2013 are eligible to transfer at no fee. Students who bought courses in 2013, while Eden College was still accredited by ACELS, and in early 2014, while it was still listed on the MEI website, have been told they are not protected. This runs counter to the expectations of students. Many of them chose courses because they understood ACELS accreditation meant quality and protection.

There is a major problem for the credibility of learner protection. Students are expected to pay up-front for courses to obtain visas but do not receive up-front protection if their chosen college folds before they see the inside of a classroom. Learner protection that can evaporate is no protection at all. Eden College students who heard the offer made by MEI on Monday are extremely unhappy.

Alongside yesterday's announcement was the welcome launch of a new student task force information website but many urgent questions asked by students are not answered. There is a long way to go to answer those questions and ICOS has been hampered by the unclear answers to questions thus far. Students want the Irish authorities to show a human face and ICOS has articulated this for them. They want people to come out from behind e-mail addresses to speak to them about their concerns but this has not happened enough. There have been too many public statements referring to students with suspicion and too few with compassion as this situation is not of their making. On "Morning Ireland" a few hours ago the Minister said if there are hardship issues we will look at them. There is no "if". Many students are in acute situations and need support well beyond the limit of a small, non-profit organisation.

ICOS has been thoroughly supportive of the principle of the quality mark system and has actively participated in consultations on the initiative. However, if the private college sector is to be cleaned up and to shift from poorly regulated to well regulated the process must be very well managed. We must ensure the fallout from recent college closures is not a foretaste of further distress and displacement of students. Plans and resources must be put in place to protect students who may be victims of the failure of a college to meet the required standards. Robust learner protection arrangements and a proper support framework, including hardship provisions, are crucial in finding a way forward.

Senator Marie-Louise O'Donnell: I think what has happened to these students is disgraceful. This may be the greatest swindle I have come across in some time. Delegates from the Department of Education and Skills will come before the committee after the current witnesses and I will have much to say to them. I do not think this issue has received the incisive exposure in the press that it should. Members of the press should follow this story to its centre.

How long has ICOS been in existence?

Mr. Dave Moore: Since 1970.

Senator Marie-Louise O'Donnell: Where is the organisation based?

Mr. Dave Moore: Morehampton Road in Donnybrook.

Senator Marie-Louise O'Donnell: How is ICOS funded?

Mr. Dave Moore: Our members are, predominantly, educational institutions that pay subscriptions. Most of our funding relates to a specific programme, the Irish Aid fellowship.

Senator Marie-Louise O'Donnell: International students do not pay a stipend to ICOS.

Mr. Dave Moore: That is correct.

Chairman: Does the organisation receive State funding or funding from the Department of Education and Skills?

Mr. Dave Moore: No.

Senator Marie-Louise O'Donnell: ICOS does not get State funding.

Mr. Dave Moore: ICOS is predominantly funded through the subscriptions of member colleges. It also receives training income relating to cultural awareness. A funding stream is firewalled within the organisation's structure for a specific scholarship programme.

Senator Marie-Louise O'Donnell: Were any of the colleges involved in this issue members of ICOS?

Mr. Dave Moore: No.

Senator Marie-Louise O'Donnell: Do any other international colleges, such as International House, make payments to ICOS?

Mr. Dave Moore: Language schools are not members of ICOS. Most of the member colleges are third-level institutions.

Senator Marie-Louise O'Donnell: How do international students access and make use of the services of ICOS?

Mr. Dave Moore: People tend to come to us in times of crisis.

Senator Marie-Louise O'Donnell: How and when did ICOS come to know of the lack of regulation in this area? Some of these colleges have played fast and loose.

Mr. Dave Moore: We have been aware of the matter for many years because students came to us with consequential problems relating to their colleges.

Senator Marie-Louise O'Donnell: What did ICOS do about the issue? Exactly how long was it aware of the problem?

Mr. Dave Moore: I have been with ICOS for five years and for that entire time-----

Senator Marie-Louise O'Donnell: So for the last five years ICOS was aware of the issue that has recently come to our attention. When did ICOS and the Departments of Justice and Equality and Education and Skills begin to know that something was wrong?

Chairman: To be fair, the council is represented on the task force.

Senator Marie-Louise O'Donnell: I know that. I am just asking Mr. Moore questions to which I would like to obtain some answers. I am extremely aware that the council is represent-

ed on the task force that has been charged with trying to clean up the sector. However, I would like to know how and when ICOS became aware that this was an enormous problem. In view of the fact that 2,000 students were involved, it was obviously not a tiny problem.

Chairman: One could say that about everybody.

Senator Marie-Louise O'Donnell: I am just wondering how and when it was established that a problem existed.

Mr. Dave Moore: Is the Senator referring to the specific situation involving the 2,000 students?

Senator Marie-Louise O'Donnell: Yes.

Mr. Dave Moore: We responded to situations where college owners had closed the doors and left hundreds of students out on the streets. In terms of the specifics of this situation, we knew of the problem when the owners shut the doors.

Senator Marie-Louise O'Donnell: Did Mr. Moore have an inkling in advance that there was something amiss or did it all just suddenly happen one day?

Mr. Dave Moore: As already stated, we have been making representations. There has been a five-year gap since reference to the need for quality assurance measures. That matter was first put on the table in 2009 and ICOS has participated in all the consultations which have taken place. We previously made submissions highlighting issues that arose as a result of previous college closures and the need to move to having a much more regulated sector in order that students will not be the displaced victims of that process.

Senator Marie-Louise O'Donnell: So ICOS has been highlighting issues with the Government and the Departments of Education and Skills and Justice and Equality over a period of years.

Mr. Dave Moore: Yes. Our consistent mantra as an organisation is on the need for quality.

Senator Marie-Louise O'Donnell: To whom did ICOS make representations?

Mr. Dave Moore: Every time there is scope for a Government consultation, that is exactly the nature of what we would be emphasising.

Senator Marie-Louise O'Donnell: Are the representations made by ICOS documented?

Mr. Dave Moore: Yes, they would be a matter of public record.

Chairman: I presume ICOS would also have made representations to the Department of Education and Skills on behalf of individual students who raised issues with it.

Mr. Dave Moore: Absolutely.

Senator Marie-Louise O'Donnell: I accept that ICOS is represented on the task force charged with cleaning up this mess. In his initial contribution, Mr. Moore stated, "The key question for ICOS at this time is not what led to the closures but how many more will follow". I beg to differ. The key question relates to what led to the closures, what were the reasons involved and why was action not taken either last year, the year before or five years ago in order to prevent the closures. It is only now, with 2,000 students out on the street, that action is being

taken.

Loose regulation, improper accreditation and the other elements that constituted the perfect storm did not just come into being last week or the week before. The key question is what led to the closures. That is what I want to discover. If I cannot obtain the relevant information here, I will obtain it through the press. What actually happened that allowed 2,000 students to be left out on the streets? The idea that students who have nowhere to go will be looked upon benevolently is ridiculous. They must all be offered places on alternative courses of some sort. I am on ICOS's side. I am merely trying to discover what led to the closures. When did ICOS first become involved with this matter? For how long, in what way and to whom has it been flagging the problems that exist in the five years since Mr. Moore became head of the organisation? My questions are designed to show that I am on Mr. Moore's team. I am not questioning his authenticity.

Mr. Dave Moore: Some of the Senator's questions should perhaps be directed to others. The issues regarding why the sectors need to be cleaned up have been understood for a number of years.

Senator Marie-Louise O'Donnell: They were obviously not understood.

Mr. Dave Moore: The entire concept of a quality mark and the need to step up the level of quality assurance emanated from the Department of Education and Skills - which we absolutely support - was a reflection of the situation that was understood, namely, that standards needed to be raised significantly.

Senator Marie-Louise O'Donnell: But that realisation should not have come about yesterday. It should have been arrived at last year or in the preceding three years. This is the tragedy. What is being stated now is that we are moving on and doing things differently. This matter has been bubbling away for the past three to five years and the relevant individuals have been getting away with it during that period. That is my point.

If the students involved were issued with visas, then that implies State responsibility. In that context, therefore, students would have assumed that there was some form of regulatory authority in place. That is ICOS's calling card in the context of the State's calling card of benevolence.

Chairman: We will take questions from Deputy Jim Daly and Mr. Moore can then reply to both members.

Deputy Jim Daly: I welcome our guests. I assure them that my style is not quite so Judge Judy-like as that employed by the previous interrogator.

Senator Marie-Louise O'Donnell: I am on Mr. Moore's side.

Mr. Dave Moore: We are a very small voluntary organisation.

Senator Marie-Louise O'Donnell: ICOS is still here in a representative capacity and it is a member of the task force.

Deputy Jim Daly: As stated, I will not be quite so adversarial in my approach. I am completely sympathetic to the plight of the students involved. It is they who are the victims in all of this. I commend Mr. Moore and his organisation on the efforts they are making on their behalf.

What does ICOS see as being the specific role of the Department of Education and Skills in respect of this sector? This whole sorry saga reminds me very much of what happened in the travel industry previously. Thankfully, the problems by which that industry was affected have been resolved. Similar problems appear to be afflicting private colleges. It strikes me that the issue which arises is one of a consumer rights nature and that it is not really relevant to the Department of Education and Skills. Mr. Moore referred to compassion and people's need to see the face behind the e-mail. With respect, while these might appear to be important, I am of the view that people need more than compassion and to be able to see the face of the person sending the e-mail. Will Mr. Moore indicate specifically what he believes the Department of Education and Skills should do into the future?

Mr. Dave Moore: What is absolutely highlighted is the need for a clear protection framework for all learners from the point of view of pursuing studies in Ireland. Obviously, I have drawn attention to the fact that students who were not in the country when the colleges closed would have no protection in the context of the way in which things are currently being done. Earlier today, we submitted specific proposals around the whole issue of learner protection. Other countries have watertight services in terms of protecting fees whereby they are held in an escrow arrangement and drawn down on a gradual basis rather than colleges receiving them in their entirety upfront. We have seen the repercussions of the latter, with students losing sums amounting to €7,000 in certain instances. That model is used in other countries.

Students in public sector colleges can avail of the services of the Ombudsman. There is no structure in place that offers any kind of protection for students who attend private sector colleges. A substantial issue arises in the context of the agents with whom students book their courses. In a fair proportion of cases, students book their courses through third parties rather than directly with colleges. That is an unregulated and extremely problematic aspect of this matter. We have certainly seen agents in Mumbai still selling courses for colleges that are closed. There are serious issues around the roles agents play.

Much more proactive information needs to be made available for students to steer them in the direction of sound course choices. The only publicly available document at present which offers students any guidance as to what are approved courses is the internationalisation register, and that has been the problem more than the solution in recent times because all the colleges that have closed were on that. They were listed as approved. There needs to be an entirely new frame of reference for students seeking to choose their programmes, obviously based on solid, quality assurance measures for the programmes that make the list, and once those regulations are in place, they need to be robustly enforced. As a student said at a meeting in the context of the status of the colleges, they are private businesses but they are not candy shops. They are organisations where hundreds, if not thousands, of students' futures are on the line, and if they are not rigorously regulated, we could have repeats of what has happened.

Senator Marie-Louise O'Donnell: Can I take issue with-----

Chairman: Senator, I am the Chairman and I want to bring in Deputy McConalogue.

Senator Marie-Louise O'Donnell: I want to take issue with something Deputy Daly said. I advise the Deputy that I am not being destructive; rather, I am being highly constructive because what we do much of time in Ireland is move on without finding out why something has happened. I am trying to find out why this has happened. I am not trying to blame anybody. The ICOS would be the last people I would blame but I am trying to give them ammunition as to why benevolence is not going to work and as to why the State has a responsibility in this having

issued the visas. Also, there is no comparison between this and a travel agency in the sense that hundreds of students came here with parental money, well-saved-----

Chairman: The Senator has made her point.

Senator Marie-Louise O'Donnell: -----for a qualitative educational language structure and did not get it.

Chairman: The Senator's point is noted.

Senator Marie-Louise O'Donnell: I wanted to take issue with that. I am seeking to be constructive, not destructive.

Chairman: I call Deputy McConalogue.

Deputy Charlie McConalogue: I thank Mr. Dave Moore and Mr. Bruno Mateus Francio for coming in today. I commend Mr. Moore and his organisation on the representation, work and support they have given the many students who found themselves in a desperate and stressful situation as a result of what happened. It is a sad reflection that something like this could have been allowed to happen, to go on for so long and that this area remained unregulated such that we have had this collapse which has left many students stranded. Also, there is the fact that visas were issued to colleges, which visas were subsequently withdrawn overnight, leading to five colleges closing in short order. I do not know if Mr. Bruno Mateus Francio attended one of the colleges which closed. I would like to hear of his experience, how he chose that course, and his background. He might also advise us of the circumstances facing many of his friends and colleagues who were attending those colleges.

Chairman: Before Mr. Mateus Francio responds I ask him to be brief because we will finish shortly after 3 p.m. I ask him to be aware that we must be sensitive to any legal issues and I ask him to speak about his circumstances but not to go into any detail that might in any way attach to someone else.

Mr. Bruno Mateus Francio: I thank the members for being here and for having this meeting. I booked for a course in Brazil. I looked at many websites on the Internet to see if the courses offered were good or not. I saw that Eden College was on the ICOS website and also on the MEI site, so I booked with it and I paid for the course in January. I came here and attended classes for one and a half months and then the school closed, which left all the students out on the street, as it were. Nobody, other than ICOS, was talking to us. We have sent many e-mails to the immigration service, INIS, and the MEI, but we never got a reply.

I have some friends in Brazil who paid for this course and they are still in Brazil. Some of my friends will go back to Brazil. I paid €3,000 for the course. It is a lot of money.

Deputy Charlie McConalogue: For how long was that course?

Mr. Bruno Mateus Francio: The course was for six months.

Senator Marie-Louise O'Donnell: That is a university fee.

Mr. Bruno Mateus Francio: I had only completed one and a half months. Last year I worked very hard as an engineer but I had a dream in Brazil that I would go abroad and learn English because I have to develop my English. I came here with that dream and I was very happy when I got here but now all that has happened has made me and most of my friends very

sad. I came to Ireland to study for six months and then go back to Brazil. Now I am on holidays but I do not want to be. I am already two months on holidays. I do not know if I will go back to Brazil or stay here because I am wasting money with having to pay rent, bus fares and all the costs because I am not working here. I do not have work or school and I have to pay rent for the house.

Chairman: Have you found the ICOS helpful?

Mr. Bruno Mateus Francio: Yes.

Chairman: Has it got back to you with answers to your questions?

Mr. Bruno Mateus Francio: ICOS?

Chairman: Yes.

Mr. Bruno Mateus Francio: We have sent e-mails to the ICOS and it has always replied to them.

Deputy Charlie McConalogue: Mr. Mateus Francio came here to study for six months. Did that course come with a six months visa or was the visa for longer?

Mr. Bruno Mateus Francio: No. The visa is for one year.

Deputy Charlie McConalogue: The visa can be one year. Mr. Mateus Francio paid €3,000 for a six months language course and that did not include accommodation or anything like that. That was all extra.

Mr. Bruno Mateus Francio: It included two weeks, accommodation and health insurance.

Senator Marie-Louise O'Donnell: Two weeks, accommodation-----

Mr. Bruno Mateus Francio: Yes, two weeks, accommodation.

Senator Marie-Louise O'Donnell: -----until Mr. Mateus Francio found his own accommodation.

Mr. Bruno Mateus Francio: Yes. Now I have to rent a house with some friends and I pay €300 in rent for this house each month. I am wasting money because I have been here two months without having school, just paying the rent of the house.

Deputy Charlie McConalogue: What is Mr. Mateus Francio's view of the proposal put forward by the task force to provide replacement English language courses as an option for himself and other students who are in a similar situation? From his experience what is the situation facing many of these students six weeks or two months after this has happened? Have many gone home, are many still here and are many waiting to see what offers or opportunities may come in terms of replacement courses?

Mr. Bruno Mateus Francio: They are asking for €60 per week if we want to move to another college but I do not think it is right for us because we already paid. I would have to pay €1,000 more and I do not have that money. What was the Deputy's other question?

Deputy Charlie McConalogue: Have many of Mr. Mateus Francio's fellow students gone home at this stage?

Mr. Bruno Mateus Francio: Yes, a lot of friends have.

Deputy Charlie McConalogue: What percentage of them have gone home as opposed to those who have stayed here?

Mr. Bruno Mateus Francio: I do not know what percentage but a lot of friends have gone.

Chairman: It is obviously bad for the reputation of the country as well.

Mr. Bruno Mateus Francio: Yes.

Deputy Charlie McConalogue: What made Mr. Mateus Francio decide to come to Ireland to study? His options would have been to come here or to go to Britain. Would similar students from Brazil go to the United States to study?

Mr. Bruno Mateus Francio: We have a group on Facebook, some 20,000 people, and we share much information about other countries. I asked them all which country is better to learn English abroad and they said perhaps Canada or Ireland because it is a beautiful country, the people are good there, it is good for learning English and it is an English-speaking country.

Deputy Charlie McConalogue: I thank Ms Mateus Francio for coming in today along with Mr. Moore to give us that insight.

Chairman: Thank you both very much.

Deputy Charlie McConalogue: I would make a few further points. I wish to comment on what Mr. Moore said and what we also heard from the Department. Mr. Francio referred to having checked the international register and the list of approved courses. The course must be approved on the register before the Department issues a visa for someone to study on it in this country. There are question marks over the existing regulation and how one would get on the register. In order for students to come to this country to study we must issue them with visas. There is an obligation on us to ensure that where we consent to allow students to come here on visas, there is an implicit belief that the course is valid, of quality and one for which the State is willing to issue a visa for someone to come to this country to study. Much work needs to be done to ensure that is the case because otherwise the system will be damaged.

Five colleges closed in quick succession when visas were withdrawn. There are 270 colleges overall. Could Mr. Moore outline how many students are involved in those colleges? Are most of the students in the 270 colleges English language students? How can we be sure that problems will not arise for colleges that are currently recruiting for upcoming language courses? More action must be taken to ensure colleges that are currently recruiting are not in danger of closing in three or four months' time. What can be done to ensure that assurances can be made to students?

Reference was made to the QQI, Quality and Qualifications Ireland, internationalisation register in terms of the regulation of the 270 colleges. What type of inspections are carried out currently in existing colleges? What is the role of the QQI in such inspections and in terms of the international register?

Chairman: Before I go back to Mr. Moore for a response I will take the remaining questions and we will wrap up afterwards.

Senator Marie-Louise O'Donnell: I thank Mr. Francio. I am sorry his experience was so

bad. I hope the situation will be rectified in some way. Does Mr. Moore think the Government is doing enough to assist in the situation? It was announced that 70% of students would be redeployed. What does Mr. Moore believe must happen now?

Mr. Dave Moore: As an organisation we are very much about the voice of students. What they have clearly said is that after an extended wait to hear what resolution could be provided, the idea of paying again for what they have already paid for is unjust and is simply not an option, as Mr. Francio said, for a great many students. If the authorities hear what the students have to say I hope there would be further reflection on whether Ireland has played fair by the students affected.

Senator Marie-Louise O'Donnell: I understand the international register but in one way it can be a red herring and the Government could be hiding behind it, because it is up to each state to regulate. International registers are one thing but it is up to a state to ensure all is well when people are being given visas. Responsibility comes with such a situation. In one way that is an overarching red herring. It is up to each country to regulate, ensure quality assurance and look after young students who go to language schools. The Government should not get off the hook.

Mr. Dave Moore: If I could just clarify that the internationalisation register is a specific-----

Senator Marie-Louise O'Donnell: It is for language schools.

Mr. Dave Moore: It is a spreadsheet of courses that is purely produced within Ireland under the auspices of QQI. It is not an internationally-compiled document. It is an Irish-compiled document.

Chairman: I am going to conclude the meeting. We will raise the issues that have been raised with us with the Department and we will follow up on them. We have gained enough information at the meeting to do that. I invite both witnesses to make a final remark if they wish and then I will conclude the item.

Mr. Dave Moore: Unfortunately, there is so much we could say because we are dealing with more than 1,000 students and there are so many issues arising. We appreciate that time is limited and we are pleased we had a hearing.

Senator Mary Moran: I am sorry, a Chathaoirligh-----

Chairman: I do not wish to open up the discussion again.

Senator Mary Moran: I will not. I apologise but-----

Chairman: I do not wish to take any more questions. We must move on.

Senator Mary Moran: Okay.

Chairman: We will pursue the matter further. I am sorry about that. That brings that aspect of the meeting to a close. I urge members to remain as we are now going into private session. I again thank the witnesses.

The joint committee went into private session at 3.05 p.m. and adjourned at 3.40 p.m. until 1 p.m. on Wednesday, 25 June 2014.

