

TERMS OF REFERENCE

Performance Review of South Shore Regional School Board

At the request on the South Shore Regional School Board the Department of Education is engaging an external consultant to conduct a review of the South Shore Regional School Board (SSRSB).

Background

The SSRSB is the elected Board that governs the delivery of educational services under the Education Act in Lunenburg and Queens Counties.

The Department of Education has concerns about the effectiveness of the Board in meeting its obligations under the Education Act. Specifically there have been concerns related to breach of confidentiality by members of the Board, breach of the code of ethics, and actions taken by the Board in possible violation of their responsibilities under the Act in spirit, if not in fact. The Department is also concerned about the understanding of Board members and the appropriate application of effective governance, including their roles and responsibilities related to school board staff, and appropriateness of measures taken to avoid conflicts of interest.

In response to a significant and disturbing series of emails related to the Boards school review processes that came to light through a Freedom of Information request, on July 20, 2011 the Board passed a motion asking the Minister to undertake a review or audit of the SSRSB.

On August 4th the Minister of Education communicated to the Board Chair her concerns with regard to the events surrounding and leading up to the March 30, 2011 meeting of the school board . She also noted her expectation that the board would take action to address the concerns about board member conduct. She further noted her concern that the conduct of school board members may have severely damaged the integrity of the school board and the public's confidence in the board. The events and actions in this matter may be symptomatic of broader problems related to board governance and the board's ability to function effectively.

In this correspondence she conveyed to the Board Chair that the department would be undertaking a performance review.

The Performance Review

Deloitte Inc. has been contracted by the Department of Education to conduct this review of the South Shore Regional School Board (SSRSB). The review will center on, but not be limited to, governance practices and will make recommendations to remedy any shortcomings.

The Deloitte review will address two primary questions:

1. Does the SSRSB adhere to all provincial legislation, policy and regulations, as well as its own by-laws and policies including, but not limited to:

- Education Act

- Confidentiality
- Conflict of interest
- Code of ethics
- Department of Education directives related to financial matters

2. Does SSRSB exhibit other good governance practices including, but not limited to:

- Board competency requirements
- Respectful and professional behaviour
- Board and staff relations
- Role of the Superintendent
- Effective use of available information in taking decisions
- Provision of accurate and timely information to inform Board decision-making
- Transparency of discussions to stakeholders; including use of in camera meetings
- Approach to, process of, and final adopted budget decisions

Approach

The review process will involve reviewing reports and key documents, conducting interviews with school board members, school board senior staff and Department of Education senior officials.

To assist in addressing the primary questions above, three important decision areas will be explored to assist in understanding board effectiveness. These include:

- school review process
- budgeting decisions for the 2011-12 fiscal year
- revision of board by-laws

Interview topics will include the relationship with the Board, provision of information to the Board, and the process used for the three critical matters.

The Deloitte Review Team

The Deloitte Review Team will include Paula Gallagher and Michael Hodgett.

Paula Gallagher is a Partner in Deloitte's consulting practice with more than 20 years of consulting experience and leads Deloitte's Atlantic Canada Public Sector practice.

Michael Hodgett is a Senior Manager in Deloitte and leads Deloitte's Strategy and Operations practice in Atlantic Canada. Michael has over 20 years of experience as a consultant and a business leader.

Both Ms. Gallagher and Mr. Hodgett have extensive experience conducting governance reviews in the public sector. Through the work of Deloitte in public sector management and governance at both the provincial and federal level, reviews in the education sector in Canada, and

assessment of a range of issues for the Province of Nova Scotia, the Department of Education is confident that the performance review of the South Shore Regional School Board will be undertaken effectively.

Timing

The performance review will begin on August 22nd, 2011 and will be concluded within ten weeks with a report to the Minister of Education expected on October 24th, 2011. Fees will be based on the Government of Nova Scotia's Standing Offer rates as determined through the Province's procurement procedures. Professional fees will not exceed \$50,000.

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