



**CCMS**

**Council for Catholic  
Maintained Schools**

**Integrated Education Bill  
Consultation Response from the  
Council for Catholic Maintained Schools**

## **1.0 INTRODUCTION**

- 1.1 The Council for Catholic Maintained Schools (CCMS), hereafter referred to as The Council, welcomes the opportunity to respond at Committee stage to the consultation on the draft Integrated Education Bill.
- 1.2 The Council is committed to making its contribution, through its network of 447 schools, to the creation of an inclusive society in Northern Ireland. These 447 schools cater for the educational needs of 44.7% of the school age population. Catholic maintained schools are open to all children and young people, regardless of community background.
- 1.3 Catholic education is not unique to Northern Ireland. Our schools belong to a global network of Catholic education where pupils of all faiths and none are welcomed and cherished and supported to realise their potential alongside contributing to the Common Good and in building a better society.

## **2.0 EDUCATION IN NORTHERN IRELAND**

- 2.1 In the past number of decades, since the opening of the first Integrated school, Lagan College in 1981, the education system in Northern Ireland has undergone many changes. Those changes however have not significantly altered the fabric of that system as there still exists a school system which is made up of Voluntary Grammar, Maintained, Controlled, Integrated and Irish Medium schools.
- 2.2 The Council accepts that the education system in Northern Ireland faces a number of challenges, for example academic selection, provision for children with Special Educational Needs, School Transport, how schools are funded, which if resolved could potentially result in access for all children to the highest quality of educational provision. The Council also recognises that society in general in Northern Ireland needs to keep moving forward in order to reach a point where life for all its citizens is more inclusive and respectful of difference. However, the Council wishes to state firmly at the outset that it does not believe that a root and branch change to the current education system and the enactment of the proposed Integrated Education Bill would contribute significantly to either of these goals.

## **3.0 THE COUNCIL FOR CATHOLIC MAINTAINED SCHOOLS – STATUTORY FRAMEWORK**

- 3.1 CCMS was established in 1989 and is a statutory body with responsibility for the management of all Catholic grant-maintained schools.

Article 141 of the Education Reform (NI) Order 1989 gives rise to a scheme designating schools which are to be Catholic maintained schools.

The core activities of the Council are set out in Articles 142-146 and Schedule 8 of the 1989 Order. Those core activities are:

- to employ all teachers as are required on the staffs of Catholic Maintained schools;
- to advise the Department or a Board of Governors of a school on such matters relating to Catholic Maintained schools as the Department or Board may refer to the Council or as the Council may see fit;

- to promote and co-ordinate, in consultation with the Trustees of Catholic Maintained schools, the planning of the effective provision of such schools;
- to promote the effective management and control of Catholic Maintained schools by the Boards of Governors of such schools;
- to provide or secure, with the approval of the Department, the provision of such advice and information to the Trustees, Boards of Governors, Principals and staff of Catholic Maintained schools as appears to the Council to be appropriate in connection with the Council's duty; and
- to exercise such other functions as are conferred on it by the Education Orders.

3.2 CCMS would be unable to adhere to these statutory requirements if the organisation is included within the definition of "education body" in the proposed draft Integrated Education Bill. It is clear that the two pieces of legislation would be in conflict with each other as the draft integrated legislation would require CCMS to promote integrated education rather than Catholic maintained schools.

3.3 Furthermore, Article 145 specifically sets out the procedure to be applied when a school is to be established as a Catholic maintained school. The Department of Education (DE) are currently required to approve the establishment of any new Catholic maintained school under this Article, this includes amalgamations of existing schools into a 'new' school. The draft Integrated Education Bill would therefore impose a requirement on DE to assume a presumption in favour of an integrated school.

#### **4.0 CATHOLIC EDUCATION**

4.1 The focus of Catholic education can be found in the Gospel Values of Unity, Respect, Joy, Love and Courage. Within this context, all members of the Catholic school community are encouraged to show respect and care for one another and extend their concern to the needy and the community at large.

4.2 This demonstrates why Catholic education goes beyond academic excellence or achievement. It focuses equally on the moral and faith development of the child alongside all other aspects of the education journey. It promotes the dignity and worth of every human person, the purpose and value of education, the relationship between education, family and the local community, the contribution each individual can make to the Common Good and the purpose and meaning of life itself.

4.3 This philosophy of Catholic Education and the importance attached to Catholic schools working with and being part of their local and wider communities also contributes to the overall success of Catholic Education and Catholic schools.

4.4 The underlying philosophy and ethos of Catholic Education has strengthened Catholic schools in promoting the core message of respect for diversity and inclusion throughout our society.

4.5 The commitment to the core message in 4.4 above was and continues to be demonstrated by the engagement of Catholic schools in initiatives such as Education for Mutual Understanding and Shared Education.

- 4.6 The Council believes that there is a place for Catholic, faith-based education in any balanced and integrated modern society which is at peace with itself. This is not an insular perspective; rather it encapsulates the desire to achieve 'societal wellbeing', valuing the individual and supporting the Common Good.
- 4.7 In a growing secular and pluralist society, Catholic schooling continues to enjoy support and confidence. Indeed, Catholic Education and its contribution to the Education System is essential in a functional pluralistic society.

## **5.0 PARENTS IN EDUCATION**

5.1 The Council recognises the key role that parents play in the education of their children. This is demonstrated by the commitment the Council demonstrates to ensuring that parental preferences are respected and that an education system exists which meets the needs of all children. This is based on the following principles.

- a) That parents have the right to express their preference as to the Primary school they wish their children to attend. (Open Enrolment in Primary Schools. DE Circular: 2016/17).
- b) That parents have a right to expect the Department to provide schools which have an ethos which is in keeping with their religious or other beliefs.
- c) That parents can express a preference for their child to attend a school which provides an education which is in keeping with their religious or other beliefs.

In addition, the Northern Ireland Commissioner for Children and Young People (NICCY), produced a document entitled "42 Rights for Children" in which was stated;

"... your education should help you to develop respect for your parents, for your own cultural background and national values..." (Right 29)

Catholic Schools and Catholic Education deliver for children regarding "cultural background".

d) The UN Convention on the Rights of the Child states in Article 14:

"Children can choose their own thoughts, opinions and religion, but this should not stop other people from enjoying their rights. Parents can guide children so that as they grow up, they learn to properly use this right."

The Council is of the view that one way parents guide their children is by choosing to send them to a Catholic school.

e) That any proposal for the establishment of a new school is conditional upon the requirements as set out in DE's Sustainable Schools Policy i.e that there needs to be a demonstrable demand for the new school and statistics should show that in the long-term such a school will be sustainable. (Schools for the Future: A Policy for Sustainable Schools 2009).

5.2 In expressing their preference for schools, parents are increasingly coming to recognise that Catholic Education and Catholic schools are not simply for Catholics and that the Catholic sector in Northern Ireland is part of a Catholic Education sector which is worldwide. As society in Northern Ireland is becoming more secular and pluralised, parents from all

backgrounds – religious, cultural, ethnic, – are recognising the value of Catholic Education for their children and in increasing numbers, children from diverse backgrounds are attending Catholic schools.

- 5.3 As previously stated, 44.7% of the school age population attend Catholic schools. Parents are choosing a faith-based education delivered in these schools because of the quality of education provided, the excellent educational outcomes, the effective leadership and the excellent pastoral care which focuses on living life in the image and likeness of Jesus Christ.

Within the Catholic school setting, all pupils receive a values-led education that respects and upholds the dignity of all learners. Catholic schools are not just for pupils who come from the Catholic tradition. Catholic schools openly and warmly welcome pupils from other Christian and non-Christian traditions as well as those who do not identify as having any religious faith. It remains an important part of the vision of Catholic schools that they also work with the families of pupils from other religious traditions and cultures to assist them in developing their understanding of their own faiths.

- 5.4 The Council would suggest that Catholic schools are and always have been “integrated” in the true sense of the word, catering as they do for children with a wide range of abilities and from diverse backgrounds – religious, cultural, ethnic and socio-economic.

Furthermore, the high quality of education provided in Catholic schools means that children are given the knowledge and skills which help them take up positions in many fields of activity. This in turn leads to them contributing positively to local communities and to the economic growth of Northern Ireland.

## 6.0 AREA PLANNING

- 6.1 Area planning supports the implementation of the Department of Education’s sustainable schools policy. The area planning process ensures that all school sectors participate in the area planning structures collaboratively. It enables the managing authorities and sectoral bodies to review school provision in an area on the basis of demographics, capacity and need. Council is concerned that the proposed draft Integrated Education Bill would negatively impact on the area planning process and the implementation of the sustainable schools policy.
- 6.2 CCMS, with the trustees, is responsible for bringing forward plans to support the management of the Catholic Maintained schools estate. Proposals are brought through the area planning structure and through the statutory development proposal process which enables all sectoral partners and interested parties to have a say on the proposal.
- 6.3 Council would be unable to fulfil this statutory duty under the proposed draft Integrated Education Bill which requires CCMS, as an education body, to include provision for integrated education in its strategic planning and with planning proposals for amalgamations of Catholic Maintained schools brought forward on the presumption that the new school would be an integrated school. The Bill also requires that the Department of Education must consult with the integrated sector during the statutory objection period for proposals thus changing the current development proposal process.

## 7.0 THE INTEGRATED EDUCATION BILL

7.1 The Council would now wish to respond in more detail to the content of the Integrated Education Bill.

7.2 Article 1.1 of the Bill provides a definition of “integrated education”. The Council would contend that a school does not need to have the designation “Integrated” in order to deliver the “integrated education” outlined in the bill. Catholic schools are benefitting from increased attendance at their schools of children from a wide variety of religious, non-religious, cultural, ethnic and socio-economic backgrounds.

The Council believes that the presence of these children enriches the social and educational experience of all children in the school.

7.3 It is a fundamental tenet of Catholic Education that the education delivered in a school, faith-based or otherwise, should cater for children from disadvantaged/deprived backgrounds and for children of all abilities. This is not something which is characteristic of “integrated education” alone.

7.4 The working definition of 'Integrated Education' comes from Article 64 of The Education Reform (NI) Order 1989 which states 'It shall be the duty of the Department to encourage and facilitate the development of integrated education, that is to say the education together of Protestant and Catholic pupils.' The current Bill seeks to provide a statutory definition within Article 1. It seeks, in addition to having to include reasonable numbers of Catholic and Protestants, to include the broader and more faith neutral provision of people from different socio-economic backgrounds and those of different abilities. The inclusion of the later two categories arguably seeks to move the debate beyond religion and into the territory of socio-economic equality and academic selection. There is nothing which sets a priority order as amongst those 3 criterion and it is not clear how this would work in practice, ie would reasonable numbers apply. Council’s view is that many schools could meet the proposed definition of an integrated school.

7.5 Article 1.2 of the Bill is suggesting that only an “integrated school” can provide all the characteristics that are outlined. The Council would disagree with this and state that Catholic schools most certainly promote, protect and improve “an ethos of diversity, respect and understanding between those of different cultures and religious beliefs and of none, between those of different-socio-economic backgrounds and between those of different abilities”

Catholic maintained schools are rooted within their local communities and they are successful in building relationships and in interacting with other schools and sectors and businesses.

7.6 Article 2 of the Bill outlines the purpose of integrated education. The Council would contend that this should be the purpose of any school, in any sector of education in Northern Ireland and most certainly is the purpose of Catholic Education delivered through Catholic schools.

7.7 The Council would wish to draw particular attention to the promotion of “efficient and effective use of resources”. Over the past ten years the number of Catholic maintained Primary schools has fallen from 396 to 358 while at post-primary level the number has dropped from 71 to 57.

By taking this approach, access to a broad and balanced curriculum for a greater number of children is increased. In addition, it demonstrates the Council's commitment to school rationalisation through Area Planning to promote more efficient use of resources.

- 7.8 Article 4.1 of the Bill proposes that in Article 64(1) of the Education Reform (NI) Order 1989 and in relation to the Department's duties in respect of integrated education, the phrase "to encourage and facilitate" should be substituted by "to encourage, facilitate and promote".
- 7.9 The inclusion of the word "promotion" could be interpreted as one sector of education being given priority over all other sectors. The 1989 Order established the Department as a facilitator of development proposals initiated by a third party. The introduction of the word 'promote' into statute changes the dynamics with the Department effectively finding itself having to favour one sector over another shifting the DE role to pro-active initiation of area planning solutions with integrated education at the core.
- 7.10 The proposal in 7.8 above would be contrary to one of the core duties of CCMS as outlined in Articles 142-146 and Schedule 8 of the 1989 Education Reform (NI) Order, namely, "the promotion and co-ordination, in consultation with the Trustees of Catholic Maintained schools, the planning of the effective provision of such (Catholic) schools."
- 7.11 The Council cannot be expected or compelled to "promote" two education discrete sectors
- 7.12 Article 5.1 of the Bill outlines the "meaning of promotion". The Council strongly believes that points (a) and (b) are the responsibility of DE working in conjunction with the Northern Ireland Council for Integrated Education (NICIE). The Council currently fulfils this role with DE in relation to Catholic Schools. The Council cannot be expected to carry out these duties for the same reason as articulated above. It is also not clear how the Department would meet this requirement alongside its statutory requirements more generally as 'promote' suggests giving one sector primacy over another.
- 7.13 The Council notes that none of the other sectors in education –Voluntary, Controlled, Maintained, Irish Medium – have an expectation that NICIE would promote their respective sectors in a way outlined in Article 5.1 of the Bill.
- 7.14 The Council also has concerns as to how Article 5.1b aligns with current area planning processes and priorities which consider religious demographics and spare places when bringing forward area solutions. Considering integrated schools in isolation to the capacity in other schools in a geographical area, the Bill could ultimately negatively impact on the sustainability of other schools.
- 7.15 Article 6 (a) and (b) of the Bill is confusing. Clarification is required in relation to
- Education bodies.
  - Policies, strategies, and plans.
  - Designing and delivering public services.

With Article 13 including CCMS within a definition of 'education bodies', these provisions, taken together, would equate to a repeal of the legislative obligations imposed by the Education Reform Order 1989.

- 7.16 The Council has significant concerns about article 7.1. It cannot subscribe to the presumption that the first consideration in establishing a new school should be that it will be an integrated school. 'New' is not defined within the legislation. This again is contrary to one

of the core activities referred to in 3.1 above, an activity which is enshrined in law, seeking to repeal CCMS' statutory role. When planning for the establishment of a new school, which includes an amalgamated school, the Council must apply a presumption that it will be a sustainable, Catholic school.

7.17 Article 7.2 (a) and (b) of the Bill is not acceptable to the Council. Religious demographics and existence of spare places in existing schools would not be a special circumstance for rebutting the presumption outlined in 7.1, however the Bill is silent on what circumstances would apply.

7.18 The Council believes it is contrary to area planning approaches to not consider the local context – demographics and capacity, when establishing a new school. Given the concept of parental preference, the Council has and will continue to consider the religious demographics of an area and the existence of spare places in existing schools when planning for the establishment of a new/amalgamated Catholic school.

This particular Article conveys the impression that the intention of the Bill is to achieve a position where integrated schools and integrated education are given preferential treatment above all other schools. The current obligation on the Department “to facilitate and encourage” integrated education has seen the integrated sector, after 40 years, cater for 7% of the school age population. This is not because there are insufficient places in integrated schools but because that is the level of demand from parents for integrated schools/integrated education. At the same time, 44.7% of parents continue to demonstrate their commitment to Catholic education. It is also important to reference that Catholic education has become the choice of many of the ethnic minority pupils within Northern Ireland (DE data 2020/21 identifies 535 of all newcomer pupils as attending Catholic primary and post primary schools).

7.19 The Council would be prepared to discuss the content of Article 8.1 with DE with the proviso that the “strategy” applies equally to all school sectors.

7.20 The Council would ask if the requests being made in article 8.2 (a), (b) and (c) are not already being delivered by DE.

7.21 The Council is of the opinion that the request in Article 8.2 (d) is reasonable but again this must be on the understanding that such “funding commitments and resources” are available to all sectors. This particular point reinforces the “presumption” that all sectors must abide by the requirements of DE’s policy on Sustainable Schools. With particular reference to the transformation of existing schools into integrated schools, DE should satisfy itself that such action is indeed taken because of a commitment on behalf of parents to integrated education and not as a means of retaining unsustainable school provision in a particular area.

7.22 The Council believes that more detail is required in relation to Article 8.2 (f). How would DE propose doing this and would sanctions of some sort be applied to those education bodies who do not act as DE would wish them to?

7.23 Under Article 8.3 (c) the Council suggest that DE should consider the transformation guidance for schools, again in the context of the Policy on Sustainable Schools and the commitment shown by parents to integrated education.

The Council wishes to state categorically that it has no objection to new schools opening in any sector of education in Northern Ireland on condition that:

- There is substantial evidence that there is a demand from parents for such a school;
- The projected future pupil numbers will ensure that the school is sustainable; and
- The provision of a new school will not impact negatively on pupil enrolment at existing schools.

7.24 Article 9 (1), (2) and (3) raises further questions for the Council:

- What basis is there for requesting, through the Bill, that all the obligations listed should be put on DE?
- What evidence exists to show that the current system of education in Northern Ireland is not working for children and young people when it comes to all schools promoting respect for diversity, meeting the demand of parents for a particular “type” of school for their children and providing high quality education?

The assertion in some quarters that separate schooling did not cause the divisions in society but unquestionably integrated schooling helps to heal those divisions, is quite an indictment of schools in all the other sectors of education in Northern Ireland. Speaking on behalf of Catholic Maintained schools, the Council can confidently state that Catholic schools are helping and have always helped heal divisions in our society.

7.25 Article 10.1(f). The Council reads this paragraph as a suggestion that integrated schools/integrated education has in some way been disadvantaged over the years. The Council would contend that this is not the case. The Council would again like to take the opportunity to reiterate that it should not be obliged on behalf of DE to promote integrated education.

7.26 In article 10.1 (g) the Bill is making a significant demand which will put additional pressure on an already inadequate budget for education across Northern Ireland. The additional funds which undoubtedly would be required to deliver this request could be used in a more efficient and effective manner to address existing gaps in funding for, by way of example, Special Educational Needs. Such a move would benefit a significant number of children who face challenges in their education. The Council would welcome any additional funding to the overall education budget but on the clear understanding that such funding would be equally shared across all sectors.

7.27 Article 10.1 (i) refers to the inspection regime. Is the suggestion that ETI as part of the inspection process should be inspecting how “good” an integrated school is at being an integrated school? If this is the case then from an equality perspective ETI should be inspecting the effectiveness of a Catholic school as a Catholic school, a Controlled school as a Controlled school or an Irish Medium school as an Irish Medium school. From the Council’s perspective, the focus for ETI should be on the quality of education being delivered in a Catholic school within the context of that school’s Catholic ethos.

7.28 Overall, it is the view of the Council that article 10 of the Bill is moving Northern Ireland towards a one sector system of education i.e. integrated. If this is so, The Council cannot

accept that as a way forward. Catholic schools continue to be highly successful not least in terms of pupil achievements at GCSE and A' Level.

The Council wishes to state categorically that it advocates a society which respects diversity but also respects diversity in educational provision. This can only contribute positively to society as a whole.

7.29 Furthermore, the Bill appears to be presenting a case that integration in education will help heal the divisions in our society. Even if that is the case, then integration must be evident in all aspects of our lives e.g housing, provision of services etc. If the Council is interpreting article 10.1 (m) of the Bill to be implying this, then this is one aspect of the Bill with which Council can agree.

7.30 Article 12.3 has without doubt the potential to be hugely contentious right across the education system in Northern Ireland. The Council cannot agree to the "presumption that new schools should be integrated". As previously stated, the Council has a requirement in legislation to promote and co-ordinate, in consultation with the Trustees of Catholic maintained schools, the planning of the effective provision of such (Catholic) schools.

Therefore, unless or until this obligation is changed in law, where a new school is required in the Catholic maintained sector, the presumption by the Council will be that it will be a Catholic school.

The Council is opposed to any changes being made in legislation based on the "presumption that new schools should be integrated".

## **8.0 CONCLUSION**

8.1 The Council has endeavoured in this response to provide comment on the Bill which reflects its own commitment to maintaining a diverse school system which promotes "an ethos of diversity, respect and understanding between those of different cultures and religious beliefs and of none, between those of different socio-economic backgrounds and between those of different abilities." (Integrated Education Bill: Paragraph 1.(2)).

8.2 The Council recognises, accepts and respects the existence of the different sectors in education – controlled, maintained, Irish medium, integrated, grammar. This response outlines that the Catholic sector:

- a) Is sustainable as it is underpinned by parental support;
- b) Recognises the right all parents have to express a preference for the school of their choice for their children. For some that is a Catholic school, for others it is an integrated school or a controlled school etc;
- c) Recognises the right all parents have for their children to be taught in a school which has an ethos reflective of their own religious beliefs; and
- d) Is part of a highly valued and respected worldwide Catholic Education system which focuses on delivering high quality education to all children in an environment which reflects Catholic beliefs and traditions.

8.3 The current system should be maintained, on the basis of equality of treatment for all sectors and until any future Departmental review of education indicates that significant

change is required which will improve access to high quality education for all our children and young people, while still respecting diversity of educational provision.

- 8.4 Indeed, the Council believes that this Bill should not have been brought forward at this time given that the independent Review of Education, which was agreed by all political parties, has not yet commenced its work (the panel was only confirmed on Monday 27 September 2021). Given the significance of the Review and the range of issues that it will examine, the Council believes that it would be appropriate that further educational models of provision are examined through that process. It is also important that any changes to education provision have as their focus raising standards and improving the quality of education for all.
- 8.5 The system of education in Northern Ireland has not created the problems of division which we have in our society. Rather, the best practice in respecting and promoting diversity in very many of our schools across all sectors is contributing to the solution to our societal problems. The draft Bill does not acknowledge or reference the reality that Catholic schools are open to everyone. Catholic education continues to play a positive role in educating young people from different backgrounds together and works very closely with other sectors in terms of promoting and developing shared education.
- 8.6 In presenting all of its comments above, the Council will be pleased to provide further information as required and would welcome the opportunity to engage directly with the NI Assembly Committee for Education in due course.