

**Written Evidence to Education Committee – Northern Ireland Assembly**  
**Subject: Education Bill 14/11-15**

**Contact details:**

Vani K Borooh  
Institute of Research in Social Sciences  
University of Ulster  
Shore Road  
Jordanstown  
Northern Ireland  
BT 37 OQB

Email: [vk.borooh@ulster.ac.uk](mailto:vk.borooh@ulster.ac.uk)  
Tel: +44 (0)28 90366934

Colin Knox  
Institute of Research in Social Sciences  
University of Ulster  
Shore Road  
Jordanstown  
Northern Ireland  
BT 37 OQB

Email: [cg.knox@ulster.ac.uk](mailto:cg.knox@ulster.ac.uk)  
Telephone: +44 (0)28 90366667

**15<sup>th</sup> November 2012**

## Introduction

This paper is a response to the call for written submissions by the Education Committee of the Northern Ireland Assembly to inform the Committee Stage of the Education Bill 14/11-15. The authors are Vani Borooah and Colin Knox from the University of Ulster's Institute of Research in Social Sciences (Professors of Economics and Public Policy, respectively).

Our starting position is that the establishment of the Education and Skills Authority (ESA) is a positive and long awaited development and the replacement of eight existing organisations with one statutory body is to be welcomed. We draw on a recent Department of Education (DE) briefing to the Committee as the key reference point for our evidence. In introducing the Bill to the Education Committee, a senior education official pointed out the following:

The Minister is very clear that this particular proposal and this particular Bill focus on improving education rather than on reducing bureaucracy, important though that is. Although much of the focus of the Bill is on ESA as an organisation, ESA is merely a means to an end. That end, the policy goal, is better schools... The purpose of ESA, and the Bill to establish it, is to deliver that policy vision of good schools, and we invite the Committee to judge it against that yardstick. Will this Bill lead to better Schools?<sup>1</sup>

Taking our lead from this statement, we therefore pose two key follow-up questions based on the Minister's intention for the Education Bill:

- (a) What is wrong with the current education system?
- (b) Will the provisions in the Education Bill lead to better schools?

The first observation which we make is that despite the worthy intentions stated by the DE official (above) in a briefing to the Education Committee, most of the clauses in the Education Bill are about institutional changes rather than a focus on improving schools. Hence, much of its content is on: the role, membership, and functions of ESA; the functions of the Northern Ireland Council for Curriculum, Examinations and Assessment; management of grant-aided schools; new powers and functions for the Education Inspectorate; and new statutory duties for Boards of Governors.

While these are clearly very important issues to consider, they have, at best, an unknown positive or indirect influence on improving education standards. Given the origins of ESA which emerged from the Review of Public Administration (RPA, 2002), it is not surprising that its focus is on institutional change or structural reforms rather than better policy outcomes. There is a body of research which has been critical of the RPA in other areas

---

<sup>1</sup> Official Report (Hansard): *Education Bill: DE Briefing*, 10<sup>th</sup> October 2012: 3

(health, local government, quangos) specifically because of its concentration on the mechanisms of governance and lack of evidence that structural reconfiguration led to improved public policies<sup>2</sup>. There is also research which argues that structural reforms can fail to address the underlying problems associated with public services:

Changing organisational structures can, at some considerable human and financial cost, address structural problems. If the problems are more directly related to managerial practices and support systems, or to weak or uncertain ethical frameworks, structural solutions are an expensive method for answering the wrong question<sup>3</sup>.

We therefore submit in this evidence that the Bill should include a statutory commitment by ESA to do those things which we know from research evidence to have a positive and proven influence on creating better schools.

### **What is wrong with the current education system?**

The best assessment of what is wrong with the current education system comes from the Chief Inspector's Report 2010-2012<sup>4</sup>. Therein the Education and Training Inspectorate notes that its mission is to promote 'improvement in the interests of all learners' (our emphasis: page 3). The Chief Inspector reports under 3 themes: achieving value; learning skills; and, transforming communities. Focusing on two of these themes here, she reports the following in summary form:

- (a) Achieving value: overall the education system across Northern Ireland achieves good value but its outcomes are too variable... too many children are failing to fulfil their potential. She identifies key challenges:
- To improve the outcomes for learners in English and Maths across all sectors, particularly for those from disadvantaged backgrounds, where only 32% of all school leavers entitled to Free School Meals achieve GCSE grade A\* C (with English & Maths) in 5 subjects.
  - Improving the quality of leadership and management across all sectors and particularly in post-primary schools.

---

<sup>2</sup> Knox, C. (2012) 'The Reform of Public Administration in Northern Ireland: a squandered opportunity?' *Administration*, Vol. 60 (1): 117 – 138.

Birrell, D. (2009) *Direct Rule and the Governance of Northern Ireland*. Manchester: Manchester University Press.

<sup>3</sup> Frost, P. (2003), 'Selecting the appropriate structure', in W. Cox (ed.), *Commonwealth Public Administration Reform 2003*, London: The Stationery Office.

<sup>4</sup> The Education and Training Inspectorate (2012) *Chief Inspector's Report 2010-12*. Bangor: Department of Education.

Under this theme she refers to the area planning process and says that 'this essential work is in progress and needs to continue at a swifter pace in order to ensure that all learners have equitable access to a high-quality education' (page 10).

- (b) Transforming communities: the formal and informal education and training sectors can transform lives by challenging the poverty of aspiration and encouraging learners, with the support of parents and carers, to achieve their full potential. She identifies, *inter alia*, the following challenge: closing the achievement gap and breaking the link between social disadvantage and poor educational performance.

The Chief Inspector concluded her report by saying:

Some schools are failing to break a cycle of underachievement that has persisted over a period of time. All schools need to work as a united community to share and develop good practices across the controlled, integrated and maintained sectors, as well as further education, work-based learning and the informal sectors, to improve standards and educational outcomes for all learners. To bring about greater sharing in education and training, organisations need to create inclusive environments where their learners can participate fully and have opportunities to learn alongside others...

More cohesive planning and closer collaboration are required to serve the best interests of the learners through creating more diverse and inclusive educational communities. (2012: 25 & 27).

Apart from the weaknesses identified by the Chief Inspector, we also know that Northern Ireland is characterised by a highly segregated system of education, a legacy of sectarian conflict.

As the Department of Education statistics (2011/12) show:

- In the primary sector: 5.4% of Catholics attend controlled primary schools; 1% of Protestants attend maintained primary schools; and 5.5% of primary school children attend integrated schools
- In the secondary (non-grammar) sector: 2.1% of Catholics attend controlled secondary schools; 0.8% of Protestants attend maintained secondary schools; and 14.4% of secondary (non-grammar) pupils attend integrated schools
- In the secondary (grammar) sector: 7.7% of Catholics attend controlled grammar schools; and 0.9% of Protestants attend voluntary Catholic grammar schools.
- Overall, 6.9% of primary and post-primary pupils attend integrated schools.

Catholics are therefore much more willing to go to schools in the controlled sector than Protestants are to attend maintained schools. The greatest movement by Catholics is into controlled grammar schools (see table 1 below for full details). Many young people in Northern Ireland never experience cross community education until they attend university. The segregated school system has resulted in ethno-religious isolation which reinforces ‘intra-sectoral bias, stereotyping and prejudice’<sup>5</sup>.

<b>Table 1: Segregated Schools in Northern Ireland</b>			
<b>School type</b>	<b>Catholics</b>	<b>Protestants</b>	<b>Others</b>
<b>Primary Schools</b>			
Controlled	5.4	72.3	22.3
Maintained	96.9	1.0	2.1
Integrated	37.4	38.0	24.6
<b>Secondary (non-grammar)</b>			
Controlled	2.1	82.4	15.5
Maintained	98.1	0.8	1.1
Integrated	36.2	47.9	15.9
<b>Secondary grammar</b>			
Controlled	7.7	76.8	15.5
Voluntary Catholic	97.9	0.9	1.2
Voluntary Other	11.1	67.1	21.8

Source: Department of Education School Statistics 2011/12 <http://www.deni.gov.uk/>

In summary, there are 3 key weaknesses facing our existing education system:

- i. Education outcomes are too variable: the average secondary school in Northern Ireland can only offer a little over half of its pupils 5+ GCSE passes at A\*-C grades and only a third of its pupils 5+ GCSE passes at A\*-C grades, including English and Mathematics. This is a major indictment of our education system.
- ii. There are significant access and performance inequalities. Why do free school meals (FSM) pupils not get sufficient access to grammar schools – they constitute 17% of post-primary pupils but only 7% of grammar school enrolments. There is also a high level of educational underachievement amongst the Protestant population validated by a recent study which noted that ‘there appears to be a tendency towards elitism, and socially imbalanced pupil intakes within schools predominantly attended by Protestants’<sup>6</sup>.
- iii. There is a high level of segregation at a time when the Northern Ireland Executive is promoting *Cohesion, Sharing and Integration* as a strategic policy.

<sup>5</sup> Hughes, J. (2010: 829) ‘Are separate schools divisive? A Case Study from Northern Ireland’. *British Educational Research Journal* 37 (5): 829-850.

<sup>6</sup> Purvis, D. (2011:4) *Educational Disadvantage and the Protestant working class: a call to action*. Belfast: Purvis Report.

## Will the provisions in the Education Bill lead to better schools?

The most obvious direct intervention to improve education performance contained in the Education Bill is area planning (clauses: 24-30). The Bill gives area planning a statutory basis but limits itself to: the definition of an area education plan; procedures for preparation and revision; publicity and consultation; and the involvement of relevant interests. These are necessary procedural issues but say nothing about the efficacy of area planning as a process. We know that the current area planning process has been subject to significant criticism – putting it on a statutory footing will not improve its effectiveness<sup>7</sup>. Area plans, for example, show no evidence of tackling what the Chief Inspector of the Education and Training Inspectorate refers to in her report as the ‘low level of achievement and the widening gap in outcomes’ (2012:7) between those young people who are entitled to free school meals and the rest.

Instead of addressing these challenges through concrete proposals, the area plans have, by and large, three points of focus: (i) to establish “large” schools where enrolment figures fall short of the Department’s (arbitrary) guidelines; (ii) in establishing such schools, not to stray outside the traditional sectarian boundaries – Catholic and Protestant – which underpin Northern Ireland’s schooling system; (iii) to use the Department’s “needs based” model to project the likely number of school places required by 2025. This however begs the question as to whether DE’s response to raising standards is an institutional response: a network of large sustainable schools which can offer the entitlement framework. How will this, beyond the guarantee of wider curriculum choice, of itself, lead to improved educational outcomes as defined by the Department of Education through GCSE and A level performance?

We also know from our research that larger schools do not make for educationally better schools measured by GCSE performance<sup>8</sup>. It is true that a large sixth form produces better GCSE results (in much the same way that a flourishing postgraduate programme in a university department produces better undergraduate results) but (just as with a university’s post graduate programme) it is not the sixth form *per se* but the sixth form as an instrument for attracting good teachers that does the trick. The policy point is that there are several, possibly cheaper and more effective, ways of attracting good teachers to a school than through a large sixth form.

---

<sup>7</sup> Borooah, V. K. and Knox, C. (2012) *A Critique of the Education and Library Boards’ Draft Area Plans*. Jordanstown, University of Ulster.

<sup>8</sup> Borooah, V.K. and Knox, C. (2012) *Educational Performance and Post-Primary Schools in Northern Ireland*. Jordanstown, University of Ulster.

DE's vision is 'to ensure that every learner fulfils his/her potential at each stage of development'. This, the Department argues, can best be achieved through a network of viable and sustainable schools that are of the right type, the right size, located in the right place and have a focus on raising standards. Area planning was to take account of *Sustainable Schools Policy, Every School a Good School...* etc. Throughout the process the principles of promoting equality of opportunity and good relations were also to be adhered to. In the Minister's statement *Putting Pupils First: Shaping our Future – the Next Steps for Education* (26th September 2011), he noted that the viability audits and area planning process 'will be fundamentally based on the sustainable schools policy'. Specifically the Minister claimed: 'sustainable schools is not simply a numbers game; schools will be measured against the **six principles** of the policy'.

However, only three of the six sustainable schools criteria have been used in both the viability and draft area plans (educational experience, enrolments and financial position) with no consideration given to: the strength of links to the local community; accessibility; and school leadership and management. This seems entirely at odds with the Department of Education's *Every School a Good School – A Policy for School Improvement* (2009) where at least two criteria excluded from the viability audits and draft area plans are deemed to be core components that make for a successful school, namely: effective leadership; and a school connected to its local community.

Minister O'Dowd has gone some way to address the concerns raised by the Chief Inspector in his recent statement to the Assembly *Putting Pupils First: improving outcomes; improving opportunities* (6<sup>th</sup> November 2012). He intends, *inter alia*, to: support continuing professional development of teachers; reward principals who undertake leadership roles in under-performing schools; create mobility in the profession; and, enhance the professional standard of teachers. All of these measures will be very helpful in raising educational standards. They are also consistent with DE's *Every School a Good School – A Policy for School Improvement* (2009) which sets out the principles on which school improvement should be based as follows:

- equity of access and equity of provision as well as a continuum of provision for a diversity of need;
- an acceptance of the importance of effective leadership;
- recognition that improvement comes first and foremost through high quality teaching from committed and professional teachers;
- a recognition that every school is capable of improvement; and,
- that the school is best placed to identify particular areas for improvement.

*Every School a Good School* also sets out the characteristics of a successful school as follows:

- *Child-centred provision*
- *High quality teaching and learning*
- *Effective leadership*
- *A school connected to its local community*

In addition to these characteristics we would add that school attendance is an important variable for a successful school. Using the ELBs viability audit data and DE school attendance statistics we found in our recent research that absenteeism matters because it significantly affects school performance in secondary schools<sup>9</sup>. Absenteeism has a much larger, and more significant, effect on school performance than school size – yet, as an issue, it is almost entirely neglected in NI’s education debate.

In his recent statement the Minister (6<sup>th</sup> November 2012) stated that he is ‘determined to retain a clear and unapologetic focus on raising educational standards, a focus which is at the heart of my Department’s Corporate Plan for 2012-15...’.<sup>10</sup>

But where is this commitment given effect in the Education Bill? The Bill outlines a duty by both ESA and DE (clauses 2 and 60 respectively) ‘to contribute towards the spiritual, moral, social, intellectual and physical development of children and young persons in Northern Ireland and thereby of the community at large’. In addition, DE and the Department of Employment and Learning (DEL) will have a general duty ‘to promote the achievement of high standards of educational attainment by schools and pupils’ (clause 60c). This duty also extends to the Boards of Governors (clause 38) and Inspectors (clause 44). Despite the breadth of this legal duty amongst education stakeholders, the Bill contains no statutory guidance on how this can be achieved.

## **Improving education standards**

We contend in our evidence to the Education Committee that the Minister’s announcements on ‘improving outcomes: improving opportunities’ are a very positive way of raising educational standards and closing the performance gap. However, we also suggest additional consideration be given to peer learning. If we see shared education as a mechanism whereby schools which are educationally stronger are incentivised to collaborate with schools which are marginally weaker, then there is research evidence to suggest that there will be key areas of improvement across schools in: teaching and learning; pupils’ behaviour; and education achievement<sup>11</sup>. Higher performing schools could

---

<sup>9</sup> Borooah, V. K. and Knox, C. (2012) *A Critique of the Education and Library Boards’ Draft Area Plans*. Jordanstown, University of Ulster.

<sup>10</sup> O’Dowd, J (2012) Statement to the Northern Ireland Assembly: *Putting Pupils First: improving outcomes; improving opportunities* (6<sup>th</sup> November).

<sup>11</sup> Ofsted Report, *Leadership of more than one School* (September, 2011) No, 100234.

offer joint classes, mentoring, teacher exchanges, shared teachers, joint training days etc, for which they are incentivised through a new revised common funding formula. As a consequence, shared education will result in: a wider curriculum choice for pupils across the schools involved; promote the Entitlement Framework; encourage pupil mobility between schools through shared classes; and support collaborative staff development activities.

Maintaining a focus on raising educational outcomes, through stronger-weaker school collaboration, means that **all** schools, regardless of pupils' background have the opportunity to improve. The overarching theme underlying our approach is that *the rising tide of peer learning, between stronger-weaker schools, will lift every school's educational boat*. The mechanism through which this peer learning would take place is shared education. Research also suggests this type of collaboration is more effective where leadership is strong and supportive of collaboration<sup>12</sup>. Since schools which are currently competing for the same pupils are unlikely to want to collaborate (because they are from the same managing authority) then, by default, the collaborative partnerships will be cross-community. This, in turn, will have significant reconciliation benefits for students and society in the medium term. In summary, shared education can complement the Minister's agenda on improving education standards and, in so doing, contribute to a more reconciled society in Northern Ireland.

---

Harris, A. and Jones, M. (2010) 'Professional learning communities and system improvement', *Improving Schools* 13 (2): 172-181.

Chapman, C. (2008) 'Towards a framework for school-to-school networking in challenging circumstances' *Educational Research* (2008) 50 (4) 403-420.

Chapman, C. and Hadfield, M. (2010) 'Realising the potential of school-based network' *Educational Research* (2010) 52(3): 309-323.

<sup>12</sup> Muijs, D., West, M., and Ainscow, M. (2010) 'Why network? Theoretical perspectives on networking' *School Effectiveness and School Improvement: An International Journal of Research, Policy and Practice* 21 (1): 5-26.

## Recommendations

We therefore recommend the following for inclusion in the Education Bill:

- (a) A much more explicit focus on how the Bill will address the core issues facing the education system in Northern Ireland: improving education performance; tackling access and performance inequalities; and addressing the segregated nature of our schools system. As it stands the emphasis in the Bill is a structural response to substantive weaknesses in education performance and outcomes. There is no guarantee or evidence that structural reforms will raise educational standards.
- (b) Incorporating the principles of *Every School a Good School* into the legislation and the Minister's recent proposals contained in *Putting Pupils First: improving outcomes; improving opportunities* which operationalise these principles. Hence, the inclusion of effective leadership and high quality teaching and ways to evaluate these, must feature in the Education Bill.
- (c) In support of the Minister's proposals, to incentivise collaboration across schools through shared education as a peer learning mechanism for educationally stronger schools to work with marginally weaker schools (e.g. possible wording in the Education Bill could be 'to incentivise, encourage and facilitate shared education with a view to raising education standards in schools')

We strongly believe these proposals will lead to: improved educational outcomes; a more equitable schooling system; and positive reconciliation effects. The authors are willing to expand on the detail of this written submission through oral evidence to the Education Committee.