



## **Shared Education Bill - Committee Stage**

### **Written evidence for Education Committee (November 2015)**

The Rural Centre for Shared Education established by the Fermanagh Trust, welcomes the Shared Education Bill and we are pleased to submit written evidence on the Bill to the Education Committee, for its consideration. Our evidence draws upon our experience of developing and delivering a Shared Education Programme in Fermanagh since 2008, involving 5,000 pupils from 50 schools participating in regular shared classes throughout out the school year and providing information, support and guidance on shared education to schools & communities beyond Fermanagh and in the border counties.

Our submission focuses on how the Bill can be strengthened so that there is an effective legislative framework in place that will enable shared education to grow and flourish in line with the wishes of school communities.

The recommendations are set out below.

#### **1. The purpose of Shared Education should be included in the Bill**

It is recommended that the Bill includes a clause setting out the 3 key purposes of Shared Education as follows:

- Societal benefits;
- Educational improvements; and
- More effective and efficient use of resources.

We acknowledge that the Policy for Shared Education – Sharing Works sets out the Case for Shared Education based upon the above. However we would contend that as policies can change over time, it is therefore important that the purpose of shared education is included in the Bill.

## **2. Replace 'Power' with 'Duty'**

It is recommended that a 'duty' is placed on the Department of Education and its arm's length bodies, rather than a 'power'. Power is much weaker than Duty and is insufficient in the context of shared education. Exercising the 'power' to encourage and facilitate shared education would be optional on the part of the DE & other educational bodies, and may never actually be invoked, whereas a 'duty' places an onus on these organisations to encourage and facilitate shared education.

It is noted that the DE reason for opting for 'Power' rather than 'Duty' is that it did not want school communities to feel that Shared Education was being imposed upon them. However, the 'duty' is placed upon the DE and Arms Length bodies (not communities). There is a significant difference.

Further, it is noted that the first recommendation of the Ministerial Advisory Group (MAG) report on Advancing Shared Education (March 2013) states that '**a statutory duty**' should be placed on the Department of Education (and the anticipated ESA) to encourage and facilitate shared education (and not a 'power').

## **3. Replace 'may' with 'to' or 'shall' in line 22**

As we are recommending that 'power' is replaced with 'duty' then the word 'may' in line 22 needs to be changed to 'to' or 'shall' .

## **4. Include 'Promote'**

We strongly recommend that the word 'Promote' is included in the Bill. This would provide consistency in the duties between the Education Authority and the DE & its Arms Length Bodies and also consistency between the Education Act (NI) 2014 and the Shared Education Bill.

This concurs with the first recommendation in the 'Report on the Inquiry into Shared and Integrated Education' (Education Committee, 1 July 2015) which states:

'The committee recommends that the statutory obligation to encourage, facilitate and promote Shared Education – as set out in the Education Act (Northern Ireland) 2014 – should be extended to the Department and all of its Arms Length Bodies.'

The DE reason for omitting 'Promote' was because it did not want to create a 'hierarchy' between Shared & Integrated (DE briefing to Education Committee 4<sup>th</sup> Nov 2015). This is a weak argument – why not ensure the best for Shared Education at this opportunity?

It is important to highlight that Shared Education is not a sector, but is a way of encouraging school collaboration on a cross-sectoral basis, which involves all sectors including the integrated sector. Some would argue that integrated education is further along the continuum of shared education, hence omitting promote from the legislation could actually be to the detriment of integrated education in the longer term.

The inclusion of the word promote is of critical importance in this piece of legislation, if we are determined as a society to build new models and ways of working towards a shared future. It is essential we promote. Imagine a business starting a new initiative and not promoting it.

Some examples where promotion could have and can yield better outcomes include the area planning process; the Shared Education Campuses Programme; the issue of guidance on jointly managed schools; and the Delivering Social Change – Shared Education Signature Project.

## 5. Screening of all Education Policies

Two major strategic / policy documents, namely (a) the Ministerial Advisory Group (MAG) on Advancing Shared Education Report (March 2013) and (b) Together: Building a United Community (T:BUC) May 2013, both recommend **screening or proofing** to ensure sharing is maximised.

In its first recommendation, the MAG report, in relation to a statutory duty on the Department and ESA to encourage and facilitate shared education, includes the following:

**‘This should include reviewing all existing and proposed policies within education, and providing advice as required, to ensure that all activities seek to encourage and facilitate shared education where appropriate’ .**

We note that this recommendation has been diluted, by being moved from being a recommended statutory duty, to a sub-action in Key Action 2, in Sharing Works: A Policy for Shared Education. Here it states that dedicated officers in the Education Authority will operate as a regional team and work in conjunction with other stakeholders to ‘review existing and proposed policies within education and ensure that where appropriate activities seek to encourage and facilitate Shared Education.’

There are many current education policies which mitigate against or do not support shared education e.g. school transport; separate school cost centres (which make it challenging for schools to manage a joint budget for shared education); difficulties in employing shared teachers across the sectors in primary schools; and the area planning process, which has taken scant regard of the potential of shared options for schools.

We contend that it should be included in the Shared Education Bill as recommended by the MAG.

Secondly, in order to develop Shared Services, T:BUC makes a number of commitments, including the following:

**‘All future policy and / or spending commitments should also be screened to determine whether they promote sharing, further entrench division or are essentially neutral’.** (Paragraph 3.46).

In line with the recommendations in both T:BUC and the MAG report, it is strongly recommended that the Shared Education Bill includes the following:

**‘All future education policies and / or spending commitments should also be screened to determine whether they promote sharing, further entrench division or are essentially neutral.’**

## **6 Reasonable Numbers**

There has been some discussion in the Committee meetings on what represents ‘reasonable numbers’ of both Protestant and Catholic pupils [Clause 1 (2) (a)]. The Fermanagh Trust can share its experience of the practical implementation of shared education in relation to this. We have found that in situations where a small school serving a minority community is partnered with its neighbouring school - a larger school serving the majority community, there are enormous benefits to be gained.

- We found that in a minority / majority shared education situation, the majority community, became more aware of the minority community in its midst, which was sometimes overlooked beforehand. As a result of sharing between the 2 schools, both communities made a greater effort to involve the ‘other community’ in local events & activities, resulting in greater cross-community participation and better relations overall.
- Sometimes concerns are expressed that the minority community is outnumbered and will not have an equal say in a shared education partnership. Our experience has been the opposite. The minority school has equal status within the partnership, as the partnership seeks to address needs within both schools. Often the minority schools gain more benefits from the partnership.
- And finally, as schools are working with their nearest neighbour this means that the pupils & parents are more likely to have opportunities to meet outside of school. If schools are partnered with schools further away, just to meet a size criterion / reasonable numbers, this benefit is lost.

We would urge caution at being over prescriptive in relation to numbers and instead allow sharing to reflect the local context in which the school communities exist. Building relationships at local level is very important.

## **7 Monitoring and Reporting**

We note that the Department of Education has explained that the Shared Education Policy: Sharing Works, will provide the operational context for the Shared Education Bill. However we recommend that a clause on Monitoring & Reporting should be included in the Bill, of similar nature to that which is in the Rural Needs Bill, which is outlined below:

- 3 (1) A public authority must, in such manner as may be determined by the Department –
  - a) compile information on the exercise of its functions under section 1, and
  - b) send that information to the Department.
- (2) The Department must prepare an annual report containing –
  - a) the information sent to it under subsection (1); and
  - b) information on the exercise by the Department of its functions under this Act, and lay a copy of the report before the Assembly.

The above clause should be appropriately adapted for inclusion in the Shared Education Bill. The clause should place an onus on the Department of Education to prepare an annual report containing information on the exercise of its responsibilities in relation to Shared Education and those of the education bodies, which are listed in the Shared Education Bill. The report should also include

information on the exercise of the functions of the Education Authority on its responsibilities on Shared Education, in the Education Act (NI) 2014. And that the Department of Education presents a copy of this annual report to the Assembly.

### **Concluding Note**

The Shared Education Bill is crucial as it provides the opportunity needed to steer an ambitious path for our children, young people, educators and wider society. We urge the Assembly to be ambitious and forward thinking in finalising this legislation.

## **Contact Details**



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