



Northern Ireland  
Assembly

Committee for Education

# Report on the Shared Education Bill

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# Remit, Powers and Membership

The Committee for Education is a Statutory Departmental Committee established in accordance with paragraphs 8 and 9 of the Belfast Agreement, Section 29 of the Northern Ireland Act 1998 and, under Standing Order 48.

Statutory Committees have been established to advise and assist the appropriate Minister on the formation of policy in relation to matters within his/her responsibilities. Specifically, the Committee has power to:

- consider and advise on departmental budgets and annual plans in the context of the overall budget allocation;
- consider relevant secondary legislation and take the committee stage of primary legislation;
- call for persons and papers;
- initiate inquiries and make reports; and
- consider and advise on matters brought to the Committee by the Minister for Education.

The Committee has 11 members, including a Chairperson and Deputy Chairperson, and a quorum of 5. The membership of the Committee is as follows:

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Peter Weir (Chairperson)<sup>1</sup>

Sandra Overend (Deputy Chairperson)<sup>2</sup>

Maeve McLaughlin

Jonathan Craig

Danny Kennedy<sup>3,4</sup>

Nelson McCausland

Chris Hazzard

Trevor Lunn

Robin Newton

Pat Sheehan

Sean Rogers

<sup>1</sup>With effect from 11 May 2015 Mr Peter Weir replaced Miss Michelle McIlveen as Chairperson

<sup>2</sup> With effect from 15 June 2015 Mrs Sandra Overend replaced Mr Danny Kinahan as Deputy Chairperson

<sup>3</sup> With effect from 23 June 2015 Mr Ross Hussey replaced Mrs Sandra Overend

<sup>4</sup>With effect from 14 September 2105 Mr Danny Kennedy replaced Mr Ross Hussey

# Executive Summary

The Shared Education Bill is described as providing for a legislative definition of Shared Education, conferring power on the Department and its relevant arms-length bodies to encourage and facilitate Shared Education, and at the same time commencing the duty specified in the Education Act (NI) 2014 for the Education Authority to encourage, facilitate and promote Shared Education. The Bill is underpinned by a Departmental policy paper entitled “Sharing Works - A Policy for Shared Education”.

During the Committee Stage, Members considered written evidence from over 40 organisations and undertook 7 oral evidence sessions and 5 formal meetings. Deliberations were also informed by the Committee’s recently published report (1 July 2015) on its inquiry into Shared and Integrated Education which can be viewed at the following link:

<http://www.niassembly.gov.uk/assembly-business/committees/2016-2017/education/reports-2011-2016/report-on-the-inquiry-into-shared-and-integrated-education/>

In line with the findings and recommendations of its recent inquiry, the Committee agreed that it strongly supported the extension of access to Shared Education programmes to all schools. The Committee agreed that Shared Education should foreground improvements in educational attainment while also enhancing good relations and improving attitudes of children and young people in respect of persons of different backgrounds. The Committee welcomed the development of a legal definition of Shared Education and accepted that incorporating all of the above into the legal definition would not be practicable.

The Committee agreed to put down a number of amendments which would:

- require the Department to report regularly on the progress made in Shared Education programmes in respect of the level of participation and the impact on educational attainment, good relations, and improved attitudes among children and young people;
- amend the definition of Shared Education in order to ensure the inclusion of children and young people of all faiths together with those who designate as having no religious belief;

- place a duty on the Department, in line with that currently on the Education Authority, to promote, facilitate and encourage Shared Education;

The Committee also agreed to put down an amendment which would extend powers to education sectoral bodies in respect of the facilitation and encouragement of Shared Education. The Committee agreed to seek legal advice on this amendment.

In order to ensure the widest possible participation in Shared Education by all schools including small, rural or other schools, the Committee agreed to seek a Ministerial assurance that the “reasonable numbers” aspect of the Shared Education definition would be interpreted flexibly by the Department.

Further to the objective of promoting more sharing between schools, the Committee also agreed to support a Departmental amendment to the Shared Education Bill which will permit the Department and the Education Authority to establish and participate in a company which can act as the owner/manager of school buildings and facilities in a Shared Education campus.

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# Introduction

1. The Shared Education Bill (NIA 66/11-16) (the Bill) was introduced to the Assembly on 2 November 2015 and referred to the Committee for Education for consideration on completion of the Second Stage of the Bill on 9 November 2015 in accordance with Standing Order 33(1).
2. At introduction the Minister for Education (the Minister) made the following statement under Section 9 of the Northern Ireland Act 1998:

*“In my view the Shared Education Bill would be within the legislative competence of the Northern Ireland Assembly.”*

3. The Shared Education Bill (NIA 66/11-16) is designed to ‘...make provision in relation to shared education.’ The Bill’s Explanatory and Financial Memorandum (EFM) sets out the purpose of the Bill and a summary of its main provisions. The Bill and the EFM can be viewed at

<http://www.niassembly.gov.uk/assembly-business/legislation/2011-2016-mandate/primary-legislation-current-bills/shared-education-bill2/>

4. The objectives of the Shared Education Bill are described as follows: to provide a legislative definition of Shared Education, to confer power on the Department and its relevant arms-length bodies to encourage and facilitate Shared Education, and at the same time commence the duty specified in the Education Act (NI) 2014 for the Education Authority to encourage, facilitate and promote Shared Education.

## Committee’s Approach

5. The Committee had before it the Shared Education Bill (NIA 66/11-16) and the Explanatory and Financial Memorandum that accompanied the Bill. The Committee had also recently completed an inquiry into Shared and Integrated Education. The Committee’s report on the inquiry can be found at the following link:

<http://www.niassembly.gov.uk/assembly-business/committees/2016-2017/education/reports-2011-2016/report-on-the-inquiry-into-shared-and-integrated-education/>

6. The Committee received a Departmental briefing on the Shared Education Bill, at its meeting on 4 November 2015, in advance of the Committee’s formal consideration of the Bill at Committee Stage.
7. Following introduction of the Bill to the Assembly the Committee wrote, on 4

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November 2015, to key education stakeholders. The Committee also inserted notices in the Belfast Telegraph, Irish News and News Letter seeking written evidence on the Bill by 19 November 2015. The Committee also highlighted its call for evidence via social media.

8. Owing to the extensive nature of the Executive's general legislative programme and the introduction of a number of Education Bills during the final session of the mandate and as the Committee had recently concluded an in-depth inquiry into Shared and Integrated Education, the Committee agreed to undertake its scrutiny of the Shared Education Bill over a much shorter timescale than is usual. Some Members expressed concerns in respect of the consequent limited opportunity for effective Committee scrutiny of the Bill.
9. Around 40 organisations and individuals responded to the request for written evidence and copies of these submissions received by the Committee are included at Appendix 3.
10. During the period covered by this Committee Stage Report, the Committee considered the Bill and related issues at 5 of its meetings. The relevant extracts from the Minutes of Proceedings for meetings, as appropriate, are included at Appendix 1. From 25 November 2015 to 2 December 2015, the Committee took oral evidence from selected stakeholders who had submitted written evidence. These included:
  - Northern Ireland Council for Integrated Education and the Integrated Education Fund (25 November 2015);
  - Centre for Shared Education at Queen's University, Belfast (25 November 2015);
  - Council for Catholic Maintained Schools (2 December 2015);
  - Equality Commission for Northern Ireland and the Northern Ireland Human Rights Commission (2 December 2015);
  - Northern Ireland Commissioner for Children and Young People (2 December 2015);
  - Rural Centre for Shared Education (2 December 2015); and
  - Transferors' Representative Council (2 December 2015).
11. Both stakeholders and Departmental officials answered Members' questions after

their individual sessions - as reflected in the Minutes of Evidence for each of these meeting sessions (extracts reproduced at Appendix 2). Departmental officials were requested to provide specific follow-up information to the Committee - this is reproduced at Appendix 4.

12. The Committee commenced its informal deliberations on the clauses of the Bill on 9 December 2015 and completed its formal clause by clause scrutiny of the Bill at its meeting on 16 December 2015.

#### **Report on the Committee Stage of the Shared Education Bill**

13. At its meeting on 6 January 2016, the Committee agreed that its Report on the Shared Education Bill - this Report - would be the 7<sup>th</sup> Report of the Committee for the 2011-16 mandate. The Committee also agreed that this Report should be printed.

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# Consideration of the Bill

## Shared Education: Purposes, Reviewing and Reporting

14. A number of stakeholders wrote to the Committee and gave oral evidence suggesting that an additional “purposes” clause be added to the Bill in order to set out the purpose or objectives of Shared Education. Stakeholders identified different objectives for inclusion in the Bill.
15. The Northern Ireland Commissioner for Children and Young People (NICCY) contended that the Bill should include a formal link with the objectives of the United Nations Convention on the Rights of the Child (UNCRC) to develop the personalities and talent of children and young people and to help them live full and satisfying lives.
16. Some Integrated schools and the Community Relations Council (CRC) felt that the Bill should formally set the purpose of Shared Education as enhancing community reconciliation and contributing to the development of a shared future for Northern Ireland.
17. Other submissions including those from Dr D A Wilson, University of Ulster suggested that the Bill should indicate that the purpose of Shared Education should focus on tackling educational underachievement and should support other educational attainment initiatives.
18. The Rural Centre for Shared Education (RCSE) and the Corrymeela Community suggested a balanced set of purposes arguing that the Bill should indicate that Shared Education should: provide societal benefit; support improved educational attainment; and ensure the efficient and effective use of resources.
19. RCSE and the UNESCO Centre at the University of Ulster suggested that the Department be statutorily obliged to report regularly in respect of Shared Education progress. The Northern Ireland Council for Integrated Education (NICIE) also argued that the Northern Ireland Audit Office should undertake a review of the efficiency and effectiveness of Shared Education programmes.
20. The Department advised that the inclusion of a “purposes” clause might lead to some level of confusion in respect of the interpretation of the provisions of the Bill or the expectations of stakeholders. The Department also expressed concern that a prescriptive set of purposes or objectives for Shared Education might serve to

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limit the inclusion of some high quality Shared Education projects which may not necessarily always obviously match the stated objectives.

21. The Committee noted with approval the imaginative and intelligent suggestions from stakeholders in respect of the purposes of Shared Education and the resonance between many of their proposals and the Committee's recommendations in its report on its inquiry into Shared and Integrated Education. In particular, Members felt that Shared Education should be based on meaningful curriculum-based interactions between schools, foregrounding educational attainment while also supporting societal development and community cohesion by improving the attitudes of children and young people to relevant Section 75 groups. The Committee noted also the importance of sharing in schools being a continual and improving process which makes effective use of resources including the exploitation of the existing school IT infrastructure.
22. The Committee accepted the Department's argument that a "purposes" clause may be both an inappropriate inclusion in the Shared Education Bill and an inefficient means of giving effect to the Committee's stated views on the purposes of Shared Education. The Committee therefore agreed to put down an amendment which would insert a new clause requiring the Department to review and report on Shared Education including the relevant actions of the Education Authority.
23. The Committee agreed that the Department should be obliged to report on the extent to which Shared Education has: improved educational attainment; improved the attitudes of children and young people to persons of different social and other backgrounds; used resources efficiently and effectively including ICT infrastructure; and increased participation in sharing in schools and relevant organisations. The Committee agreed that the report should be produced on a similar timescale to the Education and Training Inspectorate's Chief Inspector's report i.e. once every 2 years.

#### **Clause 1: "Shared Education"**

24. Clause 1 is described as providing a common definition of Shared Education.

#### **Other Definitions**

25. Stakeholders wrote to the Committee and made oral submissions suggesting a

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wide range of changes to the definition of Shared Education

26. NICCY, the Northern Ireland Human Rights Commission (NIHRC), the National Association of Head Teachers (NAHT) and others suggested that the relevant definition be extended beyond Protestant and Catholic children and young people and those experiencing different levels of socio-economic deprivation in order to include a wide range of different Section 75 groups - including those of different race, gender, disability, sexual orientation and gender assignment and those with and without dependents etc. NIHRC advised that it believed that the failure to reference these groups meant that the Bill might not “meet the reasonable and objective justification test required by human rights standards”.
27. The National Association of Schoolmasters and Union of Women Teachers (NASUWT), Rural Community Network (RCN) and the UNESCO Centre at the University of Ulster argued that the Bill should be amended such that instead of simply referring to children and young people being educated together, the Shared Education definition should be based on either the Department’s “Sharing Works” definition or the Ministerial Advisory Group (MAG) report which defined Shared Education as “2 or more schools from different sectors working to deliver educational benefits to learners promoting the efficient and effective use of resources and equality of opportunity and identity, good relations and respect for diversity and community cohesion.”
28. The Department contended that a reference to a wide range of Section 75 groups or the adoption of the MAG definition or its own Shared Education policy definition would not be appropriate for legislation. The Department argued that the inclusion of any of the above in legislation could serve to prevent the participation of some schools or other organisations in high quality Shared Education projects which may not necessarily always meet the requirements of the revised definitions including the involvement of Section 75 groups or schools from different sectors. The Department also asserted that as schools do not record most of the Section 75 identities that have been suggested, it would be impossible to determine whether Shared Education projects were indeed compliant with the revised definitions.
29. Additionally the Department assured the Committee that as its “Sharing Works” policy clearly sets out an expectation in respect of community cohesion and attitudinal improvement, it was unnecessary to set out these expectations again in

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legislation.

30. The Department also strongly contended that the Bill was indeed compliant with human rights legislation and that there was reasonable and objective justification for the proposed definition. The Department indicated that Shared Education is designed, among other things, to tackle community divisions in Northern Ireland and thus it unsurprisingly focuses largely on Protestant and Catholic children. The Department also argued that socio-economic deprivation was included in the definition as there is a clear correlation between educational underachievement and poverty. Additionally DE asserted that as the Bill allows all grant-aided schools including Special Schools to participate in Shared Education, this would ensure the inclusion of children with disabilities.
31. The Committee noted the findings and recommendations of its recent inquiry into Shared and Integrated Education. In particular, the Committee recalled its recommendation that Shared Education should promote community cohesion and attitudinal improvement in respect of Section 75 groups. Notwithstanding the above, the Committee accepted that the suggested alternative definitions of Shared Education (which are designed to enhance inclusion) may have little effect given the limited Section 75 profiling of children and young people currently undertaken by schools. The Committee felt that the new obligations it had proposed in respect of the Department undertaking regular review and reporting on Shared Education would go some way to meeting the Committee inquiry recommendations and the concerns of stakeholders in respect of Shared Education and inclusion.
32. The Committee noted with concern the assertions made by NIHRC in respect of the possible non-compliance of the Bill with human rights standards. The Committee felt that its suggested amendment, which would insert a new review and report clause focusing among other things on good relations and attitudinal improvement, would address some of the concerns raised by NIHRC.
33. The Association of School and College Lecturers (ASCL) and Drumragh Integrated College commented that the definition of Shared Education included in the Bill should make some reference to the nature or the quality of the evolving Shared Education experience in which children and young people were to be involved.
34. The Committee felt that further amendments in this regard were unnecessary as its review and report amendment would oblige the Department to report on Shared

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Education progress and the overall impact that Shared Education projects had on children and young people.

**“Religious Belief” / “Reasonable Numbers”**

35. A number of stakeholders including the Equality Commission (EC), the Community Relations Council (CRC), the Integrated Education Fund (IEF) and the Centre for Shared Education (CSE) at Queen’s University Belfast commented in respect of the requirement for Shared Education projects to include children and young people of different “religious belief” including “reasonable numbers” of Protestants and Catholics.
36. It was argued that the “religious belief” wording was inappropriate as schools could not determine the actual religious practices or beliefs of their pupils. EC and CSE etc. argued that a more useful term would be community or cultural background.
37. CRC and IEF contended that the reference to Protestants and Catholics was restrictive and might lead to the exclusion of some schools with a high proportion of children with no designated religion. CRC and IEF also suggested that the “reasonable numbers” wording was unclear and might lead to poor definition of Shared Education projects.
38. The Department advised that schools presently do not consistently record the community or cultural background of their pupils but instead record in some detail their religion - this, DE advised was an inclusive definition which always covered children who designate as having no religious belief. DE therefore contended that as this terminology was in line with Section 75 guidance from the Equality Commission and was understood in law and by schools and other stakeholders, compliance with the associated criteria could be assured. DE also indicated that the “reasonable numbers” condition would be applied flexibly recognising the diverse and varying circumstances that e.g. large urban and small rural schools may experience in respect of the numbers of pupils with different religions or “religious belief”.
39. The Committee indicated its support for a wide-range of good quality Shared Education projects involving schools (and other providers) of varying sizes and with children and young people of different community backgrounds throughout Northern Ireland. The Committee accepted Departmental assurances in respect of the recording and inclusive meaning of the information relating to pupils’ religion which is presently held by schools. The Committee therefore agreed that it would

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not pursue amendments which would alter the Shared Education definition in order to refer to community or cultural background.

40. However Members expressed concerns in respect of the possible inadvertent exclusion of the growing number of children designating as having no religious belief. The Committee therefore agreed to put down an amendment which would explicitly include children and young people with no religious belief in the definition of Shared Education. The Committee agreed that it would review its position on this amendment in the event of the Department suggesting alternative wording.
41. The Committee also agreed to seek a Ministerial assurance at Consideration Stage in respect of the flexible application of the “reasonable numbers” criteria in order to ensure the inclusion of schools of varying size and differing pupil backgrounds. Consequently, the Committee agreed that it would not bring forward amendments in this regard.
42. Stakeholders - including the Transferors’ Representative Council (TRC), EC, CSE and the UNESCO Centre at the University of Ulster - commented on the inclusion of socio-economic deprivation as part of the qualifying criteria for Shared Education programmes. TRC suggested that these be removed in order to avoid the possible exclusion of some schools from Shared Education. Other stakeholders sought clarity as to how deprivation would be assessed.
43. The Department advised that a variety of socio-economic measures would be employed including Free School Meal Entitlement in schools and spatial deprivation indicators for other educational providers. The Department assured the Committee that such measures would be applied flexibly and on a case-by-case basis with a view to including a wide range of differing high quality Shared Education projects.
44. The Committee noted the clarification and assurances provided by the Department and agreed that as the intention of the wording in the Bill was to widen participation in Shared Education, it would not bring forward related amendments.

### **Integrated Education**

45. NICCY; NICIE; the Rural Community Network and a number of Integrated schools argued that the clause should be amended in order to link Shared and Integrated Education. Some stakeholders contended that the Bill should make clear that Integrated Education was the logical progression for schools participating in

Shared Education. These stakeholders also referenced the Department's "Sharing Works" policy which refers to Integrated Education as being at the upper end of the sharing continuum - they suggested that this wording should be incorporated into the Bill.

46. The Department countered that Integrated Education was clearly defined in legislation in terms of the nature and governance of an Integrated school etc. and thus could not be linked in the Bill to Shared Education which requires participation between more than 1 school. DE contended that the reference in the "Sharing Works" policy to the upper end of a sharing continuum referred to the inclusive elements of Integrated Education rather than a Departmental expectation that schools involved in Shared Education will necessarily ultimately become Integrated schools.
47. Some Members felt that the absence of any reference to Integrated Education in the Bill was a serious omission and exposed inconsistencies between the Department's policy on Shared Education and the Bill. These Members contended that an amendment - indicating that, in line with "Sharing Works", Integrated Education was a natural progression of Shared Education - was required, in order to address this problem.
48. Other Members accepted the Department's explanation that Integrated and Shared Education differed considerably and consequently could not be usefully linked in legislation.
49. The Committee agreed that it would not support related amendments.

### **Relevant Providers**

50. A number of stakeholders - NICCY, CSE, TRC and NAHT - commented on the "relevant providers" provisions which set out that all grant-aided schools and other providers of educational services can participate in Shared Education.
51. Some stakeholders argued that, in line with the MAG definition, these provisions should require participating schools to be from different sectors so as to ensure that schools with predominantly Protestant pupils are obliged to share with schools with predominantly Catholic pupils. CSE and NAHT also argued that the provisions should require or encourage sharing between mainstream and Special Schools.
52. NICCY argued that the clause should specifically reference early years settings and Further Education colleges - highlighting the existing support for sharing

projects provided to schools by these providers.

53. Other stakeholders - including some schools - suggested that communities or individual schools with a high level of mixing should be recognised as “relevant providers” of education and thus participants in Shared Education.
54. The Department clarified that the Bill would permit schools/providers from the same sector to participate together in Shared Education projects. The Department argued that the fair and flexible application of the “reasonable numbers” criteria would ensure that projects always involved cross-community participation. The Department also advised that as the definition of “relevant providers” was widely drawn, this would allow the participation of individual mainstream schools, early years settings, Further Education colleges and Special Schools etc.. The Department contended that consequently the definition of relevant provider required no amendment.
55. Some Members felt that Further Education colleges should be explicitly referenced in the Bill as relevant providers in line with the existing reference to youth services in the Bill. Other Members disagreed and accepted the Department’s explanation that an explicit reference to Further Education colleges was superfluous. The Committee divided on the question of the explicit inclusion of Further Education colleges in the Bill as relevant providers. The Committee agreed that it would not put down amendments in this regard.
56. The Committee accepted the Department’s explanations in respect of the inclusion of other providers e.g. early years settings etc. and agreed that it would not bring forward related amendments.

## **Clause 2: Power to encourage and facilitate shared education**

57. Clause 2 is described as conferring on the listed bodies (the Department of Education; the Council for Catholic Maintained Schools; the Youth Council for Northern Ireland; and the Northern Ireland Council for the Curriculum, Examinations and Assessment) a power to encourage and facilitate Shared Education.

### **Listed Bodies**

58. Stakeholders suggested that a number of additional organisations be identified in

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the Bill as listed bodies.

59. NICCY suggested that the Department for Employment and Learning should be a listed body as Further Education colleges' enrolments tended to be mixed and as colleges were already participants with schools in Shared Education projects.
60. The submission from Armagh - A Learning City and the Corrymeela Community contended that district councils and non-statutory voluntary organisations etc. should also be recognised as listed bodies with the associated powers in respect of Shared Education.
61. A large number of respondents indicated that they believed that NICIE should have powers in respect of Shared Education - arguing that Shared Education was a logical forerunner of Integrated Education and that without the suggested amendment, NICIE would unfairly be excluded from access to Shared Education funding.
62. TRC, UNESCO Centre and NICIE contended that all sectoral bodies and perhaps the General Teaching Council Northern Ireland should be listed in the Bill as having powers to facilitate and encourage Shared Education. These respondents felt that if the Department was to maintain the distinction between the definitions of Shared and Integrated Education and if the former was to be available to all schools in all sectors, it was only logical to allow a wider range of bodies to have the associated powers.
63. The Department indicated that the suggested additions to the listed bodies may be inappropriate or unnecessary as in some cases the organisations were companies limited by guarantee and in other cases they had no direct responsibility for Shared Education and in still other cases were currently directly involved in delivering Shared Education and thus would derive no benefit from having a power in respect of Shared Education.
64. DE further advised that it had received legal advice that indicated that statutory powers should not be conferred on non-statutory organisations including e.g. NICIE or Comhairle na Gaelscolaíochta (CnaG) etc.. DE also advised that it understood that where the Department had a statutory duty, this would influence its dealing with statutory Arms Length Bodies in respect of e.g. funding etc. although the duty itself would not necessarily automatically transfer to the statutory Arms Length Body. DE also indicated that existing legislation limited its discretion in respect of placing further statutory duties on the General Teaching Council

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Northern Ireland.

65. The Committee accepted the Department's argument in respect of the General Teaching Council Northern Ireland. The Committee therefore agreed that it would not pursue amendments in that regard.
66. The Committee noted the Department's argument that non-statutory bodies should generally not be given statutory powers. However the Committee felt that an amendment which permitted DE to recognise organisations as sectoral bodies (i.e. those representing the interests of different kinds of grant-aided schools) would be compatible with the extension of relevant powers. The Committee anticipated that these bodies will be: the Northern Ireland Council for Integrated Education representing Integrated schools; Comhairle na Gaelscolaíochta representing Irish Medium schools; and the Controlled Schools Support Council representing Controlled schools. The Bill, as drafted, already references CCMS which represents the interests of Catholic Maintained schools.
67. The Committee felt that the above approach was necessary in order to ensure fairness and wider access to Shared Education for schools. The Committee agreed to seek legal advice in respect of the amendment.

### **Powers and Duties**

68. Stakeholders also commented suggesting alternatives to the powers in respect of Shared Education which the Bill, as introduced, places on the listed bodies. Some stakeholders felt that duties should be specified for the Department of Education etc. in this regard.
69. Armagh - A Learning City and ASCL suggested that the clause should place an obligation on DE to facilitate discussions between schools and enhance local autonomy in order to support Shared Education. CRC, NIHRC and CSE also appeared to support an amendment which would place a duty on DE to encourage, facilitate and also promote Shared Education in line with the existing obligations on the Education Authority. RCSE and the UNESCO Centre supported the extension of the new duty to all of the Arms Length Bodies named in the Bill. In contrast, NICIE suggested that powers in respect of Shared Education should remain as drafted in order to prevent the development of a hierarchy in which Shared Education took precedence over Integrated Education.
70. The Department argued that a power rather than a duty to facilitate and encourage

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Shared Education would permit the listed bodies (including the Department) a necessary level of flexibility in the application of the relevant power. The Department also argued that new duties on the Department in respect of Shared Education could have wide-ranging, unfortunate and unforeseeable consequences for other Departmental policies and its efficient use of resources.

71. Some Members noted that in the absence of any relevant legislative powers, the Department had been encouraging, facilitating, and promoting Shared Education for some years and with some success. The Committee therefore felt that the Department's support for the introduction of a new power which would appear to have no additional effect did not appear to be logical. These Members argued that in order to consistently encourage, facilitate and promote Shared Education in support of improved educational attainment and attitudinal improvement among children and young people etc., a new clause was required which would place a duty on the Department in respect of Shared Education. These Members felt that this would not conflict with DE's existing duties in respect of Integrated Education or lead to a hierarchy of obligations.
72. Other Members referred to the legal concerns raised by the Department and in view of the apparent level of uncertainty in respect of the impact on statutory Arms Length Bodies of a new duty on the Department, contended that consideration of such an amendment be deferred.
73. The Committee divided and agreed to support the application of a new duty on the Department in line with the existing duty on the Education Authority in respect of the promotion, facilitation and encouragement of Shared Education.
74. The Committee recalled its recent inquiry recommendation which suggested that Shared Education duties should extend to all relevant Arms Length Bodies. Members accepted the Department's advice in respect of possible difficulties associated with placing statutory duties (rather than statutory powers) on non-statutory bodies and therefore agreed to not pursue amendments which would extend duties in respect of Shared Education to the revised set of listed bodies in the Bill.
75. In submissions to the Committee, RCSE suggested that the Bill be amended in order to require DE to screen all policies and commitments - similar to the practice in respect of rural proofing - in order to determine whether they promote sharing or further entrench division in education.

76. DE advised that an obligation to screen all policies in respect of sharing and to make related reasonable adjustments to those policies may entail a significant financial and administrative burden.
77. The Committee accepted the Department's explanation and agreed that it would not pursue amendments in this regard.
78. NICIE, IEF and a number of Integrated schools suggested that the clause be amended in order to place a duty on DE to facilitate the transformation of schools involved in sharing to formal Integrated status. Some of these submissions also suggested that new duties be placed on DE and/or the Education Authority in respect of a formal obligation to plan for the Integrated sector (equivalent to the obligation on CCMS in respect of the Maintained sector).
79. The Department argued that the extension of the power to include the encouragement of schools to transform to Integrated status was beyond the policy intention of the Bill.
80. Members agreed that additional duties in respect of the promotion and planning of Integrated Education were likely to be outside the scope of the Bill and would require further study of their implications before their adoption could be considered.
81. Members also recalled the Committee's recent inquiry recommendation that the Department should undertake a strategic review of its approach to Integrated Education, the terms of reference of which should include: the effectiveness of its actions in encouraging and facilitating this form of education; and the roles of the sectoral bodies etc.. The majority of Members felt that this review should be undertaken and conclusions developed prior to the adoption of any new legislation in respect of Integrated Education.

### **Clause 3: Commencement of duty of Education Authority in relation to shared education**

82. Clause 3 is described as amending Section 7 of the Education Act (NI) 2014 to provide for the commencement of the duty on the Education Authority to encourage, facilitate and promote shared education. That duty will come into operation on the day after the day on which the Shared Education Bill receives Royal Assent.

83. NASUWT argued that the duties on the Education Authority in respect of Shared Education should not be commenced until an appropriate Shared Education framework is established with a coherent implementation plan.
84. The Committee felt that Shared Education should be encouraged, facilitated and promoted and that the relevant duties should be commenced as soon as an agreed statutory definition of Shared Education was in place.
85. The Committee therefore agreed that it was content with Clause 3 as drafted.

#### **Clause 4: Short title and commencement**

86. This clause contains the short title of the Act - Shared Education Act (Northern Ireland) 2015.
87. Members noted that the short title ill likely reference the year in which Royal Assent is achieved i.e. 2016. Otherwise, the Committee was content with the Clause as drafted.

#### **Shared campus clause**

88. The Department proposed an amendment which would insert a new clause which would permit the Department or the Education Authority to establish and participate in a company which could act as the owner of school buildings etc. in a shared educational campus.
89. The Committee noted that the Strule shared campus in Omagh included schools from a number of different sectors. The Committee recognised the challenge that different ownership models, prevalent in each sector, might present to the governance of a shared educational campus. The Committee accepted that resolution of the ownership question might facilitate progress in Strule and in other future shared campuses. Consequently, the Committee agreed to accept the Department's amendment.

#### **Other Issues**

90. Irish National Teachers' Organisation argued that the Bill should explicitly indicate that progress in respect of Shared Education should not be linked to academic

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performance but should instead be based on a “dashboard of measures” of participating schools including respect and empathy for others. NAHT also indicated that Shared Education progress should not be linked to Levels of Progression and that the Bill should indicate this.

91. The Committee recalled its inquiry recommendation that the Department should give consideration to a wide range of agreed, objective impact measures for Shared Education based on educational improvement in the first instance and societal reconciliation progress in the second. The Committee noted DE’s programme to develop a “dashboard of measures” of school performance and recent developments in respect of the ongoing industrial dispute relating to Levels of Progression. The Committee therefore agreed that it would not pursue amendments related to the assessment of associated educational attainment or other aspects of Shared Education.
92. IEF proposed an additional clause which would compel DE to adopt an Integration Strategy which would support the progression of schools from Shared Education to Integrated Education and specify actions and outcomes which DE must adopt. NICIE also proposed that the Bill be amended in order to oblige DE to establish an independent commission to review the legislative framework and the statutory duty in respect of Integrated Education. NICIE also called for the development of a new Integration policy in order to secure support, resources and planning arrangements for Integrated Education.
93. The Department argued that the proposed amendments and other comments referred to matters which were outside the policy intention of the Bill.
94. Members agreed that new strategies in respect of Integrated Education were likely to be outside the scope of the Bill and would require further study of their implications before their adoption could be considered. Members recalled the Committee’s inquiry recommendation that the Department should undertake a strategic review of Integrated Education. The majority of Members felt that this should be undertaken prior to the adoption of new legislation etc. in respect of Integrated Education.

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# Clause by Clause Scrutiny of the Bill

95. This section gives the decisions on the Committee's scrutiny of the clauses of the Shared Education Bill. Members and other readers of this report may wish to refer to the previous section so as to gain a full understanding of the Committee's consideration and deliberations on the individual clauses, alongside the decisions set out below.

## Clause 1: "Shared Education"

96. The Committee agreed that it would not recommend to the Assembly that an amendment be made to 1(2)(a) replacing the wording 'religious belief' with 'community background'.
97. The Committee agreed that it would recommend to the Assembly that an amendment, as indicated below, be made to the wording of 1(2)(a) adding after 'those of different religious belief', reference to children and young people with no religious belief.

Clause 1, page 1, line 8

After 'belief', insert 'or none'

98. The Committee also agreed that its views on the inclusion of a reference to children and young people of no religious belief in the Clause may alter subject to the consideration of an anticipated related Departmental amendment.
99. The Committee agreed to seek a formal Ministerial assurance, at Consideration Stage, that a flexible approach will be taken on the interpretation of the 'reasonable numbers' criteria in 1(2)(a) in order to ensure the inclusion of small, rural or other schools in Shared Education projects.
100. The Committee agreed that it would not recommend to the Assembly that an amendment be made, as indicated below, to 1(2) linking the definition of Shared Education to Integrated Education.

Clause 1, page 1, line 13

At end insert -

'with a view to supporting a natural progression towards integrated education, as appropriate, where this is supported by the school community'

101. The Committee agreed that it would not recommend to the Assembly that an amendment be made, as indicated below, to 1(3) explicitly identifying Further Education colleges as relevant providers of Shared Education.

The Committee divided.

| Ayes       | Noes                          | Abstained                    | Not voting |
|------------|-------------------------------|------------------------------|------------|
| Peter Weir | Sandra Overend<br>Trevor Lunn | Chris Hazzard<br>Seán Rogers |            |

Clause 1, page 1, line 15

At end insert -

'(aa) further education, as defined in Article 3 of the Further Education (Northern Ireland) Order 1997'

### **New Clause 1A**

102. The Committee agreed to recommend to the Assembly that amendments be made, as indicated below: to Clause 1; inserting a new clause; and to Clause 2 in order to place a duty on the Department of Education in respect of Shared Education.

The Committee divided.

| Ayes  | Noes                         | Abstained | Not voting |
|---|------------------------------|-----------|------------|
| Peter Weir<br>Sandra Overend<br>Seán Rogers | Chris Hazzard<br>Trevor Lunn |           |            |

New Clause

After clause 1, insert -

'Duty to promote, encourage and facilitate shared education

1A.–(1) It is the duty of the Department of Education to promote, encourage and facilitate shared education.'

Paving amendment:

Clause 1, page 1, line 3

After 'section' insert '1A,'

Consequential amendment:

Clause 2, page 2

Leave out paragraph (a)

103. The Committee agreed that it was content with Clause 1, subject to the proposed amendments.

### **Clause 2 Power to encourage and facilitate shared education**

104. The Committee agreed to recommend to the Assembly that 2(2) be amended, as indicated below, in order to allow powers in respect of Shared Education to be extended to sectoral bodies.

Clause 2, page 2, line 6

At end insert -

‘(e) any sectoral body

(3) In this section, “sectoral body” means a body–

(a) which is recognised by the Department as representing the interests of grant-aided schools of a particular description; and

(b) to which grants are paid under Article 115 of the 1986 Order, Article 64 of the 1989 Order or Article 89 of the 1998 Order.’

105. The Committee also agreed to seek legal advice on the proposed amendment.
106. The Committee agreed that it was content with Clause 2, subject to the proposed amendments.

### **New Clause 2A**

107. The Committee agreed to recommend to the Assembly that the Bill be amended in order to insert a new clause, as indicated, below which would require the Department of Education to review and report on Shared Education progress including the relevant actions of the Education Authority, every two years.

After clause 2, insert -

‘Review

2A. –(1) The Department must–

(a) not later than two years after the date on which this Act receives Royal Assent, and

(b) at intervals of not more than two years thereafter, review, and prepare a report on, the operation of this Act and section 2(3) of the Education Act (Northern Ireland) 2014 (“the 2014 Act”).

(2) The Department must lay any report under this section before the Assembly.

(3) A report under this section must include statements on the following matters, so far as relating to the reporting period–

(a) the extent to which the bodies listed in section 2(2) have exercised their powers under that section;

(b) the extent to which the Education Authority has complied with its duty under section 2(3) of the 2014 Act;

(c) the level of participation in shared education and the extent to which there has been any increase or decrease in participation;

(d) efficiency in the use of resources allocated for the purposes of shared education, including information and communications technology infrastructure;

(e) the impact of shared education on–

- (i) educational attainment;
- (ii) good relations between participating children;
- (iii) attitudes of participating children towards persons from backgrounds other than their own.'

### **New Clause 2B**

108. The Committee agreed to recommend to the Assembly that the Bill be amended in line with a Departmental suggestion, to insert a new clause, as indicated below which would allow DE or the Education Authority to form a company in order to provide for the ownership of school buildings etc. in a shared campus.

After clause 2 insert

'Power to form company

2B.(1) For the purposes of its functions under section 2, the Department of Education may form, or participate in the formation of, a company under the Companies Act 2006.

(2) For the purposes of its functions under section 2(3) of the Education Act (Northern Ireland) 2014, the Education Authority may form, or participate in the formation of, a company under the Companies Act 2006.'

### **Clause 3 Commencement of duty of Education Authority in relation to shared education**

109. The Committee agreed that it was content with Clause 3, as drafted.

### **Clause 4 Short title and commencement**

110. The Committee agreed that it was content with Clause 4, as drafted.

### **Long Title**

111. The Committee agreed that it was content with the Long Title of the Bill, as drafted.

# Links to Appendices

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Northern Ireland  
Assembly

Appendix 1

# Minutes of Proceedings



Northern Ireland  
Assembly  
Committee for Education  
MINUTES OF PROCEEDINGS  
WEDNESDAY 4 NOVEMBER 2015  
SENATE CHAMBER, PARLIAMENT BUILDINGS

**Present:**

Peter Weir MLA (Chairperson)  
Sandra Overend MLA (Deputy Chairperson)  
Jonathan Craig MLA  
Chris Hazzard MLA  
Danny Kennedy MLA  
Trevor Lunn MLA  
Nelson McCausland MLA  
Maeve McLaughlin MLA  
Robin Newton MLA  
Seán Rogers MLA  
Pat Sheehan MLA

**In Attendance:**

Peter McCallion (Assembly Clerk)  
Paul Stitt (Assistant Clerk)  
Paula Best (Clerical Supervisor)  
Kevin Marks (Clerical Officer)

**Apologies:**

None

*The meeting commenced in public session at 9:38am.*

**1. Shared Education Bill – Departmental briefing**

The Committee noted correspondence from a concerned principal relating to school compliance with the Levels of Progression as a criterion for participation in the Shared Education Signature Project.

*Departmental officials joined the meeting at 9:40am.*

Faustina Graham, Director of Collaborative Education and Practice and Andrew Bell, Head of Shared Education and Community Relations Team briefed the Committee on the Shared Education Bill.

*Danny Kennedy joined the meeting at 9:42am*

A question and answer session followed the briefing.

*Sandra Overend joined the meeting at 9:53am.*

*Nelson McCausland joined the meeting at 9:53am.*

*Maeve McLaughlin joined the meeting at 10:10am.*

*Pat Sheehan joined the meeting at 10:10am.*

*Danny Kennedy left the meeting at 10:25am.*

*The officials left the meeting at 10:47am.*

**Agreed:** The Committee agreed to write to the Department requesting urgent clarification in respect of concerns raised by schools regarding reported inconsistent advice from the Education Authority and differing treatment of schools which are said to be not complying with the Levels of Progression but are seeking to participate in the Shared Education Signature Project.

**Agreed:** The Committee agreed to forward, to the approved list of stakeholders, correspondence inviting submissions to the anticipated Committee Stage of the Shared Education Bill.

**Agreed:** The Committee agreed to publish a press advertisement inviting submissions to the anticipated Committee Stage of the Shared Education Bill.

**[EXTRACT]**



Northern Ireland  
Assembly  
Committee for Education  
MINUTES OF PROCEEDINGS  
WEDNESDAY 25 NOVEMBER 2015  
SENATE CHAMBER, PARLIAMENT BUILDINGS

**Present:**

Peter Weir MLA (Chairperson)  
Sandra Overend MLA (Deputy Chairperson)  
Jonathan Craig MLA  
Danny Kennedy MLA  
Trevor Lunn MLA  
Nelson McCausland MLA  
Maeve McLaughlin MLA  
Robin Newton MLA  
Seán Rogers MLA  
Pat Sheehan MLA

**In Attendance:**

Peter McCallion (Assembly Clerk)  
Paul Stitt (Assistant Clerk)  
Kevin Marks (Clerical Officer)  
Alicia Muldoon (Clerical Officer)

**Apologies:**

Chris Hazzard MLA

*The meeting commenced in public session at 10:01am.*

**6. Shared Education Bill – Committee Stage - Background Information – written briefing**

The Committee noted a written briefing including background information on the Shared Education Bill.

The Committee noted that all responses received to the Committee's Call for Evidence on the Shared Education Bill had been uploaded and were available to view on their SkydrivePro account.

**Agreed:** The Committee agreed that all submissions could be shared with the Department of Education and published on the Committee's webpage.

*Committee proceedings were suspended at 11:29am*

*Committee proceedings resumed at 11:40am with the following Members: Peter Weir, Sandra Overend, Seán Rogers, Robin Newton, Danny Kennedy, Maeve McLaughlin and Trevor Lunn.*

## **7. Shared Education Bill – Committee Stage - Northern Ireland Council for Integrated Education and Integrated Education Fund**

*Witnesses joined the meeting at 11:40am.*

Tina Merron, Chief Executive, Integrated Education Fund; Sam Fitzsimmons, Communications Director, Integrated Education Fund; Lorna McAlpine, Senior Development Officer, Northern Ireland Council for Integrated Education; and Bernie Kells, Senior Development Officer, Northern Ireland Council for Integrated Education briefed the Committee as part of the Committee Stage of the Shared Education Bill.

A question and answer session followed the briefing.

*Nelson McCausland rejoined the meeting at 11:55am*

*The witnesses left the meeting at 12:22pm.*

## **8. Shared Education Bill – Committee Stage - Centre for Shared Education, Queen’s University, Belfast**

*The witnesses joined the meeting at 12:23pm.*

Professor Joanne Hughes, Centre for Shared Education, Queen’s University Belfast; Michael Arlow, Lecturer in Shared Education, Queen’s University Belfast; and Dr Danielle Blaylock, Research Fellow, Centre for Shared Education, Queen’s University Belfast briefed the Committee as part of the Committee Stage of the Shared Education Bill.

*Nelson McCausland left the meeting at 12:35pm*

*Maeve McLaughlin left the meeting at 12:36pm*

A question and answer session followed the briefing.

*The witnesses left the meeting at 12:49pm.*

**Agreed:** The Committee agreed to write to the Department to seek clarification as to how it intends to define and measure socio-economic deprivation in the context of the Shared Education Bill. The Committee also agreed to seek further clarification on the wording of the Shared Education definition.

**[EXTRACT]**



Northern Ireland  
Assembly  
Committee for Education  
MINUTES OF PROCEEDINGS  
WEDNESDAY 2 DECEMBER 2015  
SENATE CHAMBER, PARLIAMENT BUILDINGS

**Present:**

Peter Weir MLA (Chairperson)  
Sandra Overend MLA (Deputy Chairperson)  
Jonathan Craig MLA  
Chris Hazzard MLA  
Danny Kennedy MLA  
Trevor Lunn MLA  
Nelson McCausland MLA  
Maeve McLaughlin MLA  
Robin Newton MLA  
Seán Rogers MLA

**In Attendance:**

Peter McCallion (Assembly Clerk)  
Paul Stitt (Assistant Clerk)  
Paula Best (Clerical Supervisor)  
Kevin Marks (Clerical Officer)

**Apologies:**

Pat Sheehan MLA

*The meeting commenced in public session at 9:45am with the following Members present: Peter Weir (Chairperson), Jonathan Craig, Trevor Lunn and Nelson McCausland. In the absence of a decision-making quorum, proceedings commenced in line with Standing Order 49(5).*

**5. Shared Education Bill – Committee Stage - Council for Catholic Maintained Schools (CCMS)**

*The witnesses joined the meeting at 9:47am.*

Gerry Lundy, Deputy Chief Executive, CCMS; and Michael Graham, Senior Education Adviser, CCMS briefed the Committee as part of the Committee Stage of the Shared Education Bill.

*Sandra Overend joined the meeting at 9:49am. The Committee achieved a decision-making quorum.*

*Robin Newton joined the meeting at 9:57am*

A question and answer session followed the briefing.

*Danny Kennedy joined the meeting at 10:02am*

*Maeve McLaughlin joined the meeting at 10:02am*

*The witnesses left the meeting at 10:23am*

**Agreed:** The Committee agreed to write to the Council for Catholic Maintained Schools seeking further information on alternative governance models for CCMS schools.

*Trevor Lunn left the meeting at 10:24am*

**Agreed:** The Committee agreed to proceed with a revised agenda.

## **6. Shared Education Bill – Committee Stage - Equality Commission for Northern Ireland (EC) and Northern Ireland Human Rights Commission (NIHRC)**

*The witnesses joined the meeting at 10:25am.*

Dr Michael Wardlow, Chief Commissioner, EC; Eileen Lavery, Head of Advice, Compliance and Legal, EC; David Russell, Deputy Director, NIHRC; and Fiona O'Connell, Researcher, NIHRC briefed the Committee as part of the Committee Stage of the Shared Education Bill.

A question and answer session followed the briefing.

*Jonathan Craig left the meeting at 10:30am*

*Chris Hazzard joined the meeting at 10:54am*

*Maeve McLaughlin left the meeting at 11:00am*

*The witnesses left the meeting at 11:06am*

**Agreed:** The Committee agreed to write to the Northern Ireland Human Rights Commission seeking information as to how it monitors compliance by the Department of Education in respect of the provision of the cultural rights of school children in line with the relevant international rights conventions.

**Agreed:** The Committee agreed to write to the Equality Commission and the Northern Ireland Human Rights Commission seeking their views on the 'reasonable numbers' provisions within the Shared Education Bill and the extent to which these provisions comply with the requirements of equality / human rights legislation.

**Agreed:** The Committee agreed to write to the Department to seek its views on the Northern Ireland Human Rights Commission's assertion that the Bill was not compliant with human rights legislation.

## **7. Shared Education Bill – Committee Stage - Northern Ireland Commissioner for Children and Young (NICCY)**

*The witnesses joined the meeting at 11:07am.*

Mairéad McCafferty Chief Executive, NICCY and Natalie Whelehan Senior Policy and Research Officer, NICCY briefed the Committee as part of the Committee Stage of the Shared Education Bill.

*Seán Rogers joined the meeting at 11:20am*

A question and answer session followed the briefing.

*Maeve McLaughlin rejoined the meeting at 11:24am*

*The witnesses left the meeting at 11:29am*

**Agreed:** The Committee agreed to write to the Department seeking information on discussions (if any) with the Department for Employment and Learning in respect of its inclusion in the listed bodies in Clause 2 of the Shared Education Bill.

## **8. Shared Education Bill – Committee Stage - Rural Centre for Shared Education**

*The witnesses joined the meeting at 11:30am.*

Lauri McCusker, Director of the Fermanagh Trust; and Catherine Ward, Shared Education Programme Advisor, Fermanagh Trust briefed the Committee as part of the Committee Stage of the Shared Education Bill.

*Jonathan Craig rejoined the meeting at 11:40am*

A question and answer session followed the briefing.

*The witnesses left the meeting at 11:59am*

## **9. Shared Education Bill – Committee Stage – Transferors’ Representative Council (TRC)**

*The witnesses joined the meeting at 12:00noon.*

Dr Peter Hamill, TRC; Gavin Norris, TRC and Rev Colin McClure, TRC briefed the Committee as part of the Committee Stage of the Shared Education Bill.

A question and answer session followed the briefing.

*Chris Hazzard left the meeting at 12:16pm*  
*The witnesses left the meeting at 12:20pm*  
*Jonathan Craig left the meeting at 12:20pm*

## **16. Shared Education Bill – Informal Deliberations Table**

The Committee noted a table which summarised the commentary and possible amendments to the Shared Education Bill based on the written and oral submissions from stakeholders.

The Committee noted correspondence from the Department in response to Committee queries on the Shared Education Bill.

**[EXTRACT]**



Northern Ireland  
Assembly  
Committee for Education  
MINUTES OF PROCEEDINGS  
WEDNESDAY 9 DECEMBER 2015  
ROOM 21, PARLIAMENT BUILDINGS

**Present:**

Peter Weir MLA (Chairperson)  
Sandra Overend MLA (Deputy Chairperson)  
Chris Hazzard MLA  
Danny Kennedy MLA  
Nelson McCausland MLA  
Maeve McLaughlin MLA  
Robin Newton MLA  
Seán Rogers MLA

**In Attendance:**

Peter McCallion (Assembly Clerk)  
Paul Stitt (Assistant Clerk)  
Paula Best (Clerical Supervisor)  
Kevin Marks (Clerical Officer)  
Eilis Haughey (Bill Clerk – item 1 only)

**Apologies:**

Jonathan Craig MLA

*Proceedings commenced in private session at 9:39am.*

**1. Shared Education Bill – Committee Stage – informal deliberations – written briefing**

*Assembly Bill Office joined the meeting at 9:39am.*

The Committee noted correspondence from the Department in respect of:

- an amendment relating to shared campuses;
- the measures to be used by the Department to identify socio-economic deprivation in the context of the Bill;
- the compliance of the Bill with Human Rights legislation; and
- contacts with the Department for Employment and Learning regarding involvement of Further Education Colleges in Shared Education.

**Agreed:** The Committee agreed to forward the relevant Departmental response to the Committee for Employment and Learning, for its information.

The Committee also noted correspondence from the Northern Ireland Human Rights Commission; the Integrated Education Fund and the Northern Ireland Council for Integrated Education on issues relating to the Bill.

The Committee considered procedural advice relating to the Committee Stage of the Shared Education Bill.

The Committee considered possible amendments to the Shared Education Bill.

*Nelson McCausland joined the meeting at 9:50am*

*Maeve McLaughlin joined the meeting at 10:02am*

*Robin Newton joined the meeting at 10:03am*

*Nelson McCausland left the meeting at 10:46am*

*Proceedings moved into public session at 10:48am*

*Assembly Bill Office left the meeting at 10:48am*

## **2. Shared Education Bill – Committee Stage – informal deliberations – DE briefing**

*Departmental officials joined the meeting at 10:49am.*

Faustina Graham, Director of Collaborative Education and Practice, Department of Education; Suzanne Kingon, Head of Irish Medium and Integrated Education Team, Department of Education; Joanne Maxwell, Shared Education and Community Relations Team, Department of Education; and Jacqui Durkin, Director of Area Planning, Department of Education briefed on the Shared Education Bill.

*Danny Kennedy left the meeting at 10:58am*

A question and answer session followed the briefing.

### **Clause 1: “Shared Education”**

The Committee considered submissions which suggested that a new clause be inserted in the Bill which would set out the purpose of Shared Education in terms of: the promotion of educational attainment; support for a shared future; underpinning reconciliation; improving community cohesion; linking to Area Planning and the delivery of effective and efficient education.

*The Committee informally agreed that it would not pursue an amendment to incorporate a purposes clause in the Bill.*

*The Committee informally agreed to pursue an amendment that would incorporate a new clause in the Bill that would require the Department to review and report on Shared Education, every two years, highlighting related*

*improvements in: educational attainment, community cohesion, and attitudes to Section 75 groups while also commenting on the efficient use of resources including the optimal use of IT infrastructure and progress in respect of sharing in education.*

*Nelson McCausland rejoined the meeting at 11:02am*

The Committee considered submissions in respect of the definition of Shared Education including the suggested redrafting of the definition in order to: reference Section 75 groups; utilise the wording proposed by the Ministerial Advisory Group (MAG); or revise the 'reasonable numbers' and 'religious belief' wording.

The Committee noted Departmental assertions that the MAG definition or wording referencing Section 75 groups may restrict the scope of Shared Education projects or limit the participation by the widest possible range of schools.

**Agreed:** The Committee agreed to seek a Ministerial assurance at Consideration Stage on the interpretation of the 'reasonable numbers' wording in respect of schools or areas with low numbers of children from a minority community.

*Maeve McLaughlin left the meeting at 11:07am*

**Agreed:** The Committee agreed to write to the Department seeking clarification as to how schools identify pupils' religious belief or community background.

*The Committee informally agreed to pursue an amendment which would replace the wording 'religious belief' with 'community background', subject to further clarification from the Department.*

The Committee considered submissions suggesting that the Bill be amended in order to include references to Integrated Education in the Shared Education definition.

*The majority of Members informally indicated that they were unlikely to support amendments of this kind, however the Committee informally agreed that it would give further consideration to an amendment linking Shared and Integrated Education as part of a sharing continuum.*

The Committee considered submissions that suggested that Further Education Colleges, Early Years providers and communities be included as 'relevant providers' of Shared Education.

*The Committee informally accepted that the 'relevant providers' definition was sufficiently widely drawn so as to ensure the inclusion of all appropriate organisations and educational settings. However the Committee also informally agreed to give further consideration to an amendment which would explicitly identify Further Education Colleges as a 'relevant provider'.*

## **Clause 2 Power to encourage and facilitate shared education**

The Committee considered submissions suggesting that a wide range of additional organisations be included in the bodies listed in the Bill as having a power to encourage and facilitate Shared Education.

*The Committee informally agreed to pursue an amendment which would add: the Northern Ireland Council for Integrated Education; the General Teaching Council for Northern Ireland; Comhairle na Gaelscolaíochta; and the Controlled Schools Support Council in the listed bodies as set out in the Bill.*

*Maeve McLaughlin rejoined the meeting at 11:42am*

*Chris Hazzard left the meeting at 11:45am*

The Committee considered submissions suggesting that the Department and other bodies be given duties rather than powers in respect of the encouragement and facilitation of Shared Education. The Committee also considered submissions which argued that DE's powers should extend to the progression of schools from sharing to formal integration.

*The Committee informally agreed to consider amendments which would place a duty on the Department to encourage, facilitate and possibly promote Shared Education.*

*The Committee informally agreed that it would not pursue amendments which would alter or introduce powers or duties in respect of the progression of schools from sharing to formal Integration.*

The Committee considered amendments which would specify powers or duties in respect of Shared Education including the screening of all policies.

*The Committee noted Departmental assurances that the proposed legislative provision provided necessary flexibility in respect of Shared Education and the requirement of screen all policies would amount to a significant financial and administrative burden. The Committee therefore informally agreed that it would not pursue related amendments.*

## **Clause 3 Commencement of duty of Education Authority in relation to shared education**

*The Committee informally agreed that it was content with Clause 3, as drafted.*

## **Clause 4 Short title and commencement**

*The Committee informally agreed that it was content with Clause 4, as drafted.*

## **Miscellaneous**

*The Committee informally agreed that it would support a Departmental amendment which is designed to provide support for shared campuses.*

*The Committee noted recent developments in respect of ongoing industrial action relating to Levels of Progression and Shared Education. The Committee therefore informally agreed that it would not support amendments relating to the assessment of educational attainment associated with Shared Education.*

*Robin Newton left the meeting at 11:52am*

*The Committee informally agreed not to pursue amendments relating to resourcing for Shared Education.*

*Robin Newton rejoined the meeting at 11:56am*

*The Committee informally agreed not to pursue an amendment relating to the equality and human rights compliance of the Bill.*

*The Committee informally agreed not to pursue amendments relating to the further development of Integrated Education.*

*The officials left the meeting at 11:59am.  
Proceedings were suspended at 11:59am.*

*Proceedings were resumed at 12:06pm with the following Members: Peter Weir, Nelson McCausland, Sandra Overend, Robin Newton, Maeve McLaughlin and Seán Rogers.*

Sandra Overend recorded her concerns and dissatisfaction in respect of the compressed nature of the timescales for the Committee Stage of the Shared Education Bill and the Committee's consequent limited opportunity for scrutiny.

**[EXTRACT]**



Northern Ireland  
Assembly  
Committee for Education  
MINUTES OF PROCEEDINGS  
WEDNESDAY 16 DECEMBER 2015  
ROOM 30, PARLIAMENT BUILDINGS

**Present:**

Peter Weir MLA (Chairperson)  
Sandra Overend MLA (Deputy Chairperson)  
Chris Hazzard MLA  
Trevor Lunn MLA  
Seán Rogers MLA

**In Attendance:**

Peter McCallion (Assembly Clerk)  
Paul Stitt (Assistant Clerk)  
Paula Best (Clerical Supervisor)  
Kevin Marks (Clerical Officer)  
Eilis Haughey (Bill Clerk – item 5 only)

**Apologies:**

Danny Kennedy MLA  
Robin Newton MLA  
Nelson McCausland MLA  
Maeve McLaughlin MLA  
Pat Sheehan MLA

*The meeting commenced in private session at 10:10am with the following Members present: Peter Weir (Chairperson), Chris Hazzard, Trevor Lunn and Seán Rogers.*

*In the absence of a decision-making quorum, proceedings commenced in line with Standing Order 49(5).*

Agenda items 1-4 were deferred.

**5. Shared Education Bill – Formal Clause By Clause Scrutiny**

*Assembly Bill Office joined the meeting at 10:10am.*

The Committee considered possible amendments to the Shared Education Bill.

*Sandra Overend joined the meeting at 10:27am. The Committee achieved a decision-making quorum.*

*Assembly Bill Office left the meeting at 10:48am.*

*The meeting moved into public session at 10:50am.*

*The Committee adopted a revised meeting agenda.*

## **7. Shared Education Bill – Formal Clause By Clause Scrutiny**

*Departmental officials joined the meeting at 10:59am.*

Andrew Bell, Head of Shared Education & Community Relations Team, Department of Education; Suzanne Kingon, Head of Irish Medium & Integrated Education Team, Department of Education; Joanne Maxwell, Shared Education & Community Relations Team, Department of Education; and Jacqui Durkin, Director of Area Planning, Department of Education briefed on the Shared Education Bill.

The Committee commenced its formal clause-by-clause scrutiny of the Shared Education Bill.

### **Clause 1: “Shared Education”**

The Committee noted DE clarification that the wording ‘religious belief’ is well understood in law and by schools and other providers.

Question: “That the Committee is content with the proposed amendment to 1(2)(a) replacing the wording ‘religious belief’ with ‘community background’, put and not agreed to’.

The Committee expressed concerns in respect of the need to ensure the inclusion of children and young people in Shared Education programmes who have no actual or no designated religious belief.

Question: “That the Committee is content with the proposed amendment to add new wording to 1(2)(a) after ‘religious belief’ referring to children and young people with no religious belief, put and agreed to”.

**Agreed:** The Committee agreed that it may revise its position in respect of the wording referencing children and young people with no religious belief, subject to the subsequent consideration of an anticipated related Departmental amendment.

The Committee noted Departmental correspondence and confirmation from officials that the Minister will give a formal assurance, at Consideration Stage, that a flexible approach will be taken on the interpretation of the ‘reasonable numbers’ criteria in 1(2)(a) in order to ensure the inclusion of small, rural or other schools in Shared Education projects.

Question: “That the Committee is content with the proposed amendment to 1(2) as indicated below, put and not agreed to”.

Clause 1, page 1, line 13

At end insert –

‘with a view to supporting a natural progression towards integrated education, as appropriate, where this is supported by the school community’

Question: That the Committee is content with the proposed amendment, as indicated below, to provide an explicit reference to Further Education colleges as ‘relevant providers’, put and not agreed to.

The Committee divided.

| Ayes       | Noes                          | Abstained                    | Not voting |
|------------|-------------------------------|------------------------------|------------|
| Peter Weir | Sandra Overend<br>Trevor Lunn | Chris Hazzard<br>Seán Rogers |            |

Clause 1, page 1, line 15

At end insert –

‘(aa) further education, as defined in Article 3 of the Further Education (Northern Ireland) Order 1997’

**Agreed:** The Committee agreed to write to the Department to seek clarity on the legal definition of a young person.

### **New Clause 1A**

Question: That the Committee is content with the proposed amendment, as indicated below, to place a duty on the Department in respect of facilitating, encouraging and promoting Shared Education, put and agreed to.

The Committee divided.

| Ayes  | Noes                         | Abstained | Not voting |
|---|------------------------------|-----------|------------|
| Peter Weir<br>Sandra Overend<br>Seán Rogers | Chris Hazzard<br>Trevor Lunn |           |            |

New Clause

After clause 1, insert –

‘Duty to promote, encourage and facilitate shared education  
1A.—(1) It is the duty of the Department of Education to promote, encourage and facilitate shared education.’

Paving amendment:

Clause 1, page 1, line 3

After ‘section’ insert ‘1A,’

Consequential amendment:  
Clause 2, page 2  
Leave out paragraph (a)

## **Clause 2 Power to encourage and facilitate shared education**

The Committee noted a Departmental assertion that it was inadvisable to add new Shared Education powers or duties in respect of the General Teaching Council for Northern Ireland (GTCNI).

Question: That the Committee is content with the proposed amendment, as indicated below, to supplement the list of bodies identified at 2(2), put and agreed to.

Clause 2, page 2, line 6

At end insert —

‘(e) any sectoral body

(3) In this section, “sectoral body” means a body—

(a) which is recognised by the Department as representing the interests of grant-aided schools of a particular description; and

(b) to which grants are paid under Article 115 of the 1986 Order, Article 64 of the 1989 Order or Article 89 of the 1998 Order.’

Question: “That the Committee is content with Clause 1 as amended, put and agreed to.”

Question: “That the Committee is content with Clause 2 as amended, put and agreed to.”

## **New Clause 2A**

Question: That the Committee is content with the proposed amendment, as indicated below, to insert a new clause which would require DE to review and report on Shared Education progress every two years, put and agreed to.

After clause 2, insert —

‘Review

2A. —(1) The Department must—

(a) not later than two years after the date on which this Act receives Royal Assent, and

(b) at intervals of not more than two years thereafter,

review, and prepare a report on, the operation of this Act and section 2(3) of the Education Act (Northern Ireland) 2014 (“the 2014 Act”).

(2) The Department must lay any report under this section before the Assembly.

(3) A report under this section must include statements on the following matters, so far as relating to the reporting period—

- (a) the extent to which the bodies listed in section 2(2) have exercised their powers under that section;
- (b) the extent to which the Education Authority has complied with its duty under section 2(3) of the 2014 Act;
- (c) the level of participation in shared education and the extent to which there has been any increase or decrease in participation;
- (d) efficiency in the use of resources allocated for the purposes of shared education, including information and communications technology infrastructure;
- (e) the impact of shared education on—
  - (i) educational attainment;
  - (ii) good relations between participating children;
  - (iii) attitudes of participating children towards persons from backgrounds other than their own

### **New Clause 2B**

Question: That the Committee is content with the proposed Departmental amendment, as indicated below, which would insert a new clause to allow DE or the Education Authority to form a company in order to provide for the ownership of school buildings on a shared campus, put and agreed to.

After clause 2 insert

‘Power to form company

2B.(1) For the purposes of its functions under section 2, the Department of Education may form, or participate in the formation of, a company under the Companies Act 2006.

(2) For the purposes of its functions under section 2(3) of the Education Act (Northern Ireland) 2014, the Education Authority may form, or participate in the formation of, a company under the Companies Act 2006.

### **Clause 3 Commencement of duty of Education Authority in relation to shared education**

Question: “That the Committee is content with Clause 3 as drafted, put and agreed to.”

### **Clause 4 Short title and commencement**

Question: “That the Committee is content with Clause 4 as drafted, put and agreed to.”

### **Long Title**

Question: “That the Committee is content with the Long Title of the Bill as drafted, put and agreed to.”

The Committee concluded its formal clause-by-clause consideration of the Shared Education Bill.

*The officials left the meeting at 12:07pm*

**[EXTRACT]**



Northern Ireland  
Assembly  
Committee for Education  
MINUTES OF PROCEEDINGS  
WEDNESDAY 6 JANUARY 2016  
SENATE CHAMBER, PARLIAMENT BUILDINGS

**Present:**

Peter Weir MLA (Chairperson)  
Sandra Overend MLA (Deputy Chairperson)  
Jonathan Craig MLA  
Chris Hazzard MLA  
Danny Kennedy MLA  
Trevor Lunn MLA  
Nelson McCausland MLA  
Robin Newton MLA  
Seán Rogers MLA  
Pat Sheehan MLA

**In Attendance:**

Peter McCallion (Assembly Clerk)  
Paul Stitt (Assistant Clerk)  
Paula Best (Clerical Supervisor)  
Kevin Marks (Clerical Officer)  
Colin Pidgeon (Public Finance Scrutiny Unit – item 2 only)

**Apologies:**

Maeve McLaughlin MLA

*The meeting commenced in private session at 10:04am.*

*The meeting moved into public session at 10:43am.*

**7. Shared Education Bill – Committee Stage - Review/Rescinding of final decisions/Agreement of Bill Report**

The Committee considered Departmental powers and duties and their effect on the Department's Arms Length Bodies.

**Agreed:** The Committee agreed to seek legal advice – to be considered at the meeting on 13 January 2016 - on the effect of a proposed amendment to the Shared Education Bill which would seek to confer statutory powers on non-statutory bodies to encourage and facilitate Shared Education.

The Committee considered its report on the Committee Stage of the Shared Education Bill.

**Agreed:** The Committee read and agreed the Contents section of the report.

**Agreed:** The Committee read and agreed the Remit, Powers and Membership section of the report.

**Agreed:** The Committee read and agreed the Executive Summary section of the report.

**Agreed:** The Committee read and agreed the Introduction section of the report.

**Agreed:** The Committee read and agreed the Consideration of the Bill section of the report.

**Agreed:** The Committee read and agreed the Clause by Clause Consideration section of the report.

**Agreed:** The Committee read and agreed the Appendices of the report.

**Agreed:** The Committee agreed that it was content for the minutes of the meeting of 6 January 2016 to be included in the Report.

**Agreed:** The Committee agreed to order the Report on the Shared Education Bill to be printed as the seventh report of the mandate.

**Agreed:** The Committee agreed to publish the Report on the Committee's website and to advise stakeholders accordingly.

**[EXTRACT]**



Northern Ireland  
Assembly

Appendix 2

# Minutes of Evidence



Northern Ireland  
Assembly

Committee for Education

# OFFICIAL REPORT (Hansard)

Shared Education Bill:  
Department of Education

4 November 2015

# NORTHERN IRELAND ASSEMBLY

## Committee for Education

Shared Education Bill: Department of Education

4 November 2015

**Members present for all or part of the proceedings:**

Mr Peter Weir (Chairperson)  
Mrs Sandra Overend (Deputy Chairperson)  
Mr Jonathan Craig  
Mr Chris Hazzard  
Mr Danny Kennedy  
Mr Trevor Lunn  
Mr Nelson McCausland  
Ms Maeve McLaughlin  
Mr Robin Newton  
Mr Seán Rogers  
Mr Pat Sheehan

**Witnesses:**

|                     |                         |
|---------------------|-------------------------|
| Mr Andrew Bell      | Department of Education |
| Mrs Faustina Graham | Department of Education |

**The Chairperson (Mr Weir):** I welcome from the Department Faustina Graham, who is the director of collaborative education and practice, and Andrew Bell, who is the head of shared education and the community relations team. I ask you, Faustina and Andrew, to brief us for a short period, and then we will open it up to questions.

**Mrs Faustina Graham (Department of Education):** I begin by thanking the Committee for accommodating an earlier start to your meeting this morning to facilitate our other commitments; it is very much appreciated. I also thank you for the opportunity to brief the Committee on the Shared Education Bill ahead of next week's Second Stage debate.

I will take a few moments to update you on developments since we last briefed you. Sharing Works, which is the policy for advancing shared education, was published on 16 September. The policy addresses a number of the recommendations that the Committee made in its report on shared and integrated education, and that includes action to provide consistent support and tailored programmes of training for senior leadership teams, teachers, parents, children and communities. It is also about monitoring and evaluation arrangements based on a wide range of objective impact measures, a focus securely on educational improvement and mechanisms to disseminate good practice, which will include good practice from the integrated, other mixed non-integrated, special school, and preschool and nursery settings. The Minister has also announced his intention to undertake a review of integrated education, which is a further Committee recommendation, and we are considering how best we can address the remaining Committee recommendations.

In relation to the Delivering Social Change (DSC) signature programme, a third and final call has been made for applications from school partnerships to that project, and there is a closing date of 23 November. Members will be aware that ongoing industrial action by teacher unions in relation to the statutory assessment process has impacted on delivery of the signature project. The Minister is personally engaged in discussion with teacher unions to resolve that issue, and the tone of those discussions has been positive. We are hopeful of a speedy resolution.

I turn to the Shared Education Bill. The Bill includes a legislative definition of shared education and will provide the Department and relevant arm's-length bodies with the power to encourage and facilitate shared education. It will also enact the duty on the Education Authority (EA) to encourage, facilitate and promote shared education as provided in the Education Act 2014, as well as the requirement on the authority to appoint a standing committee to exercise its functions on shared education. It is important to say that the Sharing Works policy is designed to complement the Bill, and the policy then develops definitions and operational detail to illustrate the Bill's practical outworking. The legislative definition set out in the Bill references the minimum essential requirements that must be in place for shared education, and that is the education together of those of different religious belief and socio-economic background.

Since we last briefed the Committee, the wording "including reasonable numbers of both Protestant and Roman Catholic children and young persons" has been added to ensure that addressing the legacy of the past remains integral to work on building a shared future. As I indicated, the legislative definition is underpinned by the policy description. Both are reflective of the definition endorsed by the ministerial advisory group. Both also encourage educational settings to work to maximise the education together of those from all section 75 groups, as far as is practically possible.

The power to encourage and facilitate shared education will apply to the Department, the Council for Catholic Maintained Schools (CCMS), the Youth Council and the Council for the Curriculum, Examinations and Assessment (CCEA). The proposed legislative power to encourage and facilitate shared education is complementary to and in no way undermines or supersedes the Department's statutory duty to encourage and facilitate integrated education. The Committee recommended that the statutory obligation to encourage, facilitate and promote shared education, as set out in the Education Act 2014, should be extended to the Department and its arm's-length bodies. Shared education is still an evolving area, and good practice is still being developed. A power will provide the necessary flexibility as we seek to embed and, ultimately, mainstream shared education. It allows us time and space to encourage and build confidence in the education system and, importantly, in the wider community on the benefits of shared education and to remove doubts about perceived risks as expressed by some of the respondents in the public consultation.

There were mixed responses regarding the need for legislation and the proposals for a power rather than a duty. Some respondents argued that building consensus was preferable to legislation. A power will enable the Department to encourage growth organically from school to school, youth organisations to schools and early years organisations to schools, as quickly or slowly as is appropriate for the various partners. It also allows discretion as to the level of compliance of individual communities, reflecting unique factors such as the degree of community tension that exists. In other words, a power avoids the risk of communities perceiving shared education as being imposed on them rather than encouraging and facilitating those communities to move at a pace that builds powerful and meaningful relationships. There is the risk, too, that placing a duty on the Department that additionally includes a requirement to promote shared education will be perceived by some as a hierarchy, where shared education is regarded as in some way preferable to integrated education. The word "promote" is not used in the statutory duty for integrated education.

The Committee further recommended that shared education be defined as:

*"curriculum-based interactions that always foreground educational improvement ... promoting attitudinal improvement and meaningful contact involving children and young people".*

We believe that those operational issues are addressed comprehensively through the policy. The policy firmly positions shared education as primarily related to educational improvement, reflecting the DE vision and aims and those of the Northern Ireland curriculum. The shared education continuum model developed by the Education and Training Inspectorate (ETI) and currently in use makes explicit links to curriculum-based interactions. We have established targets that include meaningful contact and attitudinal improvement, along with clear and objective impact measures for monitoring purposes.

I alert the Committee to the potential need for an additional clause in the Bill that, if required, would be added at Consideration Stage. We are currently in discussion with the Office of the Legislative Counsel regarding a clause that would allow the Department and the Education Authority to establish and participate in a charitable company limited by guarantee to support the ownership and governance arrangements for shared education campuses. That follows legal advice related to the ownership, governance and management arrangements for shared campus schools. Should an additional clause be necessary, I propose to provide members with an updated Bill and to brief you more fully during Committee Stage.

That concludes my statement. We welcome any questions that members might have about the Shared Education Bill.

**The Chairperson (Mr Weir):** Thank you, Faustina. That has been useful. Obviously, we will await developments on the potential additional clause.

I will ask you three questions on the content. You touched on the first one, which is the departmental policy side of it. The policy explicitly talks about educational improvement as one of the main drivers behind this. Why does particular reference to educational improvement not appear in the Bill to make it explicit instead of it being something that is, essentially, implicit?

**Mrs Graham:** As I said, we see what happens with regard to curriculum development and the interactions that go on as the operational outworking of the Bill. In planning the two pieces of work together, we saw that as being the more appropriate place to put the operational side of it.

**The Chairperson (Mr Weir):** At least in terms of an operational objective. Talking about educational improvement is something by way of a driver or an aim rather than what the delivery mechanism is. Would the Department be hostile to making any reference to educational improvement in the Bill?

**Mrs Graham:** I do not think that the Department would ever be hostile to making reference to educational improvement; that is our entire aim.

**The Chairperson (Mr Weir):** Those words may be taken down and used in evidence against you at a later stage. *[Laughter.]* The second point is about something that is not explicitly mentioned. The Bill makes explicit reference to socio-economic deprivation, but, previously, when indications were given from an operational point of view, you mentioned the promotion of inclusion, not just from the socio-economic side but from the aspect of racial or family background differences. Is there any intention to use the Bill to promote that form of inclusion? How will you do that?

**Mrs Graham:** I referred to the inclusion of all section 75 groups, and I said that that was the minimum essential requirement. We feel that we have put into the Bill what could be captured and measured easily with regard to the section 75 groups. Our experience has been that schools go beyond that minimum requirement, and I am sure that the Committee has found that in some of its work with schools. There is that expectation of inclusion in all schools; therefore, the whole area of the changing nature of our society will be reflected in the work that is ongoing in schools. As that grows and develops, the needs of all young people will be considered. That is the requirement of any school.

**The Chairperson (Mr Weir):** Finally, you may be pleased to hear that I will ask about something that is in the Bill rather than something that is not. I will then open it up to the Committee. I know that other members want to ask questions.

From a definitional point of view, the Bill refers to:

*"those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children".*

That will obviously apply to the different providers. It might be part of the definitions, but what does "reasonable numbers" mean in practice? Schools out there may wonder whether that could mean two schools from the same broad sector — say, two controlled schools — with some level of mix within them. Will you perhaps tease out for us what you mean by "reasonable numbers" and what that means from a practical point of view in the sense of who would be eligible to be counted as part of shared education?

**Mrs Graham:** As the Minister has said, the whole approach to the Bill and the policy has been to take a practical and common-sense approach. We have based everything that we have put together on the experience that we have had to date. With regard to the concept of reasonable numbers, we have found that we will always encounter variety in any school, group of partners and the community in which it is based. There are so many variables that to have been more precise than "reasonable numbers" would have limited what people would have done, whereas the Bill is trying to be enabling and empowering.

In all the programmes that we have had in place to date, a decision on whether to support a piece of shared education is never taken exclusively on the number of young people. It will be taken on a range of factors, of which the numbers will be a part. What is reasonable in one situation may not be exactly the same in another. Our schools reflect the communities in which they are based, and the same thing will happen with the partner schools. We have had situations in which it looks like there is an imbalance in the numbers towards one community or the other, but, in fact, the importance of the work that has been done is that each community is given recognition in that work. However, it has been a sensible approach for those schools to partner together. In our practical experience, we cannot say that it must be 50% or 30%; it is about making a common-sense, practical judgement and looking at it in the round to see what works.

When we spoke to the Committee previously, people raised the issue of special schools, and we also had that in the applications for the DSC project. Technically, special schools are designated as controlled schools. Therefore, there was a query about whether they could partner only with schools from the Catholic maintained sector, which is not the case, because obviously it depends on the population of the special school. The fact that it is designated as "controlled" in some way should not preclude —

**The Chairperson (Mr Weir):** The designation —

**Mrs Graham:** It really is the spirit of reasonable numbers —

**The Chairperson (Mr Weir):** From that point of view, the designation will not be a bar to two schools working together, if they are from the same designation, but provided they pass the other test.

**Mrs Graham:** They can show that there are reasonable numbers.

**The Chairperson (Mr Weir):** Just to be 100% certain on this — it is not defined here — is it the indication that the Department, so far as you are aware, does not intend to define that any stage, but it or the EA will make a judgement on a case-by-case basis and say, "Here is a particular project, and we believe that it meets the test, given the overall circumstances. Here is a second application, and this application maybe does not meet the test for whatever reason"? However, it will not be explicitly about it needing to have a certain percentage of pupils; it will be flexible in that regard.

**Mrs Graham:** Absolutely. You have described it exactly as it has worked out in practice for us.

**Mr Andrew Bell (Department of Education):** The important thing, from our perspective, is that, whatever that breakdown is, it has the support of the local communities. That is the key. In partnerships where one community appears to dominate, those partnerships have to show how they have engaged with their local community to show that support and how they are planning. We have had some cases where it has been maybe 3:1 in favour of one community, but schools are actually managing that on a day-to-day basis by rotating the classes so that they have a better mix in those classes. Simple numbers in a school are not the key factor. Community support —

**The Chairperson (Mr Weir):** When you have flexibility — I suppose it is the age-old problem in various things — it can create opportunities, but, because there is a level of uncertainty, there is a downside to that as well.

Robin, did you want to speak on the numbers point specifically?

**Mr Newton:** Just on that point, Faustina, there are schools that exist in one sector but are very mixed and have taken those actions. They still exist in that sector. If such a school wanted to embrace this and move further along with it, what other factors would be taken into account?

**Mrs Graham:** As Andrew has said, in making any kind of bid, particularly within a project, there has to be that element of community support, so that there is support for this moving forward. More importantly, what will be crucial is the quality of the educational experience that will be defined in any piece of work that comes forward. You have indicated that this is, first and foremost, about educational improvement. We have found in the past that, sometimes, anything around this area has been viewed as a luxury or an add-on. This work is aimed at making all the work that takes place over the next period something that will be integral to the delivery of the curriculum. As people begin to see how that can actually achieve improved educational outcomes for their young people and, I suppose, create and develop more rounded young people as they leave school at 16 or 18, we see that, eventually, mainstreaming should happen almost of its own accord, rather than the Department having to lead it. However, we will continue to lead it.

**Mr Newton:** That is a good expression: "mainstreaming should happen of its own accord".

**Mrs Graham:** We would love that to happen.

**The Chairperson (Mr Weir):** The question was about other factors. If schools are looking at building up a project, they will want a reasonable idea of whether what they are pitching is suitable. I appreciate that you have been looking at a range of factors. Does the Department intend to, at least, offer schools guidance on what would be acceptable?

**Mrs Graham:** Yes. I made reference to the Education and Training Inspectorate continuum. One of the things that we have said in general in the policy is that it is our intention to try to make policy connections etc more explicit for schools and to help facilitate the process. The Education and Training Inspectorate developed a continuum that allows schools to baseline their performance and that of their partner school together, to work collectively to establish a baseline of how the partnership is working. The important thing about that is that it is based on the four pillars of Every School a Good School, which are learner-centred provision, leadership, quality of learning and teaching, and the school in its community. Schools are very familiar with Every School a Good School and how that works, and they are familiar with ETI's 'Together Towards Improvement' documentation. This has been developed as an extension of that. In the guidance that schools will use for self-evaluation are four stages of that continuum: developing, defining, extending and embedding in the curriculum, which we have talked about. So, there is a clear guide, at the moment, around our best understanding of what shared education is. I anticipate that that continuum will look different by the end of the next four years from how it looks now. We are trying to have the Department, the Education Authority, ETI and schools working collectively to learn together through the process. That is the intention.

**Mr A Bell:** The other key thing is that we have provided the funding to the Education Authority. Any partnership will be offered the services of a shared education development officer who will work with them and work through the detail, so that they are not putting in applications, which they obviously put a lot of work into, that will not meet the requirements.

**Mr Lunn:** Thanks for your presentation. The Bill is mercifully short; I will say that. I am looking at the definition. Does it mean that a controlled or voluntary grammar and a controlled secondary school in the same area, where there might be educational benefits to sharing classes and facilities, which I thought was the original intention of this, may well not qualify under the definition, if they come from the same sector? There could be a struggling secondary school and a successful grammar close by. There would be obvious benefits — I would say to both schools but certainly to one of them — in the delivery of the curriculum and quality teaching. However, that definition does not appear to include the facility for them to cooperate under the scheme.

**Mrs Graham:** Are you talking about two grammar schools that would not have what we have described as a "reasonable" mix of —

**Mr Lunn:** I am talking about a voluntary grammar and a secondary school from the same ethos and background. Let us say that the voluntary grammar is, as some are, largely of one religion, if you must talk in religious terms, and so is the secondary school. It seems to me that a number of qualifications are required. You have to have "reasonable" — whatever that means — numbers of Protestant and Roman Catholic children or young persons. Is there a difference between a child and a young person? Then there are those who are experiencing socio-economic deprivation and those who are not. We have been waiting for the definition; at least we have one now. At the start of this, we were assured that the primary objective was to improve the educational prospects of children and

to enable the curriculum to be delivered in circumstances in which some schools would have had difficulty otherwise, particularly at the top level, with small classes and combinations. It has been going on for years, and it is perfectly sensible. This appears to be almost diverting the project down the path of trying to encourage social mixing and bringing our children together, which is no bad thing. Obviously, as a supporter of a different system, I would say that. Where are we with this?

**Mr A Bell:** The key thing is that shared education is about educational improvement and improving reconciliation outcomes, which are part of the curriculum. Our experience from having run five years' worth of programmes with IFI funding is that you need to have that contact with the other community and meaningful contact on a long-term basis to be effective on the reconciliation front. Therefore, we need to ensure that, if those are the aims of shared education, there is that mix. Each application is looked at on a case-by-case basis. It is about ensuring that it has that mix. It is about educational improvement, but it is also about being able to address the reconciliation aspect.

**Mr Lunn:** To take a specific example; if Methody wanted to cooperate with the local secondary school, would it actually have to count the numbers in order to make sure that there was a reasonable balance? If it came up with a cross-section of its school population that reflected the overall percentages, which as we all know are 45% Protestant, 25% Catholic and 30% others, and there was a preponderance of "others" in the make-up, then the scheme would be very beneficial, potentially, to the other school involved, which may or may not be one that has a high level of socio-economic deprivation and free school meals, let us say. It is all a bit woolly. Andrew, you say that it is on a case-by-case basis, and I accept that that is really the only way to go on this. However, I hope that, as it rolls out, there will be a large degree of flexibility.

**Mr A Bell:** That is how the applications are looked at currently. There is a project board, and an assessment panel looks at each application. It looks at applications from the point of view of whether schools are able to deliver good educational outcomes, whether they demonstrate in their applications and action plans how they actually do that and whether they are able to address the reconciliation outcomes as well. It very much depends not just on the make-up of the schools but on what they clearly demonstrate in the action plans that they propose to do.

**Mr Lunn:** If you are doing that, is there going to be a genuine attempt to quantify the reconciliatory benefits at some stage?

**Mr A Bell:** Yes, we have measures for those. Queen's has already done a longitudinal research study, which I think they have already briefed the Committee about. That study has been extended to include shared education. We are measuring that. We are using the Young Life and Times Survey to get children and young people's attitudes on shared education directly. Again, the reconciliation question was asked as part of that.

**Mr Lunn:** To go back to it, two controlled schools with largely Protestant populations will not qualify for this. Yet, they may have a real need for it to deliver the curriculum, which was the original intention.

**Mrs Graham:** If it is two controlled schools or even to take your question around Methody and another school, the important thing is that schools are very clear about why they want to cooperate. If it is about educational improvement including the reconciliation outcomes, obviously a project like this is entirely appropriate. As we have said, I would not preclude the specific example you give as being an obstacle to someone participating in the programme.

It is also important to say that the Department has looked at the whole concept of schools that experience difficult circumstances in school improvement and those that can support other schools to improve. While we do not have something defined as a project at the moment, there is nothing to stop the Education Authority supporting schools, particularly post-inspection or, more importantly, those that are working in partnership on their own volition, in exactly the way that you have described. I do not want it to seem as though this is not an option for schools, but it is important that each school, as they partner, is very clear about the purposes for being partner schools in that way. That allows educational attainment to be improved as a result.

**Mr Lunn:** Last one, Chair. If two schools came up with a project that is extremely worthy but is clearly aimed more at reconciliation than educational attainment, which I would obviously support, would that find favour with the project board?

**Mrs Graham:** As we have discussed this morning, we are trying to give clarity around all of this through the Bill and the policy. There are still mixed messages out there. Some people see this as being purely about reconciliation, which is entirely understandable. If we looked at a project like that and thought that it seemed as though it had very worthy outcomes, as you have described, then we would return it to the schools with the offer of support from the development officers to see how we could get the focus of the project securely on educational improvement. Those projects have then been allowed to resubmit their applications, and we have reviewed them along the way. It is in our interests to help school improvement and to help them to develop.

**Mr Lunn:** If two schools in north Belfast wanted to come together to do a project to examine each other's traditions that would not help the pupils to pass their GCSEs but would help them to understand each other better, how would that fit?

**Mrs Graham:** I would argue that there are ways in which the schools could approach teaching their GCSEs that would also improve the GCSE outcomes — obviously, I would argue that. If part of the process of application and approval is actually helping those schools to see how that is possible, that would be a win for everyone. In all honesty, we are still in the situation where, particularly, there are questions to be asked around each of our disciplines and all the subject areas. In other words, how does this differ when I teach this in a shared education context to still achieve high-quality outcomes that also lead to the other aims of the project? We are still learning.

**The Chairperson (Mr Weir):** This is more of a comment than a question. I am sure that quite a few other people want to come in here. To take Trevor's point on a broader level in relation to this, there is clearly a need for a high level of flexibility. You mentioned clarity, and the problem is that flexibility sometimes means that clarity is not necessarily there. One of the things we will have to look at, as a Committee, is that if we accept the definition at face value — and there could be a danger in tying it down too much as well — then how do we give ourselves some level of assurance that the implementation process will be correct and that we are not left with a number of cases in future where, taking Trevor's point that most people would look at a reasonably generous interpretation of the wording to permit projects, we do not get a situation where six months or a year down the line a rash of projects are rejected and the Committee or its successor turns round and says, "That is not really what we intended when we passed the legislation." There needs to be some level of thought put into this — and I am not quite sure how that is done — about the level of monitoring of the on-the-ground implementation, and about whether there is any level of control or a checking mechanism in that.

**Mr Lunn:** You are saying what I meant to say. You cannot expect absolute clarity in a situation like this — I accept that. You have to have a measure of flexibility, but I hope that it is a flexibility that will recognise the realities of some situations.

**Mr A Bell:** We have monitoring checks in there. One of the Committee's recommendations was that we would publish those, and that is the intention. Obviously, as things change, it is a lot easier to change a policy than to change legislation. We will be looking to update the policy, and that is what will —

**The Chairperson (Mr Weir):** I understand that. I am not being prescriptive about whether this should be the case, but the question is this: are there mechanisms to do this other than legislation, as part of our overall examination of the issue? Is there anything in the legislation that we need to look at that can provide some form of mechanism? I am simply putting open questions at this stage, but it is something that we need to think through to take account of the implications of what we are passing. Generally speaking, people will welcome it, but they want to make sure that what is there is fit for purpose.

**Mr Rogers:** You are very welcome. I will go to the curriculum. You talked about things being curriculum-based and about school improvement and so on. Faustina, would you remind us of the four stages of shared education?

**Mrs Graham:** Defining, developing, expanding and embedding.

**Mr Rogers:** What mechanisms will there be to ensure that it is embedded in the curriculum?

**Mrs Graham:** The continuum is used by all partner schools to look specifically at their partnerships and how they work. At the moment, what we have asked for in the project is that in the self-evaluation

process, where they baseline their performance, they would be at the developing stage in at least three —

**The Chairperson (Mr Weir):** I am sorry; somebody's phone seems to be buzzing. We can feel the vibrations. It may be helpful, wherever the phone is, that at least it is not sitting on the table.

**Mr Kennedy:** Are they good vibrations?

**The Chairperson (Mr Weir):** They are as good as ever happens in this Committee, Danny. I am sorry, Faustina.

**Mrs Graham:** — of the four areas, with a view to moving at least one step along that continuum for the duration of this project.

There are schools that perhaps already see themselves as being at the expanding stage in some areas of the continuum. We would like to think that they would be embedding their work by the time they come to the end of the project. Overall, however, all schools are required to demonstrate how their partnerships have moved along the continuum in the course of the project. We cannot say that everyone will have embedded this in the curriculum by the end of the project. However, to give an example of some of the projects we looked at in the past, particularly under the IFI, they were very well intentioned. They did really good work and then felt, as the funding came to an end, that, potentially, the project came to an end.

Sustainability is built into the requirements of this work. A project may start at Key Stage 3 or post-16, but the expectation is that the school will demonstrate through its school development plan and the action planning process that the project will become whole-school as it develops. That is the intention. Whether it is in a curriculum area or, for example, in personal development and mutual understanding (PDMU), it should be developed on a whole-school basis. It is about each partnership developing it in a way that it can do best. At this point, all the partnerships that have been approved have had a baseline visit from the Education and Training Inspectorate to confirm their self-evaluation. The feedback we have had from the partnerships is that those visits have been very productive and constructive.

**Mr Rogers:** Say that, at GCSE level, the baseline was that one tenth of their curriculum involved sharing a subject across two communities. If they were to decide to move that up a step or two and three of their subjects were shared between two schools, would that lead to extra funding?

**Mrs Graham:** Not as part of the project, unless that is part of the plan. If they have planned for that to be staged across the four years, the funding would accrue over that period. Again, it comes back to the needs of individual schools in their partnership arrangement.

There is also the question of how far you need to go in sharing classes and the purposes for doing so. In some instances, it may not make sense for the school in a particular discipline; in other cases, it may be that it is not just about class sizes but the expertise of the staff in any of the given schools. I know that we are talking very much about the concept of flexibility this morning, case by case, but we have to have the confidence, as an education system, to allow that to happen. You will have experienced, as have I, the imposition of a training approach or idea that people then reject along the way, so this is really about allowing people to progress in a way that they have, as Andrew said, checks and balances to ensure that things move in the right direction. Ultimately, it is about the partnership having control over what it does.

**Mr Rogers:** Would the ETI be quality-assuring the self-evaluation of the process?

**Mrs Graham:** That has happened on every partnership to date. The first cohort will have a monitoring visit at the end of their first year.

**Mr Rogers:** This disturbs me. Take, for example, the DSC project, in which levels of progression were used to measure the quality of community interaction: we found that to be very strange, although schools had high-quality assessment in their own schools. Will we get away from that type of measure?

**Mrs Graham:** I do not think that we will ever get away from statutory assessment, because it is statutory assessment —

**Mr Rogers:** I do not mean that; I am just disturbed by some of the things that happened. I know that we are trying to work through a solution on this thing that would have used some arbitrary measure such as levels of progression that were really removed from looking at community engagement, which they do not measure at all.

**Mr A Bell:** They are used only for the educational improvement aspect. We have other measures for community engagement.

**Mr Rogers:** Yes, but, if you were in the schools' situation of looking at the baseline and they were using some different method of assessing their plans for community engagement, whether it was to offer two subjects at GCSE across two schools, you would be happy to use their measures — or ETI would be happy.

**Mrs Graham:** The important thing is that, looking at individual partnerships, all measures that are being developed will be used in that evaluation process. To be fair to the ETI, all measures have always been used in looking at the evaluation of individual schools. Part of this is that, as Andrew said, new measures are being developed that we cannot be completely confident about at this point in time, but, hopefully, especially with those around attitudinal etc, we have built on the experience that we have had to date. We are hopeful that some of our measurements will be quite cutting-edge in comparison. When we looked even internationally, we struggled, as you know, to find ways of measuring some of that achievement. In fact, I think that we will be leading the way on the work that we do on attitudinal change.

**The Chairperson (Mr Weir):** I will bring in our ageing Beach Boy, Danny.

**Mr Kennedy:** Thank you very much, Chairman. I am surprised that one so young should remember those people.

You are very welcome. I apologise to other colleagues, but I have to move on to exciting political talks.

I want to expand a bit on Mr Lunn's concern about how this will work, not only on a cross-community basis but on a cross-sectoral basis, in that it is not going to be loaded with quotas that will, effectively, discount the opportunity for schools to bring forward proposals for shared education on a cross-sectoral basis.

**Mrs Graham:** When you say cross-sectoral, do you mean as in primary and post-primary?

**Mr Kennedy:** Yes. Also post-primary in terms of grammar and non-grammar — selective and non-selective. Are any restrictions or quotas going to be put in place to, essentially, exclude the potential for cooperation there?

**Mrs Graham:** No. I do not think that there would be any intention; that goes back to the concept of flexibility. As long as we have reasonable numbers, as it says in the Bill, and a mix of socio-economic background, that is the minimum essential requirement. Of course, we have seen that schools and their partners go way beyond that in reality, and so we have said that that is the minimum requirement. We are confident that schools, in terms of inclusion, are beyond that stage at the moment. We have seen interesting work across time in that area.

With regard to cross-sector for primary or post-primary, there are some pieces of work ongoing around transition beyond the shared education programme, but we would encourage those types of partnership as well, because the whole build of cross-sector is something that we have still not cracked completely in education. It would be very welcome.

**Mr Kennedy:** Where do you see the difference between shared education and integrated education in respect of the Bill?

**Mrs Graham:** At the most basic level, it is the fact that integrated education is about young people from both community backgrounds being educated in one school and shared education is very much

about encouraging partnership between schools and encouraging them to work together. That is the basic explanation for the differences between the two approaches. One is an educational approach and has a sector associated with it — obviously, the integrated sector — and the other is an educational approach generally. At its simplest, it is children being educated in one school and children being educated through a partnership or network of schools.

**Mr A Bell:** Integrated schools can bring a lot to the process. Obviously, they have already developed a very inclusive ethos, which is one of the things we are trying to achieve through this. They can share that, but, equally, they can benefit from learning from others about educational improvement areas where they may be weaker in certain subjects.

**Mr Kennedy:** The intention of the Bill is to encourage further cooperation, collaboration and sharing between schools, rather than, ultimately, integrating them.

**Mrs Graham:** That is the intention, but schools, as a result of engaging in a programme like this, may choose to consider something different. Any integrated school will be established through parental preference; it is not something that we would dictate.

**Mr A Bell:** As communities move along with this, there is the potential for them to decide that the integrated approach is something that they want to move to. There is the potential for that to happen, but it may not happen in all communities.

**The Chairperson (Mr Weir):** The other issue is defined in the Bill. We often think of sharing as "Here are two schools getting together", but, as well as that, various projects could be a cluster of schools. It could be a number of schools from different sectors in that regard.

**Mr Craig:** Like Danny, most of us are trying to get our heads round the definition. This is not about integration; that is not my understanding of it. It may lead to that, but it is not about it. That is what I want to explore with you. When you look at a shared education project, what will be the key drivers? Will it be educational achievement? That is vital. Will it be the sharing of scarce resources between two schools or, in many cases, more than two schools? Will that score highly? Is it, again, down to the sharing of traditions across sectors? How will you measure that? Is there almost a scoring card when it comes to a shared project as to how well it will do with regard to all of that?

**Mr A Bell:** It can be all of those. It is not really addressed in those particular points. Obviously, if an application shows that it is doing all of those, that is a relatively easy decision. All schools and communities are at different stages of the process. Some schools are in areas in which there are a lot of community tensions and there are different issues for those schools. Therefore, each needs to be looked at case by case. When looking at applications, two questions are key. The first is whether it is about educational improvement, whether they can demonstrate through their action plan how they will achieve that educational improvement, and whether we have the confidence that the steps that they are suggesting will do that. The second is whether they can also address the reconciliation issue. Those are the two primary issues that we look at.

**Mr Craig:** Andrew, this is where it will get difficult. It is not down to the legislation. We are here to encourage the sharing of resources, sectors, backgrounds and whatever. That is OK; that is easy to put into legislation. In reality, though, I know that you are saying that you take every case on a case-by-case basis, but this may well lead to legal challenges if cases are turned down.

**Mr A Bell:** To date, most of the applications have gone through. If there have been concerns, as Faustina has indicated, development officers will work with those schools. To be fair to the schools, they are perfectly open to that; they are working with development officers to address those issues. That is more of the approach that we are taking; we are trying to have a very facilitative approach to encourage as many schools as possible. We are not looking to turn schools down; we are looking at how we get schools involved in the process. That is the approach that has been taken to date. We are trying to be as flexible as possible and to give the schools the support and advice that they need so that they can address the points. In some cases, it may not have been a factor that they have thought about, and when it is raised with them they will be able to meet more of the aims.

The point that I was trying to make was that the key thing is that, because schools are all at different stages, one of the other factors that we will look at is where that school is. They give a background as to what they have done in the past and what the issues are. All those factors are taken into account.

In judging applications, we look at where a school is at, what it is proposing and whether everything aligns so that we have the confidence that that programme will move forward.

**Mrs Graham:** In response to Mr Rogers, I touched on ETI and the continuum. The first place that a partnership will fall down is in the quality of the self-evaluation or if it is effective in looking at self-evaluation but realises, through that process, that it is not at a stage where it can embark on a Delivering Social Change programme. Some partnerships have recognised that. As Peace IV comes on board, it will be specifically aimed at schools that feel they are further back in the process. The important thing is that, through the self-evaluation process, schools are enhancing the quality of what they do. They have been quite familiar with doing that on a single-organisation basis. It begins to test things a bit more, particularly around educational improvement, when you have to open up all your organisation to another school and when you are doing that on the basis of trust. It is not something that is imposed or something that we have told people to do, but they know that, in order to work together, they have to build that trust.

That is a really interesting aspect of how you begin to see quality; equally, however, in looking at assessing those projects, that is one of the easiest places to say no to. In individual projects, we sometimes see a lack of mixing of children with the emphasis having been on the adults interacting as opposed to the sharing of classes. It has perhaps been about professional development for teachers rather than for the children. Again, that allows us to say, "Have you thought this through or are you are at the right stage to embark on this programme?" It has been an iterative process in that way. Hopefully, we will not have challenges.

**Mr Craig:** Faustina and Andrew, I welcome that it is a more open approach; it is almost a list. This goes back to what Seán was trying to get at. A lot of the projects are excellent. I could take you to examples in my constituency where this occurred naturally before we were even thinking of a Shared Education Bill. One of the biggest issues is the question of trust. It is not easy for two schools to trust and to share all the information that they have —

**Mrs Graham:** Absolutely.

**Mr Craig:** Because, ultimately, they are competing. You cannot escape that under our choice system. When trust is built up to a level at which they share resources, and that benefits everyone, you can get around the complexities of timetabling, sharing teachers and all that because those are technicalities, but the one thing that you cannot escape is the physical resource implications of transport. The Bill is well and good, but will resources follow to allow or encourage those things?

**Mr A Bell:** The Minister has already committed on a number of occasions. This was brought up in the ministerial advisory group report, which reckoned that it was a shared education premium. There are arguments for and against that. The Minister has said that he is committed to mainstreaming funding for shared education in the longer term and to using the experience of the signature project and Peace IV to determine how best that happens. He has said on a number of occasions that he recognises that there are additional costs with that, and he has indicated that he is willing to mainstream those additional costs.

**Mr Rogers:** I have a very brief point on that. Looking at good practice in the past, we should open our eyes more to sharing education virtually and to projects for dissolving boundaries and so on where children from the two communities are brought together in a virtual classroom. Surely that should be used as a mechanism. It will not eliminate the transport issue. The resources are already there in terms of C2k and so on.

Should the technology not be used to its full capacity by having virtual classrooms?

**Mr A Bell:** Schools that have applied to the programme are doing that. However, one of the key factors is that a lot of evidence states that simply relying on virtual is not as beneficial as having some face-to-face interaction and opportunities for young people to meet somebody from another community face to face. I think that Queen's talked to the Committee about that. On a number of occasions, the Minister talked about young people learning about one another from one another. Evidence shows that ongoing sustained engagement helps with some of the reconciliation issues that you do not get to the same extent with a virtual environment. We are not saying that the use of ICT and C2k is not a key aspect of how you can deliver this in an economic way.

**Mr Rogers:** I am not saying that virtual should replace face-to-face contact, but surely a mix of both would cut down on travel costs and so on.

**Mr A Bell:** A number of the applications that we have seen are already doing that.

**Mrs Overend:** Thank you for coming in; apologies for missing the start, but I had to call at my local school with Nathan. I agree with a lot of the comments and concerns that have been raised this morning. The Youth Council is included in the list. What sort of projects do you foresee coming in under that umbrella?

**Mr A Bell:** As you will be aware, the signature programme is targeting schools. That will expand when the shared education funding through Peace IV comes in. In the past, we have seen youth-to-school collaborations that have been agreed under Peace IV. We have a number of very successful projects with International Fund for Ireland (IFI) funding in which youth workers work alongside teachers in schools. That is the sort of project that we are talking about. That gives you a more consistent approach, because the young people who attend those schools during the day go to youth clubs in the evening. So, the two are much more aligned, and you have a much more joined-up approach between the two sectors. If youth workers are working with schools, they can see what the schools are addressing, and they can address the same thing in an informal way through the youth sector. So, we have found those youth-to-school collaborations to be very effective.

**Mrs Overend:** So, it is not youth organisations working with other youth organisations across the community.

**Mr A Bell:** There will be potential for that under Peace IV, but not under the shared education thematic area. It will be under the children and young people thematic area, because youth organisations have already done this quite a lot in the past, as you may be aware. They have their equity, diversity and interdependence to address a number of the issues. That underpins a lot of youth-work practice. Yes, there will be an opportunity for youth-to-youth organisations under Peace IV, but it will be under the children and young people thematic area rather than the shared education thematic area.

**Mrs Overend:** How is that assessed? Will there be an assessment of the success of that?

**Mr A Bell:** Do you mean for shared education?

**Mrs Overend:** Yes.

**Mr A Bell:** Peace IV will expand into early years. We already have the school-to-school framework model, and Faustina talked about the continuum model. The Education and Training Inspectorate helped to work up similar models specific to the youth and early years sectors to address the same issues. They will be used as a baseline for self-evaluation and for identifying how they take that forward.

**Mrs Overend:** Thank you for that. I wanted to raise the signature projects and the problems being experienced there. I have been contacted by schools in my constituency, as, I am sure, have colleagues. I shared a letter with the Committee this morning regarding the concerns that primarily schools under tranche 1, in particular, have. I understand that they participated in training and had away days, etc, before they were aware of the assessment criteria being placed upon them. I understand that some schools are proceeding with the project in the view that it all will be sorted while other schools have been advised that they must wait until it is all confirmed. There seems to be different views and advice being given to schools across the country. Can you clarify when they should have been told? They should have been told the assessment criteria upfront, surely.

**Mrs Graham:** That has been brought to our attention. I know that you asked about that yesterday. We would be happy to come back to you on that because we have a project board meeting this morning when we leave here. We will take that up with the Education Authority. We are confident that, in tracing back all our information, it has been in the documentation that there is an expectation that end-of-key-stage results would be submitted, although there are two things at play here. The Minister decided that any new money going into the system would be dependent on schools participating in statutory assessment. In the shared education programme, there is also an expectation that end-of-key-stage outcomes would be used as one of the measures. I think that that

was the point that Andrew was making earlier to Mr Rogers. It is one of the measures in the programme, but, at the moment, it is the only common measure that we have of educational improvement. While we will look at all the outcomes in the round, it is nevertheless the common measure that we have across schools.

While we are confident that that was included in the documentation, of course we have to be open to listening to schools saying that they received mixed messages. I think that the important thing for us at the moment is that, as I said in the briefing, the Minister is engaging personally with the unions to try to bring resolution to this situation around the end-of-key-stage assessments and is awaiting a response from the unions at the moment.

**Mr A Bell:** As a Department, we have not been advising schools either to sign up or not to sign up; what we have been keen to do is to ensure that schools have all the facts. A number of schools were unaware of some of the negotiations that were going on, and we made them aware of those facts. What we do know is that some schools, immediately on receiving their letters of offer, indicated that they could not sign them and could not comply with the conditions. In those circumstances, the Education Authority has no option but to withdraw the offer. However, we have said that if schools get to a stage where they can, those offers will be reinstated. It is for other schools that came and asked the questions. We were giving the information, saying that this was something that they needed to consider and trying to be as helpful and facilitative in the process as possible. Ultimately, it is up to schools to make the decisions.

**The Chairperson (Mr Weir):** Faustina, you indicated that there is a meeting on this today: can you provide the Committee with correspondence? I am conscious that, while it is a very important issue and the Deputy Chairperson and I both raised it yesterday at Question Time, although I think that we pursued different routes on it —

**Mrs Graham:** It was raised with us, and we will take those concerns forward with the Education Authority.

**The Chairperson (Mr Weir):** OK. I am just conscious that we get the most up-to-date information but also that we obviously have a lot of stuff to do today, so I am keen probably to continue.

**Mr Hazzard:** Thanks very much. I have probably just a few thoughts, actually. Without getting into the whole integrated and shared education argument, a lot of this is around the need to dissolve boundaries, yet I just wonder whether there is a fear that we may copper-fasten such boundaries if we are talking strictly about "shared" as being shared by Catholics and Protestants. I know that we have included social class in there as well, but we have serious issues in this society around newcomer children and ethnic minorities: where do they fit in shared education? Looking at the main reasons for bullying in schools, we see that they are homophobia, race and national identity etc: where does that fit into shared education?

I fear that we are looking at a 20th-century solution to a 21st-century problem. Our system is trying to move away from such identity factors as "Catholic" and "Protestant", and it should be. How does the Bill enable us to, I suppose, evolve in time? Is there scope to evolve if our system evolves? How do we ensure that this is not just another project or policy and that it will be inbuilt in everything that we do, with specific reference, I suppose, to area planning? Do the two dovetail? Are the two separate? Are there two working groups working together on this? For example, when Delivering Social Change funding ends, does shared education end with it or will it be inbuilt in the system that it is now here for the foreseeable future? There are probably more thoughts than questions in there.

**The Chairperson (Mr Weir):** If you want to respond shortly. *[Laughter.]*

**Mrs Graham:** In answer to your first question, yes, obviously. In its report, the Committee talked about visiting schools, seeing their work and listening to teachers talking about what they do. We have to have confidence that teachers know and understand the curriculum, and what we are doing here is supporting the development of that. It is the tension, I suppose, between, on the one hand, not ignoring the legacy of the past in order to build a brighter future and trying to ensure that there is that breadth that you have described. That comes back to my earlier explanation of the Bill being quite precise but the policy trying to demonstrate the outworkings as being much broader. To date, what we have seen in schools reflects that. That can only grow and develop in a very positive way around the concept of inclusion. I understand your point, and I think that we have taken cognisance of it.

As regards liaison, yes, we have tried in this, as I have said, to make the connections. I talked about how we made the connections between evaluation that is ongoing with ETI, moving it into this and making connections with Every School a Good School so that there is continuity and that we are making what is happening explicit for schools. Andrew and Mr Rogers talked about ICT, for example. We have been told now that the attitudinal survey, for example, will be delivered through the C2k system, so while it is Queen's University that has responsibility for that, children will participate through C2k. To me, the important thing here is not to rush this into an initiative that will be done and dusted in two or three years but, in fact, to have the confidence to look at this as a system-wide development that, after the DSC programme, will continue and the concept of this ultimately being fully integrated into the delivery of the curriculum. That is as fast as I could go.

**Mr A Bell:** The Minister has also, on a number of occasions, indicated that one of the reasons why he wants to bring forward a shared education Bill is to ensure that the message is very firm that this is part of our system.

**The Chairperson (Mr Weir):** Thank you, Faustina and Andrew. It has been a lengthy but useful session in exploring the details of this.



Northern Ireland  
Assembly

Committee for Education

# OFFICIAL REPORT (Hansard)

Shared Education Bill: Integrated Education  
Fund and Northern Ireland Council for  
Integrated Education

25 November 2015

# NORTHERN IRELAND ASSEMBLY

## Committee for Education

### Shared Education Bill: Integrated Education Fund and Northern Ireland Council for Integrated Education

25 November 2015

**Members present for all or part of the proceedings:**

Mr Peter Weir (Chairperson)  
Mrs Sandra Overend (Deputy Chairperson)  
Mr Danny Kennedy  
Mr Trevor Lunn  
Mr Nelson McCausland  
Ms Maeve McLaughlin  
Mr Robin Newton  
Mr Seán Rogers

**Witnesses:**

|                    |   |
|--------------------|---|
| Mr Sam Fitzsimmons | Integrated Education Fund                         |
| Mrs Tina Merron    | Integrated Education Fund                         |
| Ms Bernie Kells    | Northern Ireland Council for Integrated Education |
| Ms Lorna McAlpine  | Northern Ireland Council for Integrated Education |

**The Chairperson (Mr Weir):** I welcome Tina Merron, the chief executive of the Integrated Education Fund; Sam Fitzsimmons, communications director of the Integrated Education Fund; Bernie Kells, a senior development officer at the Northern Ireland Council for Integrated Education (NICIE); and Lorna McAlpine, also a senior development officer at NICIE. I will hand over to you to make a short presentation, and we will then open up the meeting to questions from Committee members.

**Ms Bernie Kells (Northern Ireland Council for Integrated Education):** Thank you, Chair and Committee members. I want to do two things: first, I want to assure the Committee of our commitment to the Bill and our expertise in commenting on it, and, secondly, I will summarise why we believe that the Bill as it stands needs amended if it is to be consistent with the Department of Education's policy definition of shared education. In the document, shared education is described as a continuum, with integrated education (IE) at the "upper end of that continuum". In fact, the document refers to integrated education as the "optimum" form of sharing. We therefore believe that it is essential that integrated education be written into the legislation, and my colleagues will present on the detail.

For a moment, I will speak on behalf of the integrated movement. We are here today to speak with one voice. We welcome anything, including shared education, that brings young people together to learn with, from and about one another. That is the mission of integrated education, and we have long experience of and expertise in doing it. Integrated education has been actively involved in supporting and managing shared education projects, and my colleague will give further detail. Central to the Bill, however, is the idea that, through sharing, schools will proceed to becoming fully integrated. DE envisages that shared education can be a stepping stone to schools becoming fully integrated. It is

therefore essential that, if the Bill, which is the outworking of the Department's policy, is to have the best chance of working, schools be supported to move along the continuum, as the policy requires.

I now hand over to Lorna, who will make some comments on the detail of the clauses.

**Ms Lorna McAlpine (Northern Ireland Council for Integrated Education):** Thank you very much for the invitation. I begin by apologising. I have a dose of the cold, and my voice has been badly affected.

**The Chairperson (Mr Weir):** It is a by-product of this time of year.

**Ms McAlpine:** Exactly.

I am delighted to be here to speak to the Committee about the clauses.

We think that the Bill would benefit from some amendments. In particular, we would welcome an amendment to clause 1 to make clear the linkage between shared and integrated education as stated very clearly in the shared education policy that Bernie quoted. Not including a reference to integrated education seems like an omission. It calls for clarity, because, from the public's point of view and for everyone's perception, there needs to be some clarity on the linkage between the two. As it stands, IE is not included in the clause. That could be detrimental to the development of integrated education, as the Education Authority (EA) has the duty to:

*"encourage, facilitate and promote shared education",*

yet there is no mention of integrated education. It is in article 64 of the Education Reform (Northern Ireland) Order 1989, as we know, but some linkage needs to be made here.

Clause 2 deals with the power to encourage and facilitate shared education. It may be worth saying that I have worked in integrated education for a long time. We had integrating education projects in 2005 and 2007, and my colleagues from the Integrated Education Fund (IEF) will tell you that they have been involved in the Promoting a Culture of Trust (PACT) programme for about 15 years. We then had the Primary Integrating/Enriching Education (PIEE) project, which was run by the North Eastern Education and Library Board (NEELB). A colleague of ours, Roisin Marshall, was loaned out from NICIE to run that project. She is coming back as our new chief executive in the new year. We have a long history in this. More recently, Bernie led a very successful project to support shared education called "Sharing Classrooms/Deepening Learning", which was an International Fund for Ireland (IFI) project.

We have shown a commitment over many years to the role of IE within the shared education policy. We are just surprised that NICIE has not been included in the list of bodies to encourage and facilitate shared education. We have many schools already involved in shared education projects, so I think that our not being included is an oversight. We were created a non-departmental public body (NDPB) in 2011. The Youth Council, which you heard from earlier, is on the list of NDPBs, so we do not see any reason why NICIE, as an NDPB, and maybe others involved such as Comhairle na Gaelscolaíochta (CnaG) could not be listed to help the growth of shared education. That inclusion would, we think, be helpful in implementing the shared education policy, which refers to:

*"opportunities for sharing the good practice that has been developed within the integrated sector"*

and the provision of:

*"collaborative opportunities that can equally benefit pupils attending integrated schools."*

We are trying to say that it is important to make that linkage again and to make sure that we can offer certain support for schools, as we have already done through the various projects, to make the whole experience for young people better in the shared environment. It would also be helpful for the Department of Education and NICIE in discharging their obligations under the Programme for Government for shared education.

There is an anomaly with planning, because, at the moment, no one has the right to plan for integrated education. That planning role could be given to the EA or, more properly maybe, to NICIE. That

would clarify matters. It would also be an assurance for us to know that DE is fully committed to the 1989 Order, article 64 of which contains the duty to:

*"encourage and facilitate the development of integrated education".*

We are pleased that an agreement on the review of integrated education came from this Committee. We would welcome the chance to input to the terms of reference, because there is an issue about the linkages and the joined-up nature of what we offer to the public and to young people in particular as experiences in shared or integrated settings. As you can see, we are committed to the whole sharing thing and have been involved in it for a long time.

Thank you very much. I hand over to Sam, who will outline some of the economic issues.

**Mr Sam Fitzsimmons (Integrated Education Fund):** I wish to touch briefly on the potential impact of the Bill. The Minister has committed to mainstream funding in the longer term, using the experience gained during this initial implementation period. Investment to date has been around £25 million over four years. That is estimated to reach around 10% to 15% of pupils. Of that £25 million, £15 million will be spent on teacher cover and renting premises, with a further £5 million on transport and buses.

The Department's explanatory and financial memorandum that accompanies the Bill addresses the financial effects. It acknowledged:

*"there may be additional financial implications to schools working in partnership particularly in relation to transport and substitute teacher costs."*

Therefore, at the end of this shared education signature project, we would call for an audit of the financial impact of mainstreaming shared education. That should be carried out by, for example, the Northern Ireland Audit Office (NIAO). It could include the number of children involved in shared education and an evaluation of the educational outcomes.

I will pass over to my colleague Tina Merron, who will expand a little on vision and structural change.

**Mrs Tina Merron (Integrated Education Fund):** The Bill is an opportunity to provide a vision for education for the next five years. It could lay a pathway that brings structural change that could lead to a more cohesive education system. It could provide an opportunity to progress and deal with some of the problems that have been identified in area planning by this very Education Committee. The Bill should also be considered in the light of the recommendations of the NIAO report on the sustainability of schools, which is currently with the Public Accounts Committee. I believe that it is likely to publish a report in January or February, so that should be taken into consideration.

It is ambitious, but shared education could help with the problem of the lack of consultation in area planning by providing an opportunity for more discussion with parents and more consultation with the full community in an area to find out what parents want and what is needed. That would give communities the confidence that their voice will be heard and that they are part of the future planning. They, in turn, could help with the creative solutions required for their area. Those solutions, through shared education, could, in turn, help reduce surplus places.

From our experience of community engagement over a number of years, we know that schools want to move along the continuum, but there is no authority or support body to help them on that journey. Parents want their voice heard. Independent community audits are a proven mechanism for achieving that. The wider school community also needs to know that parents have the same vision as it. The Bill does not address that issue. It makes minor adjustments, but it does not provide a vision for the future. There is no evidence of structural change. However, if that is what we have at this stage, at least it is a start. It is not just about what parents want: there is enough evidence that a younger generation is demanding more and has a greater vision than the current education stakeholders. Has anyone actually brought all the pupils of Lisanelly together and asked them what they really want? Have they been brought together and asked, "Do you want a joint sixth form or a single sixth form?" Those are the questions that the pupils should be asked.

On behalf of the integrated movement, I will leave you with three possible amendments to the Bill. We think that shared education is a step in the right direction, but the Bill is not ambitious enough. First, there needs to be an authority or structure built into the Bill to help schools move along the continuum and to provide links to integrated education. Secondly, all nine non-departmental public bodies should

be given the power to support shared education projects. Thirdly, the Education Authority must consult the full community, possibly through independent community audits. That must be central to area planning, as creative solutions can help with duplication. We must stop assuming that what we have is what parents and young people want.

**The Chairperson (Mr Weir):** That will be very useful. Thank you for your evidence.

Perhaps you can get the specifics of those amendments to the Committee Clerk. I appreciate that you have given a direct submission, but you mentioned, for instance, clause 1 and the legislative definition therein. You suggested that there needs to be a direct reference to integrated education, but it is not clear what your specific amendment would be. If you have specific amendments, they would be helpful.

There may be an opportunity to do this at Consideration Stage, but it struck me that certain things may lead directly to an amendment. The Committee will also produce a report on the Bill. Some of the monitoring arrangements may be stuff that will not necessarily be in legislation but should be put in place. Therefore, there may be issues around what we recommend on that broader level.

I want to clarify a couple of things on NDPBs. You stated that the list of bodies should reference NICIE. Presumably, that means that all the education sectors should be mentioned, including, for instance, the new controlled sector one. I have not seen your full list in that regard, but that is what I take from your position. Another issue to touch on is the definition of "shared education" and "integrated education". Integrated education is focused particularly on one limb of the Bill and relates to the relationship between the two main communities. However, the Bill also goes on to completely different ground and deals with the socio-economic side. Do you accept that, while there is a continuum, there are slight differences between shared and integrated education?

**Ms Kells:** Yes, absolutely. Shared education is a continuum, in the sense of schools with different religious backgrounds and socio-economic groups and, indeed, other groups that are not referenced in the Bill but are in the policy sharing together. Integrated education, consciously on a daily basis, brings those groups together, which is why it is referred to in the policy as the optimum form of sharing. From that point of view, it is absolutely important that there be strong, clear linkages, both in the definition in the Bill and in its outworkings, between shared and integrated education. Integrated education is quality, sustained sharing on a daily basis. It is what the Department itself envisages happening as schools become more and more involved in sharing. Indeed, it envisages some schools progressing right to the end of the continuum. That is why we think it important that the Bill reflect that intention.

**The Chairperson (Mr Weir):** I understand that. Clearly, one limb of the test is that some schools fulfil that, as do other schools in other sectors. Although integrated education will bring together people from different backgrounds, it is not specifically focused on bringing in those who have socio-economic deprivation and those who do not.

**Ms Kells:** Integrated schools absolutely do that.

**The Chairperson (Mr Weir):** It is not part of their aims and objectives.

**Ms McAlpine:** It is part of the statement of principles that we talk about in being inclusive regarding all socio-economic issues. It is right in there. It is part of our thing about equity and diversity.

**The Chairperson (Mr Weir):** Obviously, the thrust of the Bill is not really meant to be about within schools; it is between schools.

**Ms McAlpine:** Yes, but it is about what you are going to share. Are you going to share a site, a building, some curriculum, a field or, in our case, are you sharing an ethos within one building? The definitions are very similar. In the definition of "integrated" in the 1989 Order, there is an "s" missing: one article states "school", while another states "schools". That definition is very close. It is trying to say that there are linkages. It is maybe also trying to avoid confusion in people's minds and to give us our place, in the sense that we have something to offer here. We are keen to offer it and have shown that we have offered it before. We would be happy to help again to develop and work with teachers, as Bernie has done, to make this a better experience for young people.

**Mr Lunn:** Thanks for your presentation. I do not need convincing about your arguments, as you probably realise. I let other people ask the questions. Talk to me about the definition of shared education, which is between:

*"those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children".*

Do you see that as being satisfactory, or would you like to see it extended?

**Ms Kells:** I go back to the point that I made in response to the first question, Trevor: it does not reflect the diversity of all the groups that we have in society. Therefore, I do not think it is satisfactory. I understand that there is an attempt in the policy to name the groups, but, in the context of improving the Bill, strengthening the Bill and really giving a commitment that it could make a societal step forward by recognising and in visibly stating that those other groups are members of our society, the Bill does not go far enough in that respect.

**Mr Lunn:** Does it need to mention others? Is it as simple as that? Effectively, the Bill defines the circumstances in which two schools can cooperate, and it is entirely related to Protestant and Roman Catholic children. I can foresee a situation in which that ratio might not be correct, as some schools have maybe 30% of others.

**Ms Kells:** You are absolutely correct. The Bill, if it is about shared education, needs to reflect the actual increasing diversity of young people and their backgrounds, beliefs, values and orientations. If the Shared Education Bill is for a shared future and a shared society, it needs to reflect that.

**Mr Rogers:** You are very welcome.

Bernie, I am reflecting on a few words that you said at the beginning:

*"through sharing, schools will proceed to becoming fully integrated."*

The Bill, as you see it, is the stepping stones towards shared education, but those stepping stones are not there for getting to the ultimate aim of integrated education. Other people mentioned the continuum. Do you believe that there needs to be a system by which we incentivise the idea of sharing so that people will work towards being fully integrated? For example, can children who share 25% of their curriculum time as opposed to those who share 100% be incentivised? Would that be of any benefit? Do you see an opportunity? The other question that I had in my mind is this: does the Bill, in committing to shared education, lead down the road towards integrated education?

**Ms Kells:** I will take each point separately. You are right: underpinning the Bill is the shared education framework, which is essentially a continuum that charts schools at various stages of their journey. The more they share, the more they move up the continuum. The Department itself states that it envisages these being stepping stones. It is an incremental journey to get a more integrated system of education, and more schools may decide to take the final stage to becoming formally recognised as "integrated". That is the underpinning of the policy behind the Bill.

Your second question was on whether schools should be incentivised to share. The simple answer to that is that they are already being incentivised to the tune of £25 million. In response, I ask what will happen when the money is not there to incentivise them. We need a progressive mechanism whereby, if schools have shared at one stage, it is not enough then to walk away and say, "We will do it while there is money there". For what we are trying to do as a society, if schools make the commitment to share, they need to be supported to continue to share along that pathway.

**Mrs Merron:** I have been out to schools that want to continue and want that support to continue. Once you start involving them, parents want to see what the end journey will be. They need somebody to take them on that journey. It will be a journey that will take a couple of years, but there is not the support out there currently.

**Mr Rogers:** Particularly in rural areas, it is difficult to get to the integrated stage at which pupils are all in one classroom. Do you see IT as being a useful vehicle for sharing the curriculum experiences to get there?

**Ms Kells:** It is certainly part of it. Just as you and I are sitting face-to-face speaking to each other, Seán, there is nothing like doing that on a daily basis and on a personal basis. IT can certainly enable, but it should certainly not replace or be there instead of.

**The Chairperson (Mr Weir):** There is, sometimes, a temptation to communicate with other members via IT or whatever, but I would miss all my colleagues around the table. I would miss that face-to-face experience. *[Laughter.]*

**Mrs Overend:** I will not comment on that. *[Laughter.]*

**The Chairperson (Mr Weir):** No. I am glad that you are not kicking the ball into an open goal.

**Mr Kennedy:** Lie in a darkened room and think about that.

**Mrs Overend:** Thank you very much for coming in today. How do you feel that the success of shared education could be monitored, valued and, ultimately, measured? Should that become part of the Bill?

**Ms Kells:** We are aware that the Education and Training Inspectorate (ETI) has developed a detailed and coherent framework with indicators of how shared education is impacting on management and structures within the school and, more important from our point of view, how it is impacting on and improving the educational achievement of the children and young people and the promotion of understanding, mutual respect and trust. There is also an attempt built into that to measure attitudinal change. Above everything else, this is a societal opportunity to bring all these things together, and the ETI framework takes care of that. It is also, however, contingent on the fact that, at the end of each year, when schools are inspected and monitored, they will have to demonstrate that they have made sufficient progress on the indicators. Our experience with schools to date tells us that, like any process, it is extremely onerous, but the monitoring and evaluation are very important.

I have many years of experience of this work, and I would say that it is really important that we do not simply say that everything is taken care of because we have an instrument. We need to pay close attention, all the time, to how much it changes and improves life experiences and the understanding between children, young people, parents and the wider community. Those are the really important things, and they are the things that are hard to measure. I reiterate the point that that is why integrated education, with its 30 years of experience, has a massive contribution to make, and that is why it should be connected in the Bill.

**Mrs Overend:** Let me get this right: you say that the ETI has the ability to do this, but has it the ability to do it across schools? It is bound to be more able to do that within one school but —

**Ms Kells:** Schools that apply for the funding to take part in shared education make their bid in the context of the ETI instrument — that is in place.

**The Chairperson (Mr Weir):** Are you happy enough with the mechanism? Leaving aside whatever tweaks might be needed, is ETI really the appropriate body to monitor?

**Ms Kells:** It absolutely needs to be monitored and evaluated, of course, and lessons must be learned from it.

**Mrs Merron:** Sandra, it is not just the individual projects but the overall contribution of shared education that need to be evaluated before more money is put into the mainstream for it. As my colleague said earlier, we must make sure that it is working, that sufficient numbers are going through it and that everybody is happy. A body such as the Northern Ireland Audit Office (NIAO) should look into it when it is completed in 2018.

**Mr Fitzsimmons:** The Department's business case acknowledged the challenges in recording precise numbers of pupils. That would impose significant bureaucracy on schools and be subject to risk through either under- or over-recording the number of pupils involved in the programme. That is an underlying issue that the Department has already acknowledged. How you could roll that out if you were mainstreaming it and how you monitor and evaluate the outcomes for individual pupils may be a big challenge for the Department.

**Ms Kells:** Further to that, it has to be about more than numbers and hours of curriculum lessons taught. It absolutely has to be about more than that because there has been initiative after initiative here. Once they finish, their impact on changing our system is questionable. We face the same challenge of 92% of our children going to — for want of a better phrase — religiously segregated schools, and that is despite the millions and millions of pounds that have been put into various initiatives. We are saying that this is an opportunity, but let us learn from all of the previous initiatives. This one has to do better.

**Mrs Overend:** Do you have an opinion on the idea that breaking down the barriers must start with the employment of teachers and that the fact that teachers need an RE certificate to teach in certain primary schools is one such barrier? Does that need to be dealt with?

**Mr Fitzsimmons:** Sandra, your question very much reflects the need for the structural reform that we talk about. How we move away from the segregated nature of our teacher training colleges is one area that certainly needs further exploration. We do not have an answer to that, but we see it as one of the components that need to be addressed in any reform of our education system.

**Ms McAlpine:** I will add a wee bit to that. At the moment, teaching has, shall we say, a derogation in fair employment legislation, in that it does not apply to either promotion or recruitment. We looked at that some years ago and asked whether it could be changed and applied only at primary level, because that is when the sacramental preparation is done. We supported the removal of the derogation from secondary level, at which there is no need to have it. That is just sitting there, waiting to be enacted. It would have made life a bit easier for teachers, given the situation in which schools are closing or moving and so on, and it would have connected the systems a bit better.

What we are really talking about is that our system supports segregation within teaching, which is an employment segregation that is not required now. Yes, there is probably a need to be able to recruit someone with a certificate to teach Catholic RE in the primary sector, but it is not at all necessary in post-primary because sacramental preparation is done at P4 and P7, beyond which there is really no such need. There are ways other than separating employment to protect ethos. People can be asked whether they have a commitment to a particular ethos, which is probably a simpler way of doing it and a more straightforward employment matter than having it in law.

**Mr Kennedy:** Welcome, and thank you very much for your presentation. Surely you must have a lurking concern that the Shared Education Bill will ultimately frustrate your ambitions for integrated education. It is all right to talk about a continuum, but the harsh facts are that the existing power blocks in education are reasonably content with the situation. They can cooperate and share facilities or services at some level and be financially rewarded for that. There is no real compulsion to travel towards your solution, which is integrated education. Is there a danger that, by cooperating with the Bill, you guys will ultimately run out of road?

**Ms Kells:** Would you like me to respond to that? We are pragmatists, and we understand the attention and support that have been given to shared education. We are also pragmatists in the sense that we realise that shared education is not a new concept. It has been reimagined and rebranded, and it is something that integrated education has been doing for a long time. That is the first point. On the second point, Danny, I agree with you that some sort of mechanism and incentive must be built into the Bill to ensure that schools that enjoy the benefits and incentives of sharing do not simply stop when the money goes. That is why we are asking for an amendment not only to specifically recognise NICIE's role, along with the other NDPBs mentioned, but to give clarity and parity to planning for integrated education in the way that the Bill and its policy give power to the EA to plan and promote shared education. It is an unequal playing field at the moment.

**Mr Kennedy:** You are looking for a little more carrot but a lot more stick.

**Ms Kells:** Exactly. Thank you for putting it like that.

**Mrs Merron:** The IEF has been funding integrated education and shared education for 15 years, so it has a lot of experience. In fact, we stopped only this year. We have always been supportive and thought that it was very important because, when we started, very few schools were doing this work. We always thought it important that children got the opportunity to sit side by side, even if it was for a short time.

It is important that, when we look to the future, we ask parents what they want. You talk about schools and institutions, but are we asking parents what they want? That is probably what is missing. Everybody assumes that the education system that we have is what parents want, but do they ask them? Do they ask young people what they want? Especially in rural areas, where people are very pragmatic, a lot of parents would be very happy for schools to come together so that one school survived in their community and would not mind which school. We have done a lot of community engagement work in rural areas, and parents are very pragmatic. I say to you that we should ask parents what they want.

**Ms McAlpine:** I want to add a wee bit to that. I have been around integration for a long time too — about 18 years or so — since the days when we were able to open grant-maintained integrated schools and so on. The road to integration per se is quite a difficult one. It is a road that is led, by and large, by parents putting themselves on the line to do a lot of hard work. Sharing, as it stands, is institutional. Parents have a big role to play in the development of grant-maintained integrated schools or transformations, and schools take on some of that role.

I suppose that what we are saying is that our growth has slowed, maybe because of other things happening in schools and education generally, but our polls show that there is still a demand for integrated education. It may be worth pointing out that transforming a school to integrated status is almost cost-neutral: the Department of Education and the IEF each give a bit of money to train the teachers, governors and so on to deal with a more diverse population. I go back to Sandra's point about teacher training: teachers are not trained to operate in a more diverse society. We have to put that training in. Those are roadblocks in transformation, which is actually a very difficult process. An issue with Catholic schools transforming is that it transfers ownership to the controlled sector.

I hope that the review that the Committee has asked for will look at the whole issue of transformation, at the growth of the integrated sector and how it is promoted and so forth. As it stands, it is a tricky road. As has been pointed out, there is incentivisation to share, but what happens when that money runs out? The cost-neutral aspects of transformation need to be understood, but so do the difficulties that lie in the way for schools and parents who go down that road. The difficulties need to be acknowledged and changes made. The legislation needs to be changed.

**Mr Kennedy:** Very quickly, from another side of the argument, where do you think that the Shared Education Bill fits? How does it fit with a school that might be described as naturally integrated, although it falls, at present, within the controlled sector?

**The Chairperson (Mr Weir):** Or the maintained sector.

**Mr Kennedy:** Or the maintained sector, yes.

**Ms Kells:** Where does it fit? I have a particular interest in schools that refer to themselves as "mixed" or "naturally integrated". We know from looking at the data that there are a lot of them in the system. Interestingly, although the children themselves may come from mixed and diverse backgrounds, the ethos of the school is reflective of the ownership of the school. Therefore, if we go back to the idea of the continuum and schools being supported to progress along it, as is the vision, schools that are naturally mixed and naturally diverse can gain in confidence in being more open and more visibly celebrating, naming and formally acknowledging their mixed and diverse status. We have a particular interest in that; in fact, we have been piloting a small project called Positive Partnerships for Integration in which we work with schools that may have an interest in celebrating their diversity while not being able to transform for all the reasons that you talked about, such as the power blocks. From that point of view, the Bill could give confidence, and it could give a voice to parents and students, enabling them to say, "We want our school to reflect our ethos. We want it to be formally named to reflect the natural mixing and natural integration".

**The Chairperson (Mr Weir):** Thank you very much for your evidence. Tina, you made specific references and gave a very detailed submission. If there are any specific amendments that you want to suggest beyond that, will you get them to the Clerk as soon as possible? As you can appreciate, there is a tight time frame for the Bill. We need any additional information as soon as possible because we will be considering it relatively soon. Thank you very much for your time today.



Northern Ireland  
Assembly

Committee for Education

# OFFICIAL REPORT (Hansard)

Shared Education Bill:  
Centre for Shared Education,  
Queen's University Belfast

25 November 2015

# NORTHERN IRELAND ASSEMBLY

## Committee for Education

Shared Education Bill: Centre for Shared Education, Queen's University Belfast

25 November 2015

**Members present for all or part of the proceedings:**

Mr Peter Weir (Chairperson)  
Mrs Sandra Overend (Deputy Chairperson)  
Mr Danny Kennedy  
Mr Trevor Lunn  
Mr Nelson McCausland  
Mr Robin Newton  
Mr Seán Rogers

**Witnesses:**

|                         |                            |
|-------------------------|----------------------------|
| Mr Michael Arlow        | Queen's University Belfast |
| Dr Danielle Blaylock    | Queen's University Belfast |
| Professor Joanne Hughes | Queen's University Belfast |

**The Chairperson (Mr Weir):** I welcome our witnesses: Professor Joanne Hughes from the Centre for Shared Education; Dr Danielle Blaylock, a research fellow at the Centre for Shared Education; and Mr Michael Arlow, a lecturer in shared education at Queen's. I invite you to make a short presentation, after which we will move to questions.

**Professor Joanne Hughes (Queen's University Belfast):** Thank you. First, we would like to say that we very much welcome the introduction of the Shared Education Bill and the opportunity to present our oral evidence. We request that a number of points be taken into consideration as the Bill progresses to Committee Stage, and our written submission elaborates on those.

The first relates to the appropriate designation of groups. For shared education to have a positive impact in divided societies, it is paramount that the individuals involved in the inter-group contact are representative of the group's intention. Clause 1(2)(a) defines shared education as the education together of:

*"those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children or young persons".*

We argue that the terms "religious belief" and "Protestant and Roman Catholic" are not the most relevant descriptors to use in the Shared Education Bill. We propose instead the terms "community and cultural background" and "Catholic and Protestant community background". First, "Protestant and Roman Catholic" may imply a level of religiosity that is likely to be irrelevant to a significant proportion of the population. There can be little doubt, for example, that traditional cultural and religious identities are often eroded by secularisation. Our written submission references life and times survey data showing that, between 2010 and 2014, there was a marked increase in the number of young people

who reported that they did not regard themselves as belonging to any particular religion. While those individuals may not identify with a particular religious identity, that is not to say that religion remains socially insignificant. We argue that the term "Catholic and Protestant community background" captures a broader social identity that extends beyond the limits of individual religiosity and more accurately addresses self-categorisation and categorisation of other in a divided society and takes account of religious, cultural and political dimensions amongst others. We argue that the term "community background", in encompassing multiple domains, can also take account of the changing demography of Northern Ireland, which is important in respect of the Bill applying to other ethnic and religious groups. We believe that it more accurately captures the defining variables that comprise identity in this society. Belonging to a particular community background is based on an understanding that individuals generally perceive themselves and are perceived by others as belonging to a larger group and not to a fixed, homogenous entity.

Our second point relates to proportions. We believe that, with the substantial variations in pupil body populations across Northern Ireland, a focus on "reasonable numbers" is inappropriate. We argue that it is more relevant to refer to the proportions of children and young people from different community backgrounds. Taking those points into consideration, we suggest that clause 1(2)(a) be replaced with:

*"those of different community and cultural backgrounds, including a reasonable proportion of children and young people from Catholic and Protestant community backgrounds."*

We also ask for some clarification. First, in addition to the education together of children from different community backgrounds, clause 1(2)(b) states that shared education will include:

*"those who are experiencing socio-economic deprivation and those who are not".*

It is unclear how socio-economic deprivation is being defined in this context and why it is deemed relevant in the context of sharing between schools, all of which will comprise a proportion of pupils from lower and higher socio-economic groups, albeit that the proportions will vary significantly depending on the school's location and type. We cannot propose an alternative, but we ask that the following questions be considered: how will socio-economic deprivation be appropriately measured and what practical measures can be taken to ensure that this will be carried out? In clause 1(2)(a), stress is placed on "reasonable numbers", but a similar emphasis is not apparent here, and it is unclear why.

Our second point relates to the appropriate designation of providers. Clause 1(2) concludes by stating that shared education:

*"is secured by the working together and co-operation of two or more relevant providers."*

Clause 1(3) further states:

*"'relevant provider' means a person providing—*

*(a) education at a grant-aided school, or*

*(b) services of any kind (including youth services) which provide educational benefit to children or young persons or which are ancillary to education."*

The centre defines shared education broadly as:

*"Collaborative activity between schools from different sectors that is underpinned by a commitment to reconciliation objectives and can contribute towards school improvement, access to opportunity and more positive intergroup relations in divided societies."*

We feel that it is crucial that relevant providers must also come from differing school sectors, including predominantly Catholic schools, predominantly Protestant schools, integrated schools, special schools and youth services. As currently defined, you could have schools from the same sector working together because they have relatively small proportions of other community pupils. Therefore, we suggest that the closing statement of clause 1(2) instead read:

*"secured by the working together and cooperation of two or more relevant providers of different sectors".*

We would want sectors to be defined in the Bill as:

*"those schools that are comprised of predominantly Catholic pupils, predominantly Protestant pupils, integrated schools, youth services and special schools."*

The title of clause 2 is:

*"Power to encourage and facilitate shared education".*

We suggest amending that to:

*"Duty to promote, encourage and facilitate shared education".*

We believe that the use of stronger language reflects the commitment of the Northern Ireland Executive to shared education and reflects language used in article 64 of the 1989 Education Order, which placed a statutory duty on the Department of Education to encourage and facilitate integrated education. On a final note, on 4 November 2015, the Department of Education proposed the possible inclusion of an additional paragraph in the Shared Education Bill to establish a body to support ownership and governance arrangements for shared campus schools and other schools wishing to create a shared entity. On the whole, we support the establishment of such a body and will welcome sight of final wording of the proposed additional paragraphs.

We will be happy to provide further feedback at that time.

**The Chairperson (Mr Weir):** OK, Joanne, that is very useful. Let me just pick up on a couple of points. One of the areas of the debate that has been raised is, either from a definitional point of view or the purpose side of it, the absence in the Bill of a focus on educational attainment as one of its goals. One solution that has been suggested and would be very much in line with the Committee's report is that, in addition to whatever changes are made to the actual definitional wording, a sort of purpose clause or something of that nature might be added. Would you comment on that? Do you think that it would be helpful?

**Professor Hughes:** From our point of view, shared education is primarily about reconciliation objectives and promoting better relations between different groups in society. The research evidence on educational attainment is inconsistent in this society and in others, although there has not been that much research done in this society. We do not think of the Shared Education Bill as being concerned with educational attainment.

**The Chairperson (Mr Weir):** OK. There is another issue I suppose. I think again it probably comes down to how people perceive these things and definitions because I suppose some of us would see very much the focus on the community relations side of things; others see that as one element but also see the issue of educational advancement and the efficiency of use of provision. I will leave that aside. From the point of view of —

**Professor Hughes:** Sorry, I should have said "educational attainment". In terms of educational outcomes, there are additional outcomes from shared education that have been demonstrated in some of the research that we have done to date. That included the sharing of resources, specialist teaching and so on.

**The Chairperson (Mr Weir):** That is useful to know. There is one area that may or may not be in the Bill but which will clearly be a key question that will have to be dealt with and properly responded to. Whatever provisions you have within this, there is then the issue of how you measure the effectiveness of it and any actions that flow from it. From your experience, have you any thoughts on how measurement of effectiveness is best dealt with?

**Dr Danielle Blaylock (Queen's University Belfast):** Right now, the Centre for Shared Education is taking part in a five-year longitudinal study of intergroup attitudes and experiences of contact. From our research, we know that there are variables in the literature that it would be important to measure, as we move forward with the Shared Education Bill, to see how they are changing and progressing. Our strongest belief, though, is that it needs to be school-specific. We cannot give a general average that everybody should reach for. We need to look at it in terms of the progress that each school is making and each child is moving forward with and that the significant impact is happening at the

school level instead of talking about it broadly in terms of all schools needing to reach a specific number. Everybody starts at a different level.

**The Chairperson (Mr Weir):** Danielle, whatever exact definition eventually emerges, in looking at shared education we are looking at projects that will involve at least two providers and, generally speaking, probably two schools or more in that regard. Should that evaluation of effectiveness cover how it is impacting on a project-by-project basis? Presumably, that would be one of the tests of whether things are being done in the right manner.

**Dr Blaylock:** Yes. Any evaluation needs to look at it on multiple levels. Therefore we can talk about it in terms of the child, the attitudes and experiences that the child specifically has; the project, with case studies and qualitative work; the school, on the wider level; and then, perhaps, how it looks at the community level.

**The Chairperson (Mr Weir):** As you say, there are sort of different levels. Obviously, if we simply have a generality of the thing of saying, "This has been in place. It has made X amount of improvement". What that actually means is that, in certain areas it has been very successful and in others — at a broader level and whatever educational project can be — it can be a mixed bag in terms of how it is working on the ground. At least by drilling down, we can see how it operates.

**Mr Kennedy:** Thank you for the presentation. What percentage would be a reasonable proportion, and do you take account of other factors, such as demographics and social conditions?

**Professor Hughes:** Reasonable proportion has to be understood in the context of the schools involved in the interaction or contact. If the schools have higher or lower proportions, the engagement has to be reflective of that and of the wider demographic.

**Mr Kennedy:** You are not being precise about the numbers or percentage.

**Professor Hughes:** It is impossible to be precise.

**Dr Blaylock:** Our concern was that you might have a school with a larger number of children that is not reflective of the proportion with minority or majority status. We thought that it was more appropriate to talk about each school on the basis of the proportions that exist in it. That was where our push was. It is not so much a matter of what we feel is the best proportion to look at.

**Mr Kennedy:** How do you determine that, on the basis of equality, you are rewarding those who are either further ahead or not as far ahead, as measured by what you seek to achieve?

**Professor Hughes:** It is a fair point. It underlines some of the difficulties with talking about proportions and, indeed, numbers here. We have to do things case by case.

**The Chairperson (Mr Weir):** But I suppose to take the example on it, which is what we are trying to tease out a little bit, I mean you are obviously saying that proportions are more important than absolute numbers. To take an example, say two secondary schools came together, bringing 950 members from one community and 50 from the other, and, on the other hand, you get two rural primary schools with 60% from one community and 40% from the other. The two secondaries would have greater physical numbers, but the proportion of mixing would be a lot more in the second example on it. You are saying that the second case may be more directly relevant to sharing than the first. I am putting words into your mouth in that regard. I am just getting an understanding of where you are coming from so that I can grasp that directly.

**Mr Lunn:** Thank you for your presentation. Somebody mentioned the purposes clause. When we heard from you previously you emphasised the educational benefits rather than the benefits to society or reconciliation. Today, I am picking up a different message.

**Professor Hughes:** We have always emphasised the benefits of reconciliation; it is written into our mission statement for the centre. That is not to say that we do not believe that there are educational benefits. I should have said "attainment" earlier. We believe that there are educational benefits in the form of opportunities created for children and young people. For example, in shared education some

kids will have the opportunity to take subjects that they might not otherwise have had the opportunity to take, had there been no shared education project in their area.

**Mr Lunn:** I am reading the Clerk's summary of what has gone before, and he says:

*"CSE previously advised the Committee that the objectives of shared education should foreground educational improvement while including measures to facilitate community reconciliation."*

I do not want to argue with you, but it is important to have both. Which is the priority?

**Professor Hughes:** What we have said is that shared education has worked partly because it has foregrounded educational outcomes. That is why teachers and schools have been able to buy into it in a way that they were not always able to buy into community relations initiatives in the past, not least because teachers themselves feel very apprehensive about dealing with reconciliation per se. We have shown through the research evidence that shared education has worked to improve negative social attitudes and to reduce prejudice, while giving children other opportunities.

**Mr Lunn:** Have you been able to assess the value in societal terms?

**Professor Hughes:** Yes, absolutely.

**Mr Lunn:** One of the things that people keep asking is how you assess that.

**Professor Hughes:** We have done that through the surveys that we have undertaken. Dani mentioned the five-year longitudinal study that we are involved in. We also undertook a study of pupils who had participated in shared education vis-à-vis those who had not and showed that the reconciliation outcomes were more positive for those who had been involved in shared education initiatives. Our qualitative evidence seems to support that as well, albeit that the outcomes are not the same for every child and are often area-specific. In areas, for example, where there were high levels of intercommunity violence in the past, you cannot expect the outcomes of shared education to be as extensive as where there are opportunities for children to extend friendships beyond the school setting, for example.

**Mr Lunn:** Thanks for that. Were you here to listen to the NICIE and IEF evidence?

**Professor Hughes:** Yes.

**Mr Lunn:** Do you have any sympathy with their view that the Bill should reference their input as well and that there should be linkages? The continuum was also mentioned.

**Professor Hughes:** We absolutely think that integrated education is a very powerful way of reducing prejudice, and our research evidence has shown that. I suppose that we might have some slight reservations about the idea of a continuum and that shared education necessarily leads to integrated education, depending on how those things are defined.

One of the values of shared education is that, in a plural society, there will be groups that want to retain a distinctive school identity. They are comfortable with the idea of sharing but not with the idea of a fully integrated system because they believe that they would compromise their identity in that. I suppose that, in a plural, multicultural society, you have to respect that.

To abstract it from Northern Ireland to some of the work that we are doing internationally, I will give you one example from the work that we are doing in Macedonia. Formerly, they had an integrated system, and, as part of their peace agreement, ethnic Albanians got the opportunity to have education in their first language. Their system moved from being integrated to separate. Shared education is acceptable to them, but integrated education would never be acceptable. The notion of a continuum is something that we would probably struggle with a bit.

**The Chairperson (Mr Weir):** On that, Joanne, I appreciate that there should always be the opportunities or whatever, but I just wonder if there was too explicit a continuum is there a danger — you mentioned this — that, at times, schools have maybe sort of jumped in when they see the practical benefits rather than, shall we say, the particular ethos of things, if I can put it that way. You said that they were maybe a little apprehensive about shared education but, once they got into it,

found it to be useful. Is there a slight degree of danger that, if you have too explicit a continuum, some schools may feel that they are entering a conveyor belt that will lead to an inevitable outcome, and that might act as a degree of deterrence to them to get on to that?

**Professor Hughes:** That is my sense from our research to date. Some schools and teachers came into it very reluctantly. Some embraced the idea of shared education, but some were very concerned about what it might mean for them and their professional identity. Some of them see themselves as teachers who teach a subject; they are not there to address the problems of Northern Ireland.

**Mr Lunn:** It might surprise you that I actually agree with what you said —

**Mr Kennedy:** Steady now.

**Mr Lunn:** — that schools that are comfortable in their own space and ethos and format should be — I would not say "encouraged", but they should certainly be allowed to continue in that way. If they can benefit from sharing in societal and education terms, that is fine. However, those who enter into sharing with enthusiasm could come to the conclusion, or, if you like, the continuum, that the way to go is to come together and form an integrated situation. My understanding is that they should be encouraged to do that, and I think that that is the Minister's view. Do you agree with that?

**Professor Hughes:** Sorry, could you repeat the end of that?

**Mr Lunn:** I do not know if I could. *[Laughter.]*

**Mr Newton:** They should have the choice.

**Mr Lunn:** My understanding is that the Minister has a duty to encourage and facilitate integrated education. If shared education develops in a way that is envisaged or hoped for, it should lead to a situation in which schools may consider that there is no point in remaining separate and sharing and that they may as well be together under one roof. In line with the Minister's responsibility and obligation, the shared education movement and the Department should encourage that.

**Professor Hughes:** Shared education certainly makes the boundaries between different schools more porous, but it does not mean ultimately that schools have to shift their ethos or identity to become integrated.

**Mr Lunn:** They do not have to; I am not saying that they have to.

**Professor Hughes:** Shared education has been demonstrated to create more porous boundaries between schools, and that is a good thing.

**Mr Lunn:** I will wait to see the first time the Department announces that two schools that have been sharing have decided to become one and get married.

**The Chairperson (Mr Weir):** It would be like the first marriage on 'Blind Date'. *[Laughter.]*

**Mr Lunn:** I hope so. It is a long-term project.

**Professor Hughes:** Maybe that relates to the final point. Michael, do you want to say something about that?

**Mr Michael Arlow (Queen's University Belfast):** In clause 2, power is given to encourage and facilitate shared education. We argue that we prefer the language of "duty" on the Department to encourage shared education. That relates to some of the questions that our colleagues from NICIE raised. What happens when the money stops? If there is a statutory duty to foster and encourage shared education —

**The Chairperson (Mr Weir):** Michael, just on that, I presume that there is sort of a potential there on that basis that there would probably be a double amendment. If you were talking about a duty, then you do not talk about "may"; you probably talk about "shall". That is the difference between a duty and a power; there is probably a consequential sort of thing to that.

**Mr Newton:** Thank you for coming. Joanne, you lead a very interesting life between Israel, America and Macedonia.

**Professor Hughes:** I am not sure that my children think that. *[Laughter.]*

**Mr Newton:** You kind of skipped over the socio-economic aspect. Can you expand on that? That is the part that I believe is the most interesting and strongest aspect of the Bill, if we can achieve it. Can you give further explanations or expand on the comments that you made?

**Professor Hughes:** For us, shared education is primarily about reconciliation, and there is no question that it is important that different socio-economic groups are brought together. Some of our research evidence has shown that shared education is not as impactful for pupils from lower socio-economic backgrounds. They often have negative experience of contact, and the outcomes may not be as extensive. I am not entirely sure how you legislate for that in the context of the system that we have. I suppose that that is why we are asking you for more clarification of that aspect.

**The Chairperson (Mr Weir):** I am not sure who is asking whom at this point.

**Mr Newton:** I understand the point that you make. To me, it is the most exciting aspect of what we are trying to do. If we can achieve it, it is the aspect that will have the greatest impact on our society.

**The Chairperson (Mr Weir):** I will take that as a comment rather than a question. Seán is next, finally.

**Mr Rogers:** Joanne addressed my questions in earlier answers.

**The Chairperson (Mr Weir):** It is always good when someone who is giving us evidence addresses the questions ahead of members asking them; it is a good sign of the relevance of your contribution. Joanne and your colleagues, thank you for your evidence; it has been very useful. Because of the relatively tight time frame, we will be coming to conclusions fairly quickly in relation to this, but it has been a very valuable session for us. Thank you.



Northern Ireland  
Assembly

Committee for Education

# OFFICIAL REPORT (Hansard)

Shared Education Bill:  
Council for Catholic Maintained Schools

2 December 2015

# NORTHERN IRELAND ASSEMBLY

## Committee for Education

### Shared Education Bill: Council for Catholic Maintained Schools

2 December 2015

**Members present for all or part of the proceedings:**

Mr Peter Weir (Chairperson)  
Mrs Sandra Overend (Deputy Chairperson)  
Mr Jonathan Craig  
Mr Danny Kennedy  
Mr Trevor Lunn  
Mr Nelson McCausland  
Ms Maeve McLaughlin  
Mr Robin Newton

**Witnesses:**

|                   |   |
|-------------------|---|
| Mr Michael Graham | Council for Catholic Maintained Schools |
| Mr Gerry Lundy    | Council for Catholic Maintained Schools |

**The Chairperson (Mr Weir):** I welcome Mr Gerry Lundy, deputy chief executive of the Council for Catholic Maintained Schools (CCMS), and Mr Michael Graham, senior educational adviser. I will mention this to all the groups today: we have five presentations to get through and are trying to give everybody a fair shake. We will therefore limit each evidence session to a maximum of 40 minutes; it may be that it does not have to go on that long. I invite Gerry to start with an initial briefing, and then we will take questions.

**Mr Gerry Lundy (Council for Catholic Maintained Schools):** Thank you, Chair. Good morning, members. I propose giving quite a short presentation. I will talk at a high level, and my colleague, Michael, will complete the presentation by giving some detail on how shared education models operate in practice. Members may be interested in that.

We welcome the opportunity to comment on the Bill and, indeed, the introduction of a Shared Education Bill, as we think that it can bring some stability to the arena of shared education. By way of background, we at CCMS have been involved as a managing authority, but our schools, principally, have been involved in what can be identified as shared education since around 2006. I noted those initiatives in our written submission. This area of work has seen significant growth in activity, particularly through the new Delivering Social Change programme on shared education project, which launched this year, and the circular from the Department of Education on jointly managed church schools. There is a lot of independent work going on, undertaken by partnerships of proactive schools. We see many examples of schools engaging in shared learning and collaborative delivery, particularly of the curriculum, between and across sectors. We should not underestimate the impact and the success of area learning communities in moving the shared education agenda forward.

We included in our written submission an appendix giving some high-level statistical information on the level of involvement. One of the most important things that we have established over the past nine or 10 years is that the best and most meaningful work is done by schools at a local level, as part of a bottom-up approach rather than a top-down imposition. On that point, where we see the need for and the benefit of, legislation is that in some areas schools may need encouragement and facilitation to move things forward. They may feel that they need the support of the managing authority. The Bill allows CCMS as a statutory body to become more proactively involved in encouraging and facilitating this.

I would like to make some comments on the Bill. We note the duty on the Education Authority (EA) in clause 1(1)(b) to "encourage, facilitate and promote shared education". We see that duty aligned with the policy, but it is not qualified in any way. While we have no concern about the Education Authority having a duty to promote, we have a slight concern that at a time of restricted resources it may be necessary to consider some qualification of the duty to promote by aligning it with the effective and efficient use of resources.

As we are all well aware, our communities live in divided housing. Many schools in the Catholic sector are clearly located in a single-identity community and are not in a strong position to bid for shared educational experiences or, in particular, the shared education campus programme. We feel that the duty to promote may, at times, need to be qualified by resource considerations, and I can respond to questions on that. We feel that the priority at all times should be raising standards and providing high-quality, sustainable and viable opportunities for young people that lead to better educational and societal outcomes.

I want to move on to the definition of shared education in the Bill. We welcome the move to provide such a definition, as there are lots of definitions about. We have been proposing a discussion of all those concepts for some time — what do we mean by integration and sharing in education? — so that we have a shared understanding, particularly at an authority level. While the proposed definition in the Bill is a very high-level definition, we believe that it provides a firm framework within which managing authorities and schools can further develop the delivery of shared education. Because the definition is high-level, it is flexible rather than restrictive, and we see that as an advantage.

We support the widening of the definition to include the educating together of those who are experiencing significant social deprivation and those who are not. There are many schools that, because of their location, do not have a real opportunity of doing something meaningful with a school from another sector. The logistics can be very complicated. We believe, therefore, that the definition will allow schools to share better and allow the authority to promote that sharing better.

Looking at the changing population of our schools in many areas, we think that consideration needs to be given at a future time to a specific reference to those who have come to Northern Ireland from different countries and cultures. We have a significant percentage of schools that now have a very high percentage of newcomers in their cohort of students.

We also welcome the definition of providers and the inclusion of CCMS in the list of bodies to which the power to encourage and facilitate shared education is to be assigned. As I said, we believe that shared education initiatives are most successful when they are driven from the bottom up. However, naming us as one of the bodies gives us a legislative basis for playing a proactive leadership role in the development of shared education so that we can challenge some of our schools that we feel may need to be involved but are not perhaps availing themselves of the opportunities. We certainly would not want to exercise the power in a very authoritarian way, but we think it would be important for us to be able to do that and to have it on a legislative basis.

Shared education is a healthy, organic growth that, with support, will continue to develop in a sustainable way. It has become a key feature. I will now pass you over to my colleague, Michael, who will outline briefly the high-level points of a shared education initiative in the North Eastern Board that has been very successful: the partnership, inclusion, reconciliation, citizenship and history (PIRCH) project.

**Mr Michael Graham (Council for Catholic Maintained Schools):** In our main submission, we made reference to the fact that, over the past seven or eight years, there has been a lot of intensive work in shared education. There has also been a lot of learning, because, as Gerry said, there have been various definitions and interpretations of what shared education is, which is a bit of a concern to me. I think that we are now beginning to focus and to make things more succinct.

I worked for the North Eastern Board for a number of years, and we had what we considered to be two of the most direct and proactive shared education models in operation, going back maybe over the last four or five years. We had a primary model there as well that some of you may have heard of: the primary integrating/enriching education (PIEE) project. I was from a post-primary background. One of the things that I led on was the delivery of the partnership, inclusion, reconciliation, citizenship and history project, which you may also have heard of. It is a model that sought to work with larger schools. The PIEE project at primary level had come about in partial response to the sustainable schools policy, in that it was applicable to, and open to, schools of fewer than 105 kids. The PIRCH project, which Gerry mentioned, was to take things on a stage. At that time, there was a notion that perhaps shared education was more deliverable among very small schools with small numbers of children and small numbers of teachers.

The PIRCH project was the complete opposite. It was an attempt — in some ways, an experimental attempt — and learning process to get into the realms of how shared education could work between larger institutions and post-primary schools with, in some cases, 50 or 60 teachers and 600 or 700 children a school. That is where the PIRCH project differed significantly from other similar educational initiatives. Maybe it was the nature of who I am or my particular working context at that time, but there was a lot of talk about journeys and capacity building. The PIRCH project unashamedly decided that we would take a very direct line and move quickly into the mechanics — the nuts and bolts, daily routines, practices and practicalities — of what shared education means.

The then North Eastern Education and Library Board's PIRCH project was funded through the International Fund for Ireland and featured six pairs of post-primary schools. Most people in the room could probably name some of them, but I will name a few of them to give an adequate picture of what it looked like. In the town of Ballymoney, we had Ballymoney High School and Our Lady of Lourdes; in Ballycastle, we had Cross and Passion College and Ballycastle High School; and, in Coleraine, we had St Joseph's College and Coleraine College. That was replicated, so we had six pairs of post-primary schools in Coleraine, Ballymoney, Ballycastle, Antrim, Ballymena and Magherafelt.

We were talking about large numbers of children and teachers. With those six pairs of post-primary schools, we delivered a project that touched upon the professional lives of 160 teachers across 12 schools and the lives of approximately 6,500 young people over a sustained period of almost three years. So shared education became something that young people not only experienced but got used to as a regular, recognised and natural part of their educational experience.

**The Chairperson (Mr Weir):** Thank you, Michael. A number of folk will want to come in with questions.

**Mr Graham:** I anticipated that.

**The Chairperson (Mr Weir):** A few folk want in, but I would like clarification on one issue. In terms of the qualification of the duty, do you see that, primarily or exclusively, simply as a restriction on the resource and logistics side of it? Do you see any other qualifications?

**Mr Lundy:** A duty to promote is a duty to actively develop, aid and assist; that is what we are looking at. We have no issue with that, but the duty brings a legal obligation. At a very basic level, choices may have to be made as to when a decision on the allocation of resources is being made for resourcing support for a curricular programme for literacy support or resourcing a programme for shared education, for example. We feel that a duty may give a legal obligation to allocate the resources to shared education. It is really about how it operates in practice as opposed to —

**The Chairperson (Mr Weir):** What is specifically in the legislation.

**Mr Lundy:** Yes, what is specifically in the legislation. That is the only example. It is just to get management of that type of thing. We have very tight resources, and hard decisions are being made in the current economic climate. That may pose a difficulty that needs to be managed.

**The Chairperson (Mr Weir):** It is useful to clarify that.

**Mr Lunn:** Thanks, Gerry and Michael. First, it is nice to agree with you about something, because the duty to promote irritates those of us who feel that the same duty should apply to a different sector. Is it fair to say that CCMS is fully committed to the sharing process? I do not ask that to be unkind but

because my impression down the years and perhaps that of other people has been that you could almost have put "fortress" in front of CCMS as there was a "What we have we hold" attitude. I am sure that it is not completely true, but that is the impression. Is there full commitment to sharing and to the jointly managed church schools, where appropriate?

**Mr Lundy:** The short answer is yes, Trevor. We have to look at what we have done over the past 10 years or more in shared education. We have, in a sense, created a framework within which we provide guidance for our schools about what CCMS may or may not support for shared education campus bids, which is linked to sustainability criteria. Particularly in the area planning framework, we have been very clear with our schools that we want them to bring forward proposals and that they are open to proposals for shared education solutions to sustainability issues. We have fully participated in all the initiatives in respect of PEE and PIRCH, as Michael said. Indeed, in the recent shared education campus announcements, CCMS has engaged in full partnership working with our former board colleagues — now our EA colleagues — in the delivery of all those campuses. We have been very proactive when we have been required to be and been asked to be, and we have encouraged schools to bid for these. Yes, we are completely committed to this, and a definition of shared education based on a number of providers collaborating gives us the absolute comfort to be able to do that.

At the moment, we see jointly managed church schools as having significant potential in a small number of areas, Trevor. However, we are, unfortunately, at the very early stages of development, and we have identified, from the Catholic sector side, a couple of areas where we believe that a jointly managed church school can provide a strong, viable solution for the communities that the existing schools serve, particularly in two areas where we have two schools from each sector suffering significant sustainability challenges. There are discussions going on between the transferors and the trustees of those schools to explore the jointly managed church schools initiative as a route forward. We believe that, because that is a church-based proposal, the churches need to be heavily involved in the driving of it. We are very open to doing that and, indeed, are providing a resource to the discussions around that, Trevor.

**Mr Lunn:** I have one more question. Some of the people who are keen to see shared education grow acknowledge that, in the words of some of the documentation that we have seen, shared education is at the bottom, integrated education is at the top, and it is a continuum. A lot of people see that if shared education really works it may lead some situations to move towards integrated, a coming together and amalgamation but to the disappearance in some areas of separate schools and to Catholic schools and what you might perceive as Protestant schools coming together. That is where I have a doubt that you are really open to that; it could be "Thus far and no further". What do you think?

**Mr Lundy:** I can only comment on my experience in dealing with the attitude of CCMS and the committees to this. In one shared campus project where we had a bid endorsed last year and again for this year's second round, there are two small schools, each with about 55, 60 or 70 pupils, bidding for a shared campus, a facility that is a significant advance on where the communities were 10 years ago. The discussion around the CCMS committee, which is captured in the minutes of the education provision committee, is, "Yes, this is a solution at this time, but could we really see that, in five or 10 years' time, this campus will be running with two principals and two staffs teaching 120 pupils?". The view of the committee was that surely this is an initiative that should have the potential to evolve into a single school. That captures the council committee's formal discussion on that. We believe that there should be no barrier to that. I believe that the jointly managed church school model significantly facilitates and liberates that discussion.

**Mr Craig:** Gerry, good to see you again. You are absolutely right: a lot of this stuff will evolve from the bottom up. It is good that there is encouragement and a facilitating exercise from yourselves now. I have had both good and bad experiences of this. Laurelhill and St Patrick's are in an area learning community and are jointly hosting A levels. That works well, but it was facilitated by both schools wanting to do it. Unfortunately, at the other end of the town, I have had a bad experience of shared transport of all things. I have to be honest with you that it was the maintained sector that was resistant to that being facilitated, but we seem to have got over most of the hiccups there.

Gerry, I listened closely to you speak of your ideals of promoting. We all have a misapprehension that shared education is solely about sharing between sectors. That is an important aspect of it, but I can also think of several locations around our own constituency where 60% or 70% of a smaller school's budget is taken up by one or two in the management end of things. There is more potential in existing sectors to share management across existing schools and reduce those facilities' overhead costs and

running costs. That is also an important aspect of the sharing agenda. Will CCMS look closely at that aspect? I suspect that that is a big issue for you, maybe not in Lagan Valley but in other areas.

**Mr Lundy:** Yes, we have been considering that for some time. The concept of having a senior management team and funding all of that in nine or 10 schools, even in one sector, that work so closely together does not seem to be the best and most effective use of resources. We have made study visits to academies and federations in England, where the legislation allows you to have an overarching board of governors and an executive principal or director across six or seven schools, but with each school having a director of learning who is responsible for the quality of each individual unit and the quality of outcomes. We believe that that requires change to legislation.

A piece of work looking at area planning was done through the strategic forum four or five years ago when the ESA experiment — to use that word — and all those discussions were under way. At that time, there was an exploration of what can be done under the existing legislation. It is remarkable how much can be done under existing legislation, as it is possible for two schools to establish and delegate from their boards of governors to a subcommittee to run the shared learning, the cross-sectoral work or whatever it happens to be. They can delegate significant powers, including appointments; they can also delegate finance and some curriculum responsibilities. A lot of work was done.

Those models exist and, indeed, are under discussion as part of the shared education campuses' facilities. So CCMS sees significant merit in changing the legislation to create greater availability and variety of models of governance. Under the legislation, CCMS has set up one board of governors to govern three primary schools. That brings efficiencies of governance in a rural area. It would be significantly more efficient if you could use that model to have one principal, but the current legislation requires us to have a principal for each of the three schools. So, yes, we would see significant benefit in having a greater flexibility of models for that, Jonathan.

**Mr Craig:** I take it from what you are saying that you will be happy to buy into it if the legislation encourages you or tells you to encourage these types of new structures and that you will encourage whatever you can under the existing legislation. I have no doubt that the Minister is listening to what is being said about those other changes. It is important that we try to do as much as we can around that, despite the legislative situation.

**Mr Lundy:** I think that there is flexibility under the existing legislation to move this forward much further than we have moved it at this stage.

**Mrs Overend:** Thank you very much for coming this morning. Trevor touched on what I wanted to ask: your thoughts on the debate about the aims of shared education and where we are going with shared education models. How should the success of shared education be assessed? Should there be incentives to progress to more shared education so that it does not become tokenistic?

**Mr Lundy:** At the moment, as the Committee will be aware, an inspection model for shared education is being developed. Recent inspection reports outline where schools are along a continuum of shared education. We believe that that is advantageous in the sense of ensuring that shared education becomes a fundamental part of the planning of a school and that it is to be evaluated. It is being evaluated, at the moment, but, as I understand it, it is not being used to impact upon the judgement of the band or outcome of the inspection. We have had discussions with the inspectorate team that has been taking this forward. We believe that the inspection regime should evaluate how a school is performing.

When we look at the requirement under school development planning, we believe that shared education, as a fundamental part of school development planning, should be a requirement. Indeed, an authority with the power to encourage and facilitate could then look at school development plans. Schools have an obligation to provide us with their school development plans, and we have the right to evaluate and comment on them. If we have the power to facilitate and encourage shared education, we could evaluate those and revert to schools where, perhaps, it is an area of activity not on the school's radar. As a managing authority, we can begin to influence schools significantly in that regard by using a school development planning process, which has a statutory basis.

We have to be cautious about making the move from shared education as a reporting element in an inspection to something that is used to evaluate whether a school is a good school or an outstanding school. It is difficult to do that at this point because we are still evolving that, Sandra.

**Mrs Overend:** Should we include the ideal of promoting shared education in other educational decisions? Would you consider bringing shared education into other considerations with regard to education policy?

**Mr Lundy:** Obviously, a policy for shared education has been published. Strategic policies give a framework within which schools operate. Schools are very busy places. There are significant demands on their leadership, their teachers and all of their staff. Schools have to prioritise what they do, given the plethora of policies that come to them. It is important to make schools aware of what the policies are and be proactive about that.

I will give you an example. When a policy is approved, the CCMS immediately circularises all of its schools and asks them to draw attention to and take account of that policy. What schools prioritise and do about it is then up to them and their boards of governors. It is a balance between being very directive and encouraging schools to embrace a policy. I think that they will embrace a policy when they see significant benefit arising from it for the young people they serve.

**Mrs Overend:** What I mean is that when you are thinking about employing teachers or delivering subjects, you think primarily about the curriculum and the school. Should shared education come into the thought process when schools make such policy decisions?

**Mr Lundy:** If, in practice, you have a strong shared education model operating between schools — whether it is a curriculum model or one of social, economic, cross-community balance and all of those things — then a mature partnership and arrangement would be that schools should be looking at their staffing model and saying, "Well, why should I be employing a music teacher or a science teacher when, actually, that aspect of the curriculum is being delivered through my shared education arrangement with my partner school?". There are schools, albeit very few, that are moving towards this. The policy is encouraging them to say, "Resources are tight. My partner school has a very high-quality science department. Why should I continue to staff a science department to teach post-16 science pupils in my school when they can all go to my partner school?".

I think that schools are getting to the stage that the policy is informing the resource decisions they make in the best interest of all children within the arena. If the best expertise for delivery is in a particular school, why would another school not avail itself of that? It can then use the resources that that frees up to widen the curriculum and provide a different specialism for their school partner. That is what we need.

**Mrs Overend:** How do you challenge the schools that do not have that set-up to progress towards doing that? Is that something that you want to encourage?

**Mr Lundy:** There have been developments as schools work on shared education campuses. They are getting into detailed service level agreements about how they handle some of the issues around that. Ultimately, an individual school's leadership and governance are accountable for the standards and outcomes achieved by the young people they serve. You get into difficult decisions about competency and how you satisfy yourself and deal with some of the HR and performance issues that may arise when responsibility for outcomes in a particular area has been delegated to another school, which is perhaps not performing or where there is a gap in standards. However, schools are now in the situation of having mature discussions about that, and we need to make sure that the legislation facilitates them doing that. I think that a lot of progress has been made.

**Mr Newton:** First, welcome. We spend most of our time talking about Protestant and Catholic schools, but the Bill also looks at socio-economic situations, which is an area that I am particularly keen to see addressed. May I ask for some comments around that? In reply to Mr Lunn, you indicated that there was an initiative; you said that it was initially from the Church and then said "Churches" but that numbers were a problem. Will you expand on that?

**Mr Lundy:** Yes. Because the jointly managed church school is in a faith-based system, there needs to be discussions between the main Churches about establishing such a school. You cannot set up a jointly managed church school unless the Churches are involved in the discussions. We have identified two, potentially, although there may be others. We reverted to the diocese and particular bishop who is in conversation with the Transferors about the potential of establishing a jointly managed church school.

We were looking at closing our school or amalgamating with another Catholic school. It was clear, because of the relationships between it and a small controlled school that was experiencing similar difficulties — they might not have thought that, but that was how it looked from our perspective — that there was potential to form a jointly managed church school and retain a school for the community within that village. The CCMS cannot do it, because we do not have any responsibility for jointly managed church schools. We initiated discussions, through the Churches, about exploring the potential and, perhaps, bringing this to fruition, but it has to be led and driven with the ownership of the Churches, because they, and not the CCMS, would be setting up the school. It would not be a Catholic maintained school that would be created through that initiative.

We support the socio-economic aspect of the Bill. A number of schools are not in a position to fully participate in a cross-community and cross-sectoral approach, but we welcome having the support of the legislation to engage with a school in the same sector and create a greater social mix and social inclusion in an area. The power of the CCMS to facilitate and encourage that gives us the opportunity to advocate that.

A large primary school is a busy place. Our schools are generally successful because the governors and leadership take ownership of them. To ask them then to take responsibility for a wider community served by other schools that may be in competition with them is a change in mindset and quite a leap in terms of our system. The definition allows those discussions to take place. We believe that many schools are willing to do that, so we welcome that aspect of the definition.

**The Chairperson (Mr Weir):** Gerry and Michael, thank you for your evidence. It was very useful. This is an issue that is coming swiftly to a conclusion, but it has been a useful session.

**Mr Lundy:** If the Committee wishes to have some of the documentation that sets out the governance arrangements that are available, I can have that supplied.

**The Chairperson (Mr Weir):** Anything you want to send us will be welcome.

**Mr Lundy:** That was put together by a working group from the unions, the CCMS and the controlled schools.

**The Chairperson (Mr Weir):** Some of those things will not be just to inform us directly as regards the legislation but will be helpful as we move ahead with the broader implementation of these issues. Thank you very much.



Northern Ireland  
Assembly

Committee for Education

# OFFICIAL REPORT (Hansard)

Shared Education Bill: Equality Commission  
for Northern Ireland and Northern Ireland  
Human Rights Commission

2 December 2015

# NORTHERN IRELAND ASSEMBLY

## Committee for Education

Shared Education Bill: Equality Commission for Northern Ireland and Northern  
Ireland Human Rights Commission

2 December 2015

**Members present for all or part of the proceedings:**

Mr Peter Weir (Chairperson)  
Mrs Sandra Overend (Deputy Chairperson)  
Mr Jonathan Craig  
Mr Chris Hazzard  
Mr Danny Kennedy  
Mr Nelson McCausland  
Ms Maeve McLaughlin  
Mr Robin Newton

**Witnesses:**

|                    |  |
|--------------------|--|
| Ms Eileen Lavery   | Equality Commission for Northern Ireland |
| Dr Michael Wardlow | Equality Commission for Northern Ireland |
| Ms Fiona O'Connell | Northern Ireland Human Rights Commission |
| Dr David Russell   | Northern Ireland Human Rights Commission |

**The Chairperson (Mr Weir):** I welcome Michael Wardlow, chief commissioner of the Equality Commission; Eileen Lavery, head of advice and compliance in the Equality Commission; David Russell, deputy director of the Human Rights Commission; and Fiona O'Connell, a researcher for the Human Rights Commission. We have five evidence sessions today. Michael, as chief commissioner of the Equality Commission, you will appreciate the irony in my saying that we are trying to ensure that everybody gets an equal amount of time. So, we are trying to limit each of the sessions to about 40 minutes. If you want to make a short initial presentation, we will then open it up to members.

**Dr Michael Wardlow (Equality Commission for Northern Ireland):** It will be brief. First, thanks very much for allowing us to come back to make some comments on the Bill. In the past, you have received submissions from us, and we have been in touch with, written to, and engaged with, the Minister since the Bill was launched. I want to say a couple of things about the generalities, and when we come to the questions I will be happy to deal with some of the detail.

Our concerns are still around the definition and the alignment between the Bill and the policy and its outworking. They are still not clearly enough aligned. There is narrowing between the policy and the Bill, which I can talk more about when the questions come. There are also issues for us that move outside this, which are some of the barriers to sharing, and, more importantly, some of the enablers to sharing. There is obviously a concern, therefore, that with the two-year run on this, there could be a lot of tightening of resources and measurements. Let us hope that this is something that we can also talk about.

Specifically, our position has always been that societal mixing, in and of itself, is a good thing. Therefore, we would like to make sure that all schools are on a continuum of travel to share, in as much as they can. We cannot change the location of people's houses or school enrolment patterns. Therefore, for some schools that are juxtaposed with a school of another type, it will be easier to do this. That has demonstrably been the case, which has meant that the artificiality of saying, "You must do x, y and z", has not been there. However, we are saying that this should not be a barrier to all schools actively participating in moving towards the maximising of sharing across all the categories, and the policy makes that clear. So, this is not just about Protestant and Catholic categories or socio-economic categories; it is about all section 75 categories, as arrived at in the policy.

We also are very clear, and have been from day one, that the Department of Education should be the duty bearer. A power is a latent tool that may or may not be used, whereas a duty is an obligation that, through a judicial review and everything else, can be tested, and we know what it looks like. In another life, I was director of integrated education for 15 years. The Department had a duty under the 1989 Order to encourage and facilitate integrated schools. It has the same duty for the Irish language, and we do not see any reason why the Department should not have the duty in this case. In fact, we say it should have that duty.

I have heard departmental representatives in their evidence saying that a power and a duty are, more or less, interchangeable. That is not our view. What you do with the lower level organisations — the other public bodies — is a matter for debate, but we would not want the duty to be abrogated or delegated further down the line from where the duty bearer should be.

We mentioned to the Minister that, from an equality perspective, sharing education has the benefit of advancing equality of opportunity. When you get grammar schools with non-grammar schools, and so-called Protestant schools with Catholic schools and Irish language schools, the mix will put children together with others from backgrounds they might not otherwise have been in contact with.

One of our concerns is whether, under one of the two definitions, two different — in short-hand, Protestant and Catholic — schools, both of which are from areas of socio-economic deprivation, would be able to share under this. The Minister said he did not want to preclude anyone. The difficulty is that the Bill tends to define shared education as, in short-hand, Protestant, Catholic and socio-economic background, and does not seem to include the other groups that the policy aspires to. An aspiration is one thing, but what it says in the Bill is more important, because that leads and makes the aspiration a reality.

There are huge educational, societal and economic benefits for sharing, so I do not need to rehearse them. We also know that all the research from contact theory in the 1940s and 1950s showed that when sharing happens in a good, stable and safe place, people have different views of one another. In fact, more and more research shows a multiplier effect. If I meet David, and we are from different traditions, then his friends are more likely to have an open understanding of my tradition through my contact with him. It works at second, third and fourth hand. Research is now clear that this happens. I do not need to show more of that to you. We know that there are clear experiences out there already, and we know you will hear from Fermanagh and others.

I was on the board that set up shared education at Queen's. I served on that board under George Bain and saw some excellent programmes coming in. I know that the money is running out from the International Fund for Ireland (IFI) and Atlantic Philanthropies (AP), and the danger is that some of the determination may run out as well. Therefore, we need to learn from what is out there. Do not reinvent the wheel but learn from the good practice that is out there. We know that some of those lessons are hard lessons. It is about what works and what does not work. It is about what makes good impact and is good common sense and what gives us the best value for money. More importantly, it focuses for us the importance of measuring what you value and not valuing what you measure, because if the criteria become what we measure, then we have lost this. This is about the societal hole.

We raised a number of other issues in education with the Minister that we believe are attendant to this but still important. For example, we still have separated teacher training. There is the teacher exemption. There is also the patterns of enrolment. For example, there are about 12,000 people in the black and minority ethnic (BME) community in Northern Ireland. Of those, 2,200 are at non-grammar schools and only 200 are at grammar schools. That compares to 40% of the normal population at grammar schools. There is something going in terms of societal mix.

Finally, selection at 11 is another issue that we have raised. I know that it is not germane to today; it is simply to say that it has ramifications for further sharing.

**The Chairperson (Mr Weir):** Michael, if we get into selection, there is a fair chance that we will not be constrained to 40 minutes.

**Dr Wardlow:** Nor would I suggest that we go there. It is simply that we have written to the Minister on a range of attendant issues.

**The Chairperson (Mr Weir):** I will get into a couple of questions unless David wants to add anything.

**Dr David Russell (Northern Ireland Human Rights Commission):** The Human Rights Commission welcomes the Bill. In 2008, the Committee on the Rights of the Child noted that segregated education was still present in Northern Ireland and called for measures to address it. This Bill goes some way towards meeting the 2008 recommendation. The commission wishes to highlight that human rights law is not prescriptive in how education should be delivered but it makes clear that one of the purposes of education is to promote tolerance, respect, understanding, valuing diversity and friendship, specifically amongst racial, ethnic and religious groups. Whilst we welcome the purpose and objectives of the Bill, our advice provides recommendations that we believe would enhance it.

The legislative definition of shared education in clause 1 references the minimum essential requirements of shared education. That is, the education together of those of different religious beliefs, including reasonable numbers of both Protestant and Catholic children and those experiencing socio-economic deprivation and those who are not, which is secured by working together and the cooperation of two or more relevant providers. The Department's rationale in the explanatory memorandum for not referencing all section 75 groups was that that would set very challenging demands on the mix of children and young people that education settings would be required to meet and that it would have practical implications. In the commission's view, limiting the definition of shared education to two groups on the rationale provided by the Department may not be sufficient to meet the reasonable and objective justification test required by human rights standards.

There is case law from the European Court on these issues. In the case of *Thlimmenos v Greece*, the court found that the right not to be discriminated against under article 14 is violated when states, without reasonable and objective justification, treat persons differently in analogous situations or fail to treat differently persons whose situations are significantly different. In the case of *Stec v the UK*, the court has ruled that for difference in treatment to be objective and justified, it must pursue a legitimate aim and there must be a proportionate relationship between the means employed and the aims sought to be realised. Those principles were endorsed in cases concerning de facto ethnic segregation of Roma children in education, namely in *DH v Czech Republic* and in *Oršuš v Croatia*. The commission therefore recommends that the definition should include all the groups that are included in the stated aim of the policy.

As Michael said, we note that clause 2 confers a power on the Department and listed arm's-length bodies to encourage and facilitate shared education, and a number of human rights treaties and standards place a duty on the state to promote tolerance and respect for diversity in education, including the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child and the Framework Convention for the Protection of National Minorities, all of which have been ratified by the UK Government and are binding upon the Northern Ireland Executive. The current drafting of the clause would limit the Department's power to a discretionary power, and the commission's view, therefore, is that, in respect of the Department of Education, clause 2(1) should be consistent with the existing legislative duty on the Education Authority that will come into force through the Bill.

**Dr Wardlow:** This will probably come up in questions. We had suggested in the definitions that political opinion should be removed, and we are glad to see that it has been removed. We did say that we do not think that religious belief should be used —

**The Chairperson (Mr Weir):** It should be more community background, really.

**Dr Wardlow:** The Fair Employment and Treatment Order defines it by community background, and, when you think of individuals rather than groups and you think of small children, we are still of the view that it should be community background.

**The Chairperson (Mr Weir):** I understand that.

There are two issues that I want to probe very quickly. To be fair, they have probably been the main thrust of your evidence. The first is definition — particularly widening it, or including section 75 groups. This is a multi-part question. How do you see this being worked in and then tested in practice? If you include various groups, part of the definition is to act almost as a checklist for funding, with these being the requirements you need to meet. One of the concerns is that, if we had a checklist involving all of the various section 75 groups and if a project were going forward, would it have to demonstrate that it had met all of those requirements? Some would be fairly difficult to monitor. How do you see that working out in practice?

Also related to that is this, and it is more of a question for David: you certainly have a question about whether what is there is reasonable. Do you believe that the definition offered in the Bill complies with human rights?

**Dr Russell:** In short, no, we do not. This is because of the policy underpinning the Bill. For example, if peace and reconciliation were the stated purposes of shared education, which would be a legitimate aim, there would be grounds, arguably, to restrict it to community background, since the two main communities are the source of conflict. If that were the purpose of the Bill, it probably would be a proportionate restriction on all of the categories covered under the terms of article 14. However, the stated purpose of the Bill, aligned to the policy, is the much broader concept of what sharing is about among a whole variety of groups in society. The Department's justification, subsequently, to narrow it to two groups in the Bill and in the explanatory memorandum is simply saying that it is too challenging to reflect the principles of the policy. The commission does not think that something being too challenging is a reasonable and objective justification for narrowing the Bill.

**The Chairperson (Mr Weir):** How do you see it being implemented in practice? As part of the overall Fresh Start, a certain amount of money will come from Westminster, some of which will be for shared education projects. There will then have to be a test — once any form of money is available from government, a range of people will put in bids for projects. Those will have to be evaluated as to whether they meet the criteria for shared education. From the point of view of definition, it will have to be very practical, because it cannot simply be something in the abstract. How do you see this being drafted, and how do you see it being applied?

**Dr Russell:** We make a distinction between the duty on the Department to encourage and facilitate shared education in its broadest sense and the subsequent criteria that the Department sets. That is the schools having to meet the criteria. The criteria could be as wide as the Bill, but, as Michael said, it is within the Department's gift to identify —

**The Chairperson (Mr Weir):** Is that not slightly confusing clause 2 with clause 1? I will come to the issue of duty in a moment. If you are producing a definition of shared education, surely that it has to ultimately drive the criteria used in the application of that.

**Dr Russell:** I understand the conundrum that the Bill poses, but the difficulty is that the Department has already stated in the policy what it understands shared education to be — it is shared education in a much wider sense, both practically and in its purpose, than what we subsequently see transferred into the Bill. The justification for narrowing it is that it would be too challenging. We all understand that sharing is challenging, but —

**The Chairperson (Mr Weir):** I understand that. I am trying to get my head around the practicalities of this. If you have a definition that, for instance, describes shared education as encompassing all the various section 75 groups — with a possible exception of the political opinion side of it that Michael made reference to — let me just ask you a practical question. To count as shared education, is it a question of ticking at least one of those boxes, in which case there is a dilution, or do you have to effectively show that you are ticking all those boxes, which would be quite a high hurdle?

**Dr Russell:** That is what I am saying. There is a difference between the duty on the Department to promote shared education across the whole education system in Northern Ireland and the subsequent criteria that a school would have to meet in and of itself as an individual identity.

**The Chairperson (Mr Weir):** No, but with respect, David, the definition will be the driver for the criteria. I am trying to establish whether, if you have a definition that lists, for instance, all the various elements of section 75 as components or prerequisites of shared education or whatever way you want to put it, you then get a situation where, to count as shared education, you have to demonstrate that one or more of those is being met or demonstrate that all of them are being met. I can see problems with either of those positions.

**Dr Russell:** Yes, and it may well be the former — one or more. To be honest, that is a question that should be asked of the Department because, at the minute, the definition is broad in the policy and narrowed down in the Bill.

**Dr Wardlow:** Let me take this another way. Let us move away from forensics and ask what we want to achieve. I was 15 years with integrated schools. The prime purpose was to educate together reasonable numbers of Protestants and Catholics. That was the stated purpose. It was objective, and it could be justified and proportionate. Integrated schools at post-primary level had proportionally more children with special needs — about 50% more — as a by-product of the school. There were also lots of children who came from other racial backgrounds as a by-product of the school. You could not argue that they were necessary for funding, but they came as a by-product of the system. In other words, they were desirable and brought a greater benefit to this place that we call home, but they were not essential for the funding.

This Bill seems to say that the essential requirement is to bring Protestants and Catholics and those of different socio-economic groups together. That is the prime driver, the essential criterion and the funding base. Everything else is nice but not essential. That is the way that it is written at the minute. The problem is, if the policy says that our outcome is to have a more fluid, interdependent Northern Ireland where all section 75 groups come together, it is wrong to limit the essential criteria to the top. The Bill is consistent with a policy that says that it is only about Protestants and Catholics in poverty, effectively, but the policy does not say that. The two things are discordant.

**The Chairperson (Mr Weir):** There is a mismatch between the two.

**Dr Wardlow:** They are discordant. I would not want to limit the policy because the Bill happens to have a narrower focus. It would be much better if the Bill said, "We want to promote the widest possible inclusion." We do not even know what "reasonable numbers" are. That is not known either, but we will come to that.

**The Chairperson (Mr Weir):** I want to ask you about one of the other key points that both of you made. I will maybe encourage you by saying that I agree with you about the central thrust of the issue as regards the Department. I appreciate that there was already a duty on the Education Authority; that is fairly clear-cut.

**Ms Eileen Lavery (Equality Commission for Northern Ireland):** A duty, not a power.

**The Chairperson (Mr Weir):** Exactly. Personally speaking, I agree with you on that issue. It is very obvious that there needs to be a duty on the Department rather than simply a power. I was also intrigued by something else, because it is an area where I have not entirely made my mind up yet. I suspect that the list of bodies in clause 2 might expand. The Northern Ireland Council for Integrated Education (NICIE) has already indicated that it wants to be listed in clause 2. We are hearing that it may be that, if NICIE and the Council for Catholic Maintained Schools (CCMS) are listed, the controlled sector's body may want to be listed as well. Michael, you were very clear-cut in your mind about the duty for the Department. You put the issue of a duty or power for arm's-length bodies as open for discussion. Can you give us some of your thinking around that, specifically for the arm's-length bodies? Your position as regards the Department is fairly clear.

**Dr Wardlow:** Take what responsibilities are devolved from outwith here, like international standards and treaties. The state is the one that has to make sure that those things are compliant through the Assembly. The first point of contact is the Department of Education. Therefore, that is where the duty should sit. That is our view, and I think that the Human Rights Commission is of the same view. It should sit at the first point of contact with the state, and that is the Department. It is a bit like saying to a district council that it has a duty to promote equality of opportunity. It might say, "Actually it is too hard. We are going to delegate that to somebody else. Let Joe Bloggs or a consultancy do it." The Department cannot devolve its duty to someone else, but if the Department decided that it wanted to

give NICIE a delegated duty and still audit it against the Department's overall duty to promote this, that would be an internal thing for them to do. I do not think that you could give CCMS the duty to promote shared education, for example. I am sure that it would be uncomfortable with that. I am simply saying that, for us, what is more important is who is the duty holder, and we are clear that it has to be the accountable body, which can be held to account for what it does. If the Department said that it does this by funding NICIE or through the Irish language or whatever, that is more an operational or functional matter. Would that be fair?

**Ms Lavery:** Yes. Clearly, the Department has the duty; others potentially have the power. If the Department thinks that there should be a duty on others as well, it is for the Department to set that out, but we have not seen that as yet.

**The Chairperson (Mr Weir):** I appreciate that what you have said is from an operational point of view. Legally, if the Department has a direct duty, which I fully accept, how from a practical point of view can it then impose a duty on those below it? How would that operate in practice?

**Dr Wardlow:** Let us take integrated schools. There is a duty on the Department to encourage and facilitate integrated schools. One of the ways that it has always said that it does that is by funding NICIE. The Department says, "We take decisions on policy when they come to us, but we also fund a body to promote integrated schools." NICIE never had a duty. Supposing that the Department said, "We think that part of our duty is better done by you", it can argue that, and therefore, legally, there is a subset of duties that fall to another body. You could make that argument. We are saying that we have not seen it; that is why it is up for discussion. We would not say that there should be a duty, but there should be at the Department.

**Dr Russell:** First of all, to confirm, we agree totally with what Michael said. Part of the reason is that it is a funnel; the lens through which human rights work. It would seem strange in the extreme, to be quite honest, for the duty from the treaties to funnel down through and bypass the principal element of government — the Department — and go straight to the Education Authority. That is one point.

My other point that the commission has a concern about is that the duty placed on the Education Authority is "to encourage, facilitate and promote shared education". The power that is being proposed for the Department is a power "to encourage and facilitate", absent "to promote". The "promote" element is important in terms of human rights standards.

**The Chairperson (Mr Weir):** You are saying, effectively, that whatever is there for the Education Authority —

**Dr Russell:** It should be mirrored.

**The Chairperson (Mr Weir):** It should be mirrored within the Department

**Mrs Overend:** Thank you for coming; it has been a very useful conversation. You mentioned the additional barriers to shared education, such as the fair employment issue. Do you think that should be written into the Bill, or would that be too complicated?

**Dr Wardlow:** There is a danger with a patchwork approach. Let us take equality legislation. If somebody comes to us and says, "I feel that I have had a discriminatory act", we have to map it against a patchwork of legislation. The absence of a single equality Bill makes things difficult. In education there is a patchwork of legislation that runs all over the place. On the one hand, patchworks are terrible, but at least they are strong and straightforward and have been tested. To now take shared education and add on to it, while taking away the fair employment exclusion for teachers, would not, in my view, be the right way to do it. We would still argue that the exemption should be removed, but there are other things — systemic things to do with where people live, patterns of enrolment, bus patterns, transfer at 11, feeder primaries. All of these mean that, in some cases, young people do not have the same opportunities, say, in the west of Northern Ireland as they do around Belfast, for example. Even accessing grammar-school places is different in one place from another. That is a quirk depending on where you live. If we are saying that every school should try, within its remit, to do as much as it can to share, sharing might look very different in the west or north-

east than in east Belfast. We are saying that there are some systemic barriers, but that does not mean that you cannot overcome them.

Ulidia Integrated College in Carrickfergus made five applications before it was approved. It was said that it would never have enough Catholics, but it has 30% Catholics in a town that, according to the last stats, is less than 10% Catholic. So it is possible but it takes time, and that is why the two years is very difficult. This is a journey, and you will often see it taking a full enrolment pattern of seven years if you want a second child to come, or me to say to Eileen, "That is a cracker school to go to", and it happens to be shared. Not everybody chooses integrated or shared schools because they are shared or integrated; it is because they are darn good schools. The focus of this is on providing the best educational environment. If adding on funding for sharing is just to get the funding, it is a non-starter. At the same time, it is necessary for schools to be stretched, and that is where it comes in. We can do what we can to remove some of the barriers in people's heads — and in teacher training as well.

**Ms Lavery:** If we have learnt anything at all from the Atlantic Philanthropies and International Fund for Ireland work on this — the universities have done substantial work by way of evaluation — it is, most importantly, about the variety of sharing that has gone on. In that respect, to come back to your question as to whether some of these requirements should be in the Bill, my answer is that I think not, because that may restrict the variety that could continue on. Once we have a duty and once we have schools encouraged, facilitated, supported and occasionally funded, you will see a wide variety of work. That is the best that we can see at present.

**Dr Wardlow:** Let me give you a very practical, current example of that. To set up a brand new integrated school, you need to demonstrate that you have 30% of the minority tradition in the year that you open and that that 30% is likely to grow. If you want to transform an existing 100% Protestant or Catholic school to an integrated school, you need 10% of the intake in the year in which you want to transform. That could be five pupils, so that school is still on a journey over 10 years to becoming a fully integrated school, but we do not rule it out because it only has five pupils in the first year. It is not a one-size-fits-all solution. The danger in restricting this means that it is going to become a numbers game, which is not what this should be about.

**The Chairperson (Mr Weir):** OK. There are three others, two just on the back of that point. I had better let Nelson in on the basis that I denied him last time round. Danny, do you want to get in quickly?

**Mr Kennedy:** Very quickly. What is your view on trying to avoid sharing for money's sake as opposed to sharing for sharing's sake?

**Dr Wardlow:** I have been around long enough, and I was involved in the IFI/AP thing —

**Mr Kennedy:** By the way, you are all very welcome. *[Laughter.]*

**Dr Wardlow:** Thanks very much indeed.

**Ms Lavery:** We only came up because we got paid for it, you know.

**Dr Wardlow:** Yes, it is because we got coffee. Actually, we did not.

The bottom line on this is that we know that there will be people who will apply to get money to do programmes because the money is there. However, my experience has been that that has been a low number. My other experience is that once people who have got involved nervously in sharing — from the youth sector, as well as education — see the benefits of diversity, they begin to want to do it. The sad thing is that when the AP and IFI money ran out, for the want of one peripatetic teacher, a lot of those programmes that set out in the early stages of the shared education programme were shut.

This notion that it needs a huge amount of money is wrong; it does not. It can be about a change of a timetable. I talked about enablers earlier; the fact is that you have 23 or 34 learning communities at the moment where sharing still goes on. We have the entitlement framework, within which people are required to. My concern was that it is very difficult for special schools to get into that; that is one of the other issues about the section 75 groups. If you restrict it only to Protestant or Catholic socio-economic groups, how can the special schools that are already having difficulty get to the table?

**Dr Russell:** I will come in on the back of that. From the Human Rights Commission's perspective, the money question is relatively simple in that the right engaged is the right to education. The right to education should be adequate, accessible and of good quality for all. If it is a money issue that is going to result in that, in terms of a reduction in the number of schools or increasing sharing between schools in order to deliver that educational outcome, then that is human rights-compliant, even though it might fall slightly outside the remit of the Bill.

**Ms Maeve McLaughlin:** My question is not specifically about this issue. The assertion is that it is non-compliant with human rights legislation. A very direct question would be why that was not picked up in the departmental screening process. You have made a very strong case that the policy has been narrowed in its reflection in the Bill. Why, in your view, was that not picked up before now?

**Dr Russell:** I have absolutely no idea. The commission engaged with the Department and those with lead responsibility in advance of the Bill being tabled. We gave very similar advice and clearly laid out our concerns at that stage, so you are not hearing anything today that has not been told to the Department in advance.

**The Chairperson (Mr Weir):** Just to pick up on that point slightly — to be fair, it was maybe because I asked you a very direct question. We are not always used to getting a direct answer, which, to be fair, you gave us in that regard. There may have been a slight shift, because I think, in your evidence, you talked about how "it may not meet this" and "it may not be reasonable". You were asked whether you thought it did meet it, and the answer was no. "No, this doesn't meet" is a bit of a shift from, "We are concerned it may not meet" or "may not meet". I know that we are dancing slightly on —

**Dr Russell:** Let me be absolutely clear: the Human Rights Commission is not a court. The "may" would have to be tested in court, but I am being as open as I can. In our analysis, we have significant concerns that it is a disproportionate limitation because of the stated objective of the policy as opposed to the content of the Bill.

**Ms Maeve McLaughlin:** On a secondary point, I know that there has been some discussion around the assertion that a duty would actually create a hierarchy. Just deal with the notion that placing a duty would somehow even supersede processes around integrated responsibilities. I know that you touched on it.

**Dr Wardlow:** I have read some of the evidence, and I know from some of the departmental officials that there was almost a synonym and powers and duties were the same. Absolutely not. I joke and say to a child, "I will put you on the naughty step". That is a power. It is latent. I may or may not use it, but if there was an obligation to do x then you would not have a choice. You would be obliged to.

There will be three concurrent duties to promote shared education, integrated education and Irish-language education. That does not mean that there is a hierarchy in any of that. What it will do is give the Minister a concern, for example, in area A, where two schools come together and say that they want to have a shared project, and a group of parents come forward and say that they would like to school to transform to integrated status. The Minister is going to have to make a decision there, and things like money, priorities, and whether it is proportionate and legitimate come in. It is not simply that, in circumstance A, that is your priority. He or she will have to balance those competing duties, but it is not as if there will be a hierarchy. I know that there is a concern within the integrated sector that a duty on shared education means that the Minister may preference or move with that. If that happened and it was disproportionate, or a decision was taken and the integrated movement or anybody else felt that that was wrong, it could be tested. It is certainly not the intention as I read it. It is simply to bring it up to the others, rather than to have it subservient to —

**The Chairperson (Mr Weir):** I think the other thing is that there would not be that direct clash if there was a duty. If you are talking about shared education, you are essentially talking about arrangements between schools, whereas if you are talking about integrated you are talking about the status of a school. To a large extent, they are slightly different things.

**Dr Wardlow:** Sure. The other way to look at it — I did not pick it up when Sandra mentioned it earlier — is this enabler. Before I left the integrated movement, we were developing an idea that, if you think of an axis of curriculum and sharing, all schools can move up that curriculum perspective to say that they will make the best of their shared curriculum, bring people in from the outside, use other teachers and learn from other places, even though they may never be in a place where they can meet a

Protestant or Catholic. If you then enhance that sharing of the curriculum with sharing with another school, you begin to move along and say, "I share the curriculum and I share my place with other people". Not every school will be able to get to that top quadrant, but it does not mean that they should not try. That is what we need to incentivise: the outcome. You can measure that on grant. It is not as if you are simply saying that you only need 10 Catholics. What outcomes? What success? How are you going to measure it? Unfortunately, that is absent.

**Mr McCausland:** Thanks for coming today. The submission from the Human Rights Commission refers to a full range of internationally accepted human rights standards and says that the Northern Ireland Executive is subject to those because they are UK commitments. Take the UN Convention on the Rights of the Child and the Framework Convention for the Protection of National Minorities as two that particularly stand out. We have a situation where we are talking about children from different communities. We are dropping the political and religious aspects. What, in the end, defines communities?

**Dr Wardlow:** Within the framework?

**Mr McCausland:** Well, first of all, in terms of shared education. If we are not talking about religious or political background, what are we talking about?

**Ms Lavery:** If I can be very simplistic, we are saying that if you take, for example, the fair employment legislation, it specifically uses the terminology "religious belief" and "political opinion". When it comes to monitoring — specifically when we come to that question about monitoring — we use the phraseology "community background" because, as we know in Northern Ireland, the level of religiosity is dropping, so many fewer people are personally attached to churches, but they will still see themselves as having either a Protestant community background or a Catholic one. We have made that recommendation consistently through the various iterations. Is that the question you are asking, or are you asking a different one which, perhaps, I am not picking up?

**Mr McCausland:** How do the communities find expression of their identity? That is really what this is about. They find expression of their identity through their culture. Would that be a fair assessment?

**Dr Wardlow:** If you are asking what the purpose of this is, it is to try to get people from different religious, political and cultural backgrounds in a catch-all. How do you ensure that you get that mix? The only way you can is to have some form of working definition, and "perceived community background" is a proxy for a range of things. It does not mean that you carry an Irish or British passport, but it is one of the best ways, and fair employment uses community background. Research is fairly clear. People from a Protestant tradition are dropping away from churches and tend not to define themselves in a religious opinion but still would see themselves as from a Protestant community background. If you simply went on religious opinion, you would lose out those people, so I think that culture is absolutely involved, Nelson.

**Ms Lavery:** One of the things I would say is that, clearly, the majority of employees in Northern Ireland are monitored for fair employment purposes, and I can tell you that still a considerable majority of people, when asked that question about community background, will complete it. Although there is a fall-off in religiosity, we actually see that the majority of people in Northern Ireland continue to complete that question.

**Mr McCausland:** We have brought the word "cultural" into it, then, which brings me back to David there. What has the Human Rights Commission done to monitor the compliance of the Department of Education in meeting the cultural rights of the children in different sectors?

**Dr Russell:** That is a big question, Nelson. I would have to go away and look at it. We have not done anything specific on it, but we have monitored educational provision in terms of our reporting duties to the UN. I am more than happy to look at that in more detail, and get back to you.

**The Chairperson (Mr Weir):** We are a bit tight for time. If you do not have a specific answer to hand on that, can we get something in writing for next week in relation to that question? I have one other question that I would like to ask at the end. If members ask for a written response, it will save time.

**Dr Russell:** Can I just come back on the "community background" question that Nelson originally asked? The purpose of the Bill, in part, under the terms of the policy, is equality of opportunity, good

relations, equality of identity, respect for diversity and community cohesion. The language of "community background" is not the language of human rights standards, but it may encapsulate a number of different identity groups in the local context. However, under the treaties that you asked a specific question on, it is absolutely clear as to what tolerance and mutual respect — in terms of educational provision — should be doing on a group basis. It should be focused on combating discrimination among specific groups, including racism, racial discrimination, gender, persons with disabilities, sexual orientation and socio-economic background. We have laid out the references at paragraph 14 of the commission's submission.

**The Chairperson (Mr Weir):** OK. I will ask you one other question, but I do not want an oral answer because I appreciate that we are tight for time. It may also be a no, which, to be fair, would help to facilitate Nelson as well. I know that, in the first session, Nelson, you were the only person to whom I had to say, "Shut up, do not ask a question". However, there may be a couple of bits where, because we are very tight with time, you may want to feed to the Clerk any other specific issues you want to raise to get a written answer. There is one issue that I would like a written answer on from you for next week. One of our witnesses last week raised the issue of proportions rather than numbers. Can we get your views in writing on the reference to "reasonable numbers" in the Bill? I suppose that it is about both terms — "reasonable" and "numbers"— and how you see that being defined. I appreciate that there may not be any other way of getting around that if it is a test; however, I can see —

**Dr Wardlow:** Let us come back to you. The only question that we have to leave with you is how we measure socio-economic. Is it through the proxy of free school meals (FSM), in which case there is a notion that those of the Protestant tradition are less likely to define themselves?

**The Chairperson (Mr Weir):** I understand that.

**Dr Wardlow:** There is a question for us about how you capture that.

**The Chairperson (Mr Weir):** I understand that. Can you get back to us on that? It may not be a phrase that has been used before, but can you state, from an equality or human rights point of view, whether there has been explanation, whether you have any understanding from a legal point of view or, indeed —

**Dr Wardlow:** The only thing that I know is that, in the integrated sector, it became the Department of Education's duty under its written instruction. That is how they got around it, which was compliant.

**The Chairperson (Mr Weir):** I understand that. We are very tight for time. Rather than getting into that now, it would be helpful if you could provide a written answer to us for next week.

Folks, thanks very much for your evidence. It has been extremely useful.

The Committee Clerk has indicated that it may be useful for us to get a response on the specific issue that has been raised about the compliance or otherwise of the legislation from a human rights point of view. That is not for you. The Department is coming to us next week. It may be useful if we can raise that with them so that they have an answer ready for us. OK. Thank you.

**Dr Wardlow:** Thanks for the opportunity. Danny, thank you for the welcome.



Northern Ireland  
Assembly

Committee for Education

# OFFICIAL REPORT (Hansard)

Shared Education Bill:  
Northern Ireland Commissioner for  
Children and Young People

2 December 2015

# NORTHERN IRELAND ASSEMBLY

## Committee for Education

Shared Education Bill:  
Northern Ireland Commissioner for Children and Young People

2 December 2015

**Members present for all or part of the proceedings:**

Mr Peter Weir (Chairperson)  
Mrs Sandra Overend (Deputy Chairperson)  
Mr Chris Hazzard  
Mr Danny Kennedy  
Mr Nelson McCausland  
Ms Maeve McLaughlin  
Mr Robin Newton  
Mr Seán Rogers

**Witnesses:**

|                       |   |
|-----------------------|---|
| Ms Mairéad McCafferty | Office of the Northern Ireland Commissioner for Children and Young People |
| Ms Natalie Whelehan   | Office of the Northern Ireland Commissioner for Children and Young People |

**The Chairperson (Mr Weir):** No Koulla?

**Ms Mairéad McCafferty (Office of the Northern Ireland Commissioner for Children and Young People):** No Koulla today. She gives her apologies. She has prior commitments.

**The Chairperson (Mr Weir):** No problem. Mairéad and Natalie, welcome. I will introduce you first. We have Mairéad McCafferty, the chief executive of the Northern Ireland Commissioner for Children and Young People (NICCY), and Natalie Whelehan — I hope that I have pronounced that correctly — who is the senior policy and research officer. We will have five evidence sessions today. The Committee wants to be fair to everyone, so we have agreed to try to restrict it to a maximum of 40 minutes for each evidence session so that everybody is given an equal opportunity. I hand over to you. If you want to make a short presentation, we will then open it up to questions.

**Ms McCafferty:** OK. I thank the Committee for inviting us to give evidence on the issue. As you may be aware, the principal aim of the Commissioner for Children and Young People, as set out in the legislation, is:

*"to safeguard and promote the rights and best interests of children and young persons."*

As part of the commissioner's remit, she has a duty to keep under review the adequacy and effectiveness of law, practice and services in relation to the rights and best interests of children and

young people. In so doing, she has to have due regard to the United Nations Convention on the Rights of the Child (UNCRC).

From our written evidence, you will be aware that shared education is an issue that NICCY has been working on for a number of years, most intensively since the publication of the Programme for Government commitment to:

*"establish a Ministerial advisory group to explore and bring forward recommendations to the Minister of Education to advance shared education".*

NICCY has provided assistance to the Minister by consulting over 6,000 children and young people to explore their views and experiences of shared education, in the hope that their views will meaningfully inform shared education policy and legislation. You will be aware that the commissioner presented those findings in October 2014. While I will refer to some of those, I do not want to go into the detail of them again, because you obviously have that information already.

Shared education offers an opportunity to all of us in Northern Ireland to positively change how we educate our children and young people. It is an extremely important policy initiative, but it is vital to get it right. There are, undoubtedly, potential benefits for pupils from different backgrounds, communities and schools having opportunities to learn together and to develop a greater understanding of each other. In the longer term, there are obviously wider societal benefits.

Children and young people are not a homogeneous group. They have multiple identities and differences, which can often present challenges in an educational context. Shared education has the potential to address those challenges and enhance and broaden the educational experience for all children and young people. It is that opportunity that NICCY wishes to see grasped by the Shared Education Bill. Article 29 of the UNCRC provides a useful insight into the obligations on government with regard to the provision of education. It states that education must be child-centred, child-friendly and empowering. The goal is to strengthen the child's capacity to enjoy the full range of human rights, to promote a culture infused by appropriate human rights values and to empower the child through developing his or her skills. It is also about developing their learning and other capacities and promoting human dignity, self-esteem and self-confidence. In this context, education goes far beyond formal schooling to embrace the broad range of life experiences and learning processes, which enable children to develop their personalities, talents and abilities and to live a full and satisfying life.

Education should be delivered in ways that promote mutual understanding, tolerance and acceptance, and which helps to prevent violence and conflict. The Committee on the Rights of the Child has elaborated on those obligations in its general comment 1. The aims of education state that the school environment must reflect tolerance and equality and promote peace and understanding. It is clear that schools that allow bullying, intolerance and inequality are in breach of article 29 of the UNCRC. NICCY wishes to see the inclusion of the obligations on the Department in the Shared Education Bill to ensure that all children have access to an education that is reflective of the UNCRC obligations. It with those obligations in mind that we express our disappointment with the proposed legal definition of shared education at clause 1(2) of the Shared Education Bill. It is the commissioner's view that the definition provided in the Bill is much too narrow and does not reflect the Department's much broader vision of shared education, as provided in its policy document, 'Sharing Works: A Policy for Shared Education'.

In that document, the Department defines its vision for shared education. It includes the promotion of:

*"equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion."*

It also states that shared education is the delivery of education that meets the needs of learners from the different section 75 categories and:

*"involves the sustained provision of opportunities for children and young people from different community, as well as social and economic, backgrounds to learn together."*

The Department goes on to specifically reference the groups of children it intends will benefit from shared education. It includes children from different religious backgrounds, children from different racial backgrounds, children with and without disabilities, children who are carers and school-age mothers. It is, therefore, extremely disappointing that the definition provided in the Bill refers only to

children of different religious belief and, specifically, only to education that includes "reasonable numbers" of Protestant and Roman Catholic children or young persons. Also specifically included in the definition of shared education in the Bill are children who are experiencing socio-economic deprivation and those who are not.

The draft definition in the Bill is much too restrictive and is not reflective of the Department's all-encompassing vision of shared education. There is no reference in the proposed statutory definition to pupils in any section 75 categories, other than religious beliefs, and no religions are specifically included, other than Protestant and Catholic. In addition, the definition does not provide for the inclusion of pupils attending different categories of schools, nor does it make provision for sharing between schools in different geographical locations, including urban and rural partnerships.

It is clear from the explanatory and financial memorandum that the legislative definition references the minimum essential requirements for shared education. However, no information is provided in the Bill or in the memorandum to the Bill regarding the use of the terms "reasonable numbers" or "socio-economic deprivation". It is important that those terms are clarified.

If shared education is to be organised and delivered in such a way as to provide opportunities for children from the different section 75 groups, as envisaged by the Department, the definition provided in legislation should reflect that. If the opportunities presented by shared education are to be meaningfully realised for all children and young people, the broader definition should be included. NICCY suggests that consideration be given to amending the current draft legislation and to use of the suggested definition of shared education in page 17 of our written submission, which is already with the Committee.

Educational inequalities, as you will be aware, are one of the commissioner's priority areas for action. Research tells us that certain groups of children have different educational experiences from others. We address that issue in detail in our written submission and do not wish to reiterate those points today given the time constraints. However, it is worth noting that there are groups of children and young people who face significant difficulties in accessing education in Northern Ireland. The report of the ministerial advisory group, 'Advancing Shared Education', highlights the concerns that exist about whether the educational and social needs of particular groups of children and young people are being met, including Traveller children, black and minority ethnic children, children and young people in care, children and young people with disabilities, those with special educational needs, and children and young people who are LGBT. Those groups of children tend to have poorer educational outcomes and disproportionately negative educational experiences. It is vital, particularly given the withdrawal of funding from the Department of Education's community relations, equality and diversity (CRED) policy, that shared education deals with all kinds of difference and is not solely focused on Catholics and Protestants and socio-economic deprivation.

The aim of the CRED policy, as you will be aware, was to contribute to improving relations between communities by educating children and young people to develop self-respect and respect for others by providing them, in formal and non-formal education settings, with opportunities to build relationships with those from different backgrounds and traditions. The Department has a statutory obligation to mitigate the adverse impact as a result of the withdrawal of CRED through shared education. It made a commitment to do so in the equality impact assessment (EQIA) on the withdrawal of funding for CRED. The definition and implementation of shared education needs to include all groups of children in order to deliver on that commitment.

In regard to the implementation of shared education, it is vital that the concerns raised by some of the children and young people whom we spoke to are reflected, if not in the Bill, at least in any supporting guidance. It is concerning to the commissioner that a significant minority of young people whom we spoke to about shared education described having mixed experiences of such initiatives, where interaction with pupils from other schools had been negative or limited. Some of the issues raised also included children feeling uncomfortable if they were in a minority or out of place when attending classes in another school. Some described collaborative activities in joint classes as shared but separate because pupils remained within their own school or friendship groups. Interaction with pupils from other schools had also been limited. A number of logistical issues, including transport arrangements and timetabling variations between schools, also impacted on pupils' experiences. Some expressed concern about sharing their education with those from particular schools. Their concerns related to academic ability, cross-community issues, standards of behaviour and the increased potential for bullying. Decisions regarding the planning and development of shared education must be informed by the views and experiences of children and young people, in compliance with article 12 of the UNCRC and section 75 of the Northern Ireland Act.

NICCY has concerns that shared education is viewed as an end in itself rather than as a means to an end: that is, promoting a shared future. We are also mindful that the Department has a statutory duty to encourage and facilitate the development of integrated education. While we welcome the opportunities afforded by the development of shared education for children to be educated together, NICCY wishes to see a situation where both are viewed as part of the education continuum; the ultimate goal being a truly integrated system of education in Northern Ireland where children of all races, all religions and none, genders, abilities, sexual orientation, ages, and so on, are educated together.

I have one final point. Clause 2 details the bodies that may encourage and facilitate shared education. It is disappointing that further education colleges are not included in the sharing initiatives. Many of the schools that took part in NICCY's consultation on shared education regarded joint classes with local further education colleges as part of their shared learning experience. We therefore wish to see an amendment to the list of bodies in clause 2(2) to include further education, the Department for Employment and Learning, and the Department for the Economy under the new arrangements next year. The report of the ministerial advisory group highlighted the importance of ensuring that shared education encompasses all sectors, from early childhood services to further education colleges.

That concludes the formal presentation. We are happy to take any questions.

**The Chairperson (Mr Weir):** Thank you. First, I should say that the Committee has expressed concerns about the CRED funding.

I understand why you suggest a different approach to the definition. Will you comment on the practical outworkings? One of the main purposes of the definition is to act as a funding filter. A range of shared education projects are likely to be coming on stream in the next few years, and there will have to be a mechanism by which a judgement can be made as to whether a particular business case for a project counts as shared education. If the wider definition is taken, do you see that as a reasonably holistic approach as to whether you simply judge something as being shared education or not? Given the various categories, is it a case of having to tick all the boxes or would simply ticking any of the boxes, which could be seen as a dilution, count? There is the practical issue of outworking from the implementation, so I would be interested to hear your views on that.

**Ms McCafferty:** We appreciate the complexity of promoting and monitoring shared education. We had a conversation in a meeting earlier this week with the Minister and officials about this. We appreciate that, in the legislation, it is probably sometimes necessary for pragmatic and practical reasons to have the narrow definition. If we are going to make sure that that is in the guidance that supports the legislation, that could be considered. The commissioner feels that because the definition is very narrow compared with what it was in the policy document, that has been a cause for concern across the sector and other organisations.

**The Chairperson (Mr Weir):** To be fair, my second point is more for the Department than yourselves. You raised the two areas where there is a lack of clarity around definition, namely what counts as socio-economic deprivation and how that is measured, and the issue of reasonable numbers. It is probably more a question of testing where the Department is on that, but do you have any views on the definitional side of that from your perspective?

**Ms McCafferty:** As you say, Chair, it is a matter for the Department to define "reasonable numbers" but there are concerns because of the interpretation of that and what that could look like in practice. We are told that in the integrated education sector, for example, the ratio is a 60:40 split. We would very much like clarification on how that definition is interpreted as that rolls out. We would not want to put a figure on that, but we would want to see that reflected in the diversity of the children and young people and being proportionate to the society that we live in.

**The Chairperson (Mr Weir):** OK, thank you. You raised an issue that it may be worth us exploring with departmental officials next week. Somebody else, and I cannot remember who, yesterday raised the same issue with me about further education colleges. The Minister may be restricted in what he can directly put down when it affects others, but it may be worth exploring with the Department next week whether there has been any contact with DEL on that issue. I appreciate the point that has been made.

**Mr Hazzard:** Thanks for your presentation. Do you think that children are sufficiently aware of what shared education is and its potential? Secondly, you are asking for a wider definition of "shared

education". Do we need to do something similar with "integrated", which is defined simply as Catholic and Protestant? Does "integrated", as well, now need to look at its legal definition?

**Ms McCafferty:** Chris, I will take your second point. It is self-evident that, when we are looking at education, we would like to see the diversity of the children and young people in the education system reflected. One of the important things is that we have to look at our remit, and the remit of the office is very much about looking after the best interests of children and young people. Do we think that their best interests are served in a more inclusive environment? Absolutely.

Your question about the integrated education sector is a matter for it; we are not here to comment on that. However, again, for the same reason, it is in the best interests of children and young people and for Northern Ireland society at a wider level that we have proper, integrated education. That is across the board. It should be inclusive of the diversity that we see in our society today, and we should use shared education and integrated education as part of the education continuum that will eventually see the kind of society that we want to see in Northern Ireland.

**Ms Natalie Whelehan (Office of the Northern Ireland Commissioner for Children and Young People):** I will answer the other part of your question. As Mairéad said, NICC carried out quite an intensive consultation with almost 6,000 children and young people across all the various types of schools in Northern Ireland in 2012-13. Roughly 50% of post-primary students were unaware of what shared education meant at that stage, and fewer primary-school students were aware of what it meant.

To be honest, I do not think that that is reflective of anything other than that this is a new initiative and they would not have had huge amounts of experience of shared education. Those who tended to know what it was tended to have had experience of shared education, and I expect that number to be higher now with the pilot programmes that are rolling out at the moment. Certainly, it is something that we need to make everyone aware of, if it is going to be a new policy initiative that will change the face of education. That includes parents. There is a lack of knowledge and understanding, generally, about what the implications could be.

As Mairéad said, it is important that the definition of shared education is reflective of the educational experiences of all the children and young people in school in Northern Ireland and that the educational inequalities, in terms of outcomes and experience, that are suffered by some groups of children and young people are reflected in the legislation, so that we can start to tackle some of that at a very rudimentary level.

**Mr Newton:** I welcome Ms McCafferty and Ms Whelehan. Chair, your questions covered where I was coming from, although you were much more eloquent than I might have been.

**The Chairperson (Mr Weir):** Do not think that crawling will get you extra time, Robin. *[Laughter.]*

**Mr Newton:** You have replied to the Chair on the definition. I welcome the very detailed paper that you submitted. Unless I missed it within it, you have not attempted to give a definition of shared education.

**Ms Whelehan:** We have, actually. It is on page 17 of the written submission. It basically reflects the section 75 categories. That is ideally what we would like to see. I appreciate that there will be challenges in the implementation of that, and, possibly, those are challenges that cannot be overcome in the outworkings of it. However, if shared education is to deliver on the policy envisaged under 'Sharing Works', we would like all those groups to be included. They are the ones that are suffering disadvantage in both attainment and educational experience. We think that it would make a huge difference to the educational outcomes and experiences of those very vulnerable groups of children.

**The Chairperson (Mr Weir):** I do not see any other members wanting to ask questions. We may have caught up a little bit of time. Thanks very much. That has been a very useful session in focusing our minds on those issues.



Northern Ireland  
Assembly

Committee for Education

# OFFICIAL REPORT (Hansard)

Shared Education Bill:  
Rural Centre for Shared Education

2 December 2015

# NORTHERN IRELAND ASSEMBLY

## Committee for Education

### Shared Education Bill: Rural Centre for Shared Education

2 December 2015

**Members present for all or part of the proceedings:**

Mr Peter Weir (Chairperson)  
Mrs Sandra Overend (Deputy Chairperson)  
Mr Jonathan Craig  
Mr Chris Hazzard  
Mr Danny Kennedy  
Mr Nelson McCausland  
Ms Maeve McLaughlin  
Mr Robin Newton  
Mr Seán Rogers

**Witnesses:**

|                   |                 |
|-------------------|-----------------|
| Mr Lauri McCusker | Fermanagh Trust |
| Ms Catherine Ward | Fermanagh Trust |

**The Chairperson (Mr Weir):** I welcome Mr Lauri McCusker, the director of the Fermanagh Trust, and Ms Catherine Ward, the shared education programme adviser. Perhaps you were here earlier when we mentioned the number of evidence sessions today, but you are the fourth of five sessions, and we are trying to treat everyone equitably. I appreciate that you have direct expertise in this field, but we are trying to limit each session to 40 minutes so that everybody gets an equal share of time. I invite you to make a short presentation, after which we will open the session up for questions.

**Mr Lauri McCusker (Fermanagh Trust):** Thank you very much for the opportunity to come to the Committee today. I will start off by saying that we very much welcome the Shared Education Bill and the leadership that the Committee for Education and the Assembly, under the guidance of the Department of Education, have given on shared education since the Programme for Government was released with its commitment to shared education. The journey that has been taken is evidenced by the adoption of the ministerial advisory group report and the Sharing Works policy.

The Rural Centre for Shared Education was established by the Fermanagh Trust. It represents our commitment to shared education from the work that we have carried out over the last nine years. Our evidence draws on that experience and what we believe is this very important legislation. The trust was actively involved in working initially with 50 schools and over 5,000 pupils in County Fermanagh, right across the spectrum and the county. It has been helpful to work with schools and school communities outside Fermanagh. Our submission draws on that experience.

We firmly believe that the Bill needs to be strengthened to ensure that there is an effective legislative framework in place in order for shared education to flourish in line with the wishes of school communities. We want to make seven key points on the Bill.

First, we believe that the purpose of shared education should be included in the Bill. There should be a clause that sets out the three key purposes of shared education as outlined in the 'Sharing Works' document: societal benefits, educational improvements and more effective and efficient use of resources. We acknowledge that the Sharing Works policy sets this out, but we believe that, as policies change over time, it is important that the purpose of shared education be included in the Bill.

Secondly, we very much encourage the replacement of the word "power" with "duty". We have heard from a number of contributors over the last two weeks, and there seems to be a common theme among them that that is important. We believe this because it is recommended that a duty is placed on the Department of Education (DE) and its arm's-length bodies rather than a power. We believe that the word "power" is much weaker than "duty" and is insufficient in the context of shared education. Exercising a:

*"Power to encourage and facilitate shared education"*

would be optional on the part of the Department of Education and education bodies and may never be invoked, whereas a duty places an onus on those organisations to encourage and facilitate shared education. We note that DE's reason for opting for power rather than duty is that it did not want school communities to feel that shared education was being imposed on them. However, our understanding of the legislation is that a duty would be placed on DE and its arm's-length bodies, not schools or school communities. There is a significant difference.

Thirdly, we note that the first recommendation of the ministerial advisory group states that a statutory duty should be placed on the Department of Education. In line with that, we recommend that the word "power" be replaced with "duty" and that the word "may" in clause 2(1) needs to be replaced with "shall".

Fourthly, we very strongly recommend that the word "promote" be included in the Bill. That would provide consistency in the duties between the Education Authority (EA) and DE and its arm's-length bodies and with the Education Act (Northern Ireland) 2014 and the Bill. Interestingly, that concurs with the first recommendation in the Committee's July 2015 report on shared and integrated education. As outlined to the Committee on 4 November, DE's reason for omitting the word "promote" is that it did not want to create a hierarchy between shared and integrated education. It is very important to highlight the fact that shared education is not a sector. Encouraging school collaboration on a cross-sectoral basis involves all sectors, including the integrated sector. Some would argue — we have heard this in discussions in Committee — that integrated education may be further along the continuum than shared education, so the omission of the word "promote" from the legislation could be detrimental to integrated education in the longer term.

If we are determined as a society to build new models and ways of working towards a shared future, the inclusion of the word "promote" is critical. It is essential that we promote. Imagine a business starting a new initiative and not promoting it. Some examples of places where promotion has yielded better outcomes include the area planning process, which we have seen significantly recently, the shared education campuses programme, the guidance on jointly managed schools and the Delivering Social Change programme. Promotion is critical.

**Ms Catherine Ward (Fermanagh Trust):** I have three recommendations to add. In a statement to the Assembly on advancing shared education, the Minister of Education said that sharing needs to be in the DNA of our education system. We fully agree with that. To achieve that, all educational policies need to be screened. That has been mentioned in two strategic documents: the ministerial advisory group report on advancing shared education and Together: Building a United Community (T:BUC). Both recommend screening or proofing to ensure that sharing is supported.

As Lauri said, the first recommendation in the ministerial advisory group report is to place a statutory duty on the Department of Education to encourage and facilitate shared education. The recommendation also states that that:

*"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."*

Many previously developed education policies and their outworkings do not readily support the current process of shared education. Some examples are the school transport system; school cost centres,

which do not facilitate schools developing a joint budget for expenditure on shared education; employing a shared teacher across sectors in primary schools, which is challenging; and the area planning process. Those are just a few areas that have not caught up with shared education and need to be amended to support sharing fully. T:BUC makes a number of commitments to develop shared services, one of which is:

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

In line with T:BUC and the ministerial advisory group report, we recommend that the Shared Education Bill include a duty to screen all existing and proposed policies in education to determine whether they encourage and facilitate sharing. We raised that in the consultation process on the draft Bill, but the response from DE was that it was not appropriate to include that duty in legislation. There is, however, a very similar type of duty in the Rural Needs Bill to ensure that all policies, strategies and plans consider rural needs. Why can a similar clause not be included in the Shared Education Bill?

Our next recommendation is to do with "reasonable numbers". The Committee has had some discussion on what represents reasonable numbers of Protestant and Catholic pupils. We want to share some of our experience of that, particularly in primary schools. We have had small primary schools that serve a minority community partnered with larger neighbouring schools from a different sector, and enormous benefits have been gained. In those situations, we have seen less isolation and greater integration of the minority community. Concerns are sometimes expressed that the minority community is outnumbered and does not have an equal say in the partnership, but we have had the opposite experience. Partnerships have to address the needs of both schools, and, in practice, smaller schools generally gain more benefits from the partnership than larger ones.

If a school is partnered with a school far away, just to meet a reasonable numbers criterion, the local impact of shared education in the community is lost. We urge caution at being over-prescriptive with numbers and recommend that sharing reflect the local context in which the schools operate.

The previous presentation referred to negative experiences, where a minority number of pupils engaged with a larger sector. I think that it depends on good practice, and we can give you an example of post-primary schools in Enniskillen in which a small number of pupils from a maintained school attended a controlled school to access some subjects. Controlled school pupils were at the door to welcome the maintained school pupils and to accompany them to their class, and a buddy system was put in place to ensure that those pupils did not feel out of place. It is to do with pragmatism, good practice and practicalities.

Our final recommendation is to do with monitoring and reporting. We understand and fully accept that the shared education policy will provide the operational context for the Bill and note that key action 8 relates only to monitoring and evaluation of shared education in schools and not to how DE and its arm's-length bodies are performing in relation to their responsibilities in the Bill. We recommend, therefore, that a clause on monitoring and reporting to this effect be included in the Bill. We recommend that the Department of Education compile information on how it and the educational bodies exercise their responsibilities on shared education and report it to the Assembly annually.

To conclude, we believe that the Shared Education Bill presents an important opportunity to create a better education system for our children and young people and a more shared society for the future. We urge Members to be ambitious and forward-thinking in finalising this legislation.

**The Chairperson (Mr Weir):** Lauri and Catherine, thank you.

I will ask two quick questions. I take on board what you said about the difference between power and duty; we have faced that issue before. I want to tease out one aspect. Previous witnesses made a distinction between a very clear-cut case, which they believed to be a duty on the Department — I will leave aside other issues that flowed from that — whereby they felt that it was necessary to place a duty rather than a power, but they were either sceptical of or less positive on the need for a duty to be placed on arm's-length bodies. In your case, you have not drawn that same distinction for arm's-length bodies, whose number could expand. Will you comment on that?

**Mr McCusker:** If the duty is on the Department of Education, does that not also imply a duty on the arm's-length bodies? The Department is responsible for implementation and oversight of the organisations that have to deliver on the ground. The arm's-length bodies must be included in such a

duty. The Department sets policy, but implementation of that policy requires the involvement of the arm's-length bodies.

**The Chairperson (Mr Weir):** Mind you, there is a specific duty on the EA as well. I am trying to tease out where you are on the issue, because most of the other arm's-length bodies would not necessarily have a duty placed on them in other aspects. One of the gaps at the moment seems to be that there is a distinct difference between the way in which the Department treats itself in this case and in other situations.

**Mr McCusker:** Yes, and there is also the position of transferors and so on. Are they an arm's-length body? We are not legal experts. We urge that everything is done, as far as possible, in all organisations to encourage, facilitate and promote.

**The Chairperson (Mr Weir):** A number of members want to come in on this, but I have a very quick second question on reasonable numbers. I take on board what you said about flexibility. An argument was made last week about reasonable numbers being slightly inflexible — for example, very small schools. Numbers, by their definition, are different from proportions. Should there be flexibility about reasonable numbers or proportions? In theory, you could have two very large schools in which there are very small numbers of the minority community, but, because the schools are so large, their combined total of minority communities takes them above a particular threshold. On the other hand, you could have two very small schools, but, because their combined numbers are so low, their pure numbers could be fewer than the example of the large school. Should there be more flexibility about proportions as well as numbers?

**Ms Ward:** We did not want to be specific about proportions, numbers or figures.

**The Chairperson (Mr Weir):** I understand that, but —

**Ms Ward:** The main point that we are trying to make is about erring on the side of caution and not excluding any good, genuine sharing. If only one or two pupils take A-level German in another school and have a good experience, there might be five pupils the next year and 10 the following year. The full picture of what is going on between the two schools and in that partnership needs to be looked at.

**The Chairperson (Mr Weir):** I ask members to keep their questions brief, because we want to be fair to everyone.

**Mr Hazzard:** Thank you for the presentation and for everything that we have had from you previously on the issue. There is a perception — it is put out in the media and in other quarters — that shared education is a dirty deal or a halfway house compromise between parties that cannot agree that integrated education is the best way forward and that shared education is not an end in itself but a route to a final destination. What are your thoughts on that?

**Mr McCusker:** Is shared education a dirty deal? Who knows where we will be in 20 or 50 years' time? For us, shared education is about possibilities, potential and different conversations. The CCMS was here this morning talking about joint schools. Was there the potential for that 10 years ago? Was that being discussed? It is being discussed now. It is about creating different conversations and possibilities. Take the area planning process, for instance. Rather than looking at area planning within sectors, this is looking at area planning as areas and communities. That is what shared education should be about. Commentators and others are critical of shared education, and I do not think that they understand what it is. We invited a number of those commentators to rural communities to see shared education in action, but none of them has followed up on the invitation. It is a journey and is part of a process. It is not about saying to schools in different sectors that their sector is not valuable — of course it is valuable.

**Mrs Overend:** It is good to see you here; thanks for coming. Your submission has some interesting thoughts for us, especially the idea of comparing shared education with rural proofing, and stating that, similar to all decisions being rural proofed, decisions should also be proofed for shared education. You went back to the ministerial advisory group's definition, which states:

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

Do you think that the EA should set targets? How do you see that happening? How should it be further promoted by the EA?

**Ms Ward:** There should be "share proofing". If all future policy and spending commitments are share proofed, that would be a good way to monitor. Could the outcome have been a shared solution? If not, why not? A rationale should be given for why it was not possible. You spoke about targets; instead of targets, that type of share proofing, combined with the Bill's monitoring and reporting, would go a long way.

**Mrs Overend:** How do you see that monitoring and reporting happening?

**Ms Ward:** That is also in the Rural Needs Bill; the Department of Agriculture has to collate information from all Departments to see how they meet rural needs and take them into consideration. I envisage the Department of Education collecting that information from the Department and its arm's-length bodies to show how it exercised its functions and responsibilities in the Bill, and then to compile a report to present to the Assembly. That is how I see monitoring working. The current policy looks at monitoring and evaluation of schools but not the bodies that are mentioned in the Bill.

**Mr Newton:** It is very nice to see you, Mr McCusker and Ms Ward, and to have practitioners of shared education as witnesses.

The Equality Commission, the Human Rights Commission and the Office of the Northern Ireland Commissioner for Children and Young People (NICCY) were here this morning giving evidence. The Equality Commission and the Human Rights Commission believe that religious belief ought not to be part of the definition of shared education. NICCY wanted all section 75 categories written into the definition, which obviously includes religious belief. Generally, the Committee is struggling with the definition of shared education. What are your thoughts on the definition of shared education for the purposes of the Bill?

**Mr McCusker:** From experience, our definition of shared education is two or more schools from different sectors and, if possible, two or more neighbouring schools, working together. We are not experts on section 75, but that is our definition of shared education. If we had gone down the section 75 road in 2008 and 2009 and asked schools in particular villages how they would show their partnership with another school or schools to meet section 75 criteria, we would not have achieved what we have achieved. For us, the definition is quite straightforward: two or more schools from different sectors working together.

**Mr Kennedy:** Welcome, and thanks for being here. Presumably, educational policies are screened with rigour, particularly on whether they promote sharing, focus on further entrenched division or are essentially neutral. Surely the emphasis should be on screening to ensure that sharing is being properly promoted. How do you ensure that schools are sharing for sharing's sake rather than sharing for money?

**Ms Ward:** With the amount of work involved, no school would do it for the money. From talking to principals and teachers, we know that a huge amount of work is involved in planning, preparing and carrying out shared education. I do not envisage very many schools doing it for money. The reward in financial gain would not pay teachers to do it, so they really are doing it for the other benefits.

**Mr McCusker:** With screening, if school transport or school holidays were reviewed, for example, two neighbouring schools that close on different days — maybe 10 or 12 days in a year — cannot share on those days. With certain policies and procedures that have been put in place, whether from the top down or in some cases by the school, people need to think about the implications for shared education, for us or for the community at large. We would not take such a judgement call if a new policy is neutral to shared education, but, wherever policies are being introduced, we should encourage them to benefit shared education if we are really committed to a shared education system.

**Mr Kennedy:** What is almost implied is amalgamation, or better coordination, in transport, days of opening and all that. Is that what you are saying?

**Mr McCusker:** Yes. We see things on the ground that do not facilitate shared education and are the result of government policies or practice or the practice of the boards and now the Education Authority

and that if tweaked or changed as policies are developed and introduced could facilitate much more and greater sharing.

**Mr Rogers:** Lauri and Catherine, you are very welcome. This goes back to the numbers game. Say you have two small schools from different sectors, which are sharing and working very well. For example, they might have a total enrolment of 60 to 70 children. Do you believe that the sharing, maintenance of a rural school and better use of resources should overrule the number of 105?

**Mr McCusker:** We are firm believers that local communities should be facilitated to have challenging conversations. I live very close to the border, and I am fascinated by what happens in Northern Ireland in schools and their sustainability. Those conversations do not take place in Leitrim. They do not say, "Sorry, you have 60 pupils; your school is not sustainable". In shared education, it is important that, with two or more schools, the parents and boards of governors in that school community should have conversations together about its future, not in parallel worlds. That is, unfortunately, what has been happening. Hopefully, with the Shared Education Bill etc, the area planning process and the role of the different sectors will facilitate those conversations, rather than splendid isolation.

**Ms Ward:** You raised a very important point. Through some of the shared models, two small schools that are sharing can meet the sustainable schools criteria. They have access to four teachers. Both might have only three teachers, but they now have access to six through sharing. They can decomposite their classes so that they do not have more than three classes in one classroom. Through a shared model, they actually can meet the sustainable schools criteria.

**Mr Rogers:** Lauri, are you also saying that, in Leitrim, they do not seem to need to have this conversation about having 50 or 60 children in a school but in the North they do? Has that a negative impact on cross-border sharing as well?

**Mr McCusker:** No. It is fascinating. We know of maintained schools on the Fermanagh side partnering with national schools on the southern side. Again, where that made sense, it happened, and it did so very well. There was never anything negative towards that whatever. It always seems to work very positively.

**The Chairperson (Mr Weir):** Lauri and Catherine, this has been an extremely useful session. Thank you for your evidence. We will move fairly swiftly towards conclusions on these issues, but your information has been very useful today.

**Ms Ward:** Thank you.



Northern Ireland  
Assembly

Committee for Education

# OFFICIAL REPORT (Hansard)

Shared Education Bill:  
Transferor Representatives' Council

2 December 2015

# NORTHERN IRELAND ASSEMBLY

## Committee for Education

### Shared Education Bill: Transferor Representatives' Council

2 December 2015

**Members present for all or part of the proceedings:**

Mr Peter Weir (Chairperson)  
Mrs Sandra Overend (Deputy Chairperson)  
Mr Jonathan Craig  
Mr Chris Hazzard  
Mr Danny Kennedy  
Mr Nelson McCausland  
Ms Maeve McLaughlin  
Mr Robin Newton  
Mr Seán Rogers

**Witnesses:**

|                      |                                     |
|----------------------|-------------------------------------|
| Dr Peter Hamill      | Transferor Representatives' Council |
| Rev Dr Colin McClure | Transferor Representatives' Council |
| Mr Gavin Norris      | Transferor Representatives' Council |

**The Chairperson (Mr Weir):** I welcome Dr Peter Hamill, who is the secretary to the Church of Ireland board of education in Northern Ireland, Gavin Norris and the Reverend Colin McClure. They are representing the Transferor Representatives' Council (TRC).

I thank the witnesses for being here today. This is the fifth of five presentations, but you should not feel that there was any ranking order. We said to each of the groups that, because we tried to accommodate five, the Committee agreed to limit each of the evidence sessions to around 40 minutes maximum so that we would be able to give everyone the same amount of time. I ask you to bear that in mind. If you want to start off with a presentation, we will open the meeting up for questions afterwards.

**Rev Dr Colin McClure (Transferor Representatives' Council):** Thank you for your invitation and, indeed, your welcome this morning. Getting straight into it, let me say that we welcome the initiative from the Department and the Minister. We also acknowledge the interest from and the support of the Committee. We thank you for your willingness to listen to voices from the controlled sector. To refresh your memory of who we are and where we are from, we represent the three main Protestant denominations: the Church of Ireland, the Presbyterian Church in Ireland and the Methodist Church. Each of our Churches has a board or a committee of education, and we work together as three Churches on the Transferor Representatives' Council.

I do not want to go into the big details, because you will be well aware of it, but originally the three Churches that I named were school owners. Again as you know, most of our schools were transferred to state control at various stages during the 20th century. In return for that, transferors were given

legal rights of representation for local schools. That worked out in several ways, including on the education and library boards formally, and there are now transferor representatives on the new Education Authority.

It is important to say that the Churches have been strongly in favour of shared education as a concept. We have not come new to this game; that has been our position for a number of years. It has been received by the Churches with much enthusiasm. If you look back at the records of debates in our major decision-making bodies in the Methodist Church, the Presbyterian Church and the Church of Ireland, you will find that, over the past four or five years, very directly each of our Churches has passed resolutions of strong support for the concept.

We believe that, in shared education, there is the potential for much good. There are benefits through reconciliation and community cohesion that can come about through contact and the process of sharing in an educational enterprise. An educational outcome is achievable when schools work together. As Churches, we have been keen to see shared education developed, and we welcomed the introduction of the Shared Education Bill.

I will hand over to my colleague Peter, who will say a little bit more about the Bill. Hopefully, that will be of assistance to you in your considerations. I will hand over to Peter, first, and then to Gavin.

**Dr Peter Hamill (Transferor Representatives' Council):** Thank you, Colin. I will start by looking at the details of the Bill from TRC's point of view. We have strongly advocated the need for a definition of shared education, and we welcome the move towards defining it. However, we have some concerns about the definition that the Department has proposed. We would be more comfortable with the definition of shared education proposed by the ministerial advisory group that reported in 2013. I do not wish to go into the exact details of that, because they have been included in our written submission. The reason for that is the Department's inclusion of the definition of the term "socio-economic deprivation". To be very clear from the start, the Churches are fully supportive of that and believe that a lot of work has to be done to counter and deal with economic and social disadvantage in education. The importance of that work means that it should have a particular focus. We also believe that huge work needs to be done on shared education by bringing together schools from different sectors and communities to share real educational experiences.

We feel that the potential of shared education is very effective, but our concern is with mixing two areas in one definition. There are examples in previous legislation where that has been an issue and the focus on one policy has been lost. We are concerned that the same could happen here.

I will pass over to Gavin to go through the detail of that and our second key point on clause 2.

**Mr Gavin Norris (Transferor Representatives' Council):** Thanks, Peter. Chair, it is good to be here.

Clauses 1(2)(a) and clause 1(2)(b) make a requirement that sharing provides for:

*"education together of ... those of ... religious belief ... and those who are experiencing socio-economic deprivation and those who are not".*

It is safe to say that most schools will have pupils from a range of socio-economic backgrounds. However, those proportions may vary substantially.

Unlike clause 1(2)(a), clause 1(2)(b) does not provide any indication at all of the numbers or proportion required from each group, and it is also unclear how socio-economic deprivation is to be measured for the purposes of the Bill. Our concern is that there may be communities where the proposal for sharing does not meet the definition because the schools' socio-economic profiles are, for example, largely similar. Again, it is important to stress our belief that much work needs to be done to address socio-economic disadvantage. However, if that element is to stay in the Bill, we would like assurances that it will not hinder projects that would otherwise bring people from different community backgrounds together.

On clause 2, we note the lack of reference to sectoral support bodies in education. As you are aware, we have been involved in getting the controlled sector support council up and running, and within its very agreed remit is the promotion of sharing between the different sectors. That means that the body is there not just to advocate for its own sector but is a leader for that sector in sharing with other

sectors. Yet, the clause, which indicates who will be involved in encouraging and facilitating shared education, totally misses the role of sectoral bodies.

The controlled sector body will have a key role in promoting good practice in sharing and working with other sectoral bodies to help to negotiate local situations and a coming together with other sectoral bodies to advocate how sharing can be maximised in local situations. We want the role of sectoral bodies, which we feel is absent, to be written in very clearly. We suggest that is done either by including the bodies in clause 2(2) or by inserting a separate subsection. It may simply have been an oversight, but we fear that the sectoral bodies may have been forgotten in that regard.

**Rev Dr McClure:** OK. Again, Chair, thank you for the invitation to speak to the Committee. I hope that you have got a flavour of our main concerns.

**The Chairperson (Mr Weir):** That has been very useful. I want to make a couple of points and then ask you one question.

We have had a similar response from the Northern Ireland Council for Integrated Education (NICIE) on that. On that basis, probably the route that you would suggest would essentially be a mention in the legislation of NICIE and the controlled sectoral support body as one of the arm's-length bodies. On the socio-economic point and without getting into the rights or wrongs of it, its definition will be one of the issues that we will probe with the Department next week.

I want to clarify one issue that arises from your evidence and your point that the controlled sectoral support body should be included, along with others, in the Bill. We have had conflicting evidence on the terms "power" or "duty". What I mean by that is that a number of groups have been very clear-cut in saying that there should be a direct duty on the Department in clause 2. That seems to have come from a number of groups. I would not necessarily say that there has been a consensus, but any groups that have made reference to it talked about a duty, rather than a power. There is a divergence in that and in how it relates to you where, taking the very specific example of the controlled sectoral support body, if a duty is placed on the Department — there is a clearly a particular reference in clause 3 to the Education Authority — should a duty also extend to the arm's-length bodies or sectoral bodies, such as the controlled sectoral support body, or should that simply be a power at that level? I would like your views on that.

**Rev Dr McClure:** Do you want anyone in particular to respond?

**The Chairperson (Mr Weir):** I appreciate that you may be going through things that are not scoped out.

**Rev Dr McClure:** It is certainly an issue that we are aware of, and clarification would be important, but I do not think there was anything in particular in that that we have given in-depth thought to. Again, clarification is always helpful all round. I think that you will have heard from our response our concern is about being in a position where we can play our part meaningfully to make something work. We are committed to the object and to realising it.

**The Chairperson (Mr Weir):** I am judging it through potential amendments. It may be that we cannot pre-judge any views that any parties or the Committee may take on it, and you might take a view that what is there is perfectly satisfactory. It seems to me that, if duty is brought in, it can be done in one of two ways. It is either a question of a duty that is put in the Bill and that follows through to everybody, or, alternatively, we differentiate between the duty of the Department and a potential power for the arm's-length bodies. Maybe you are not taking an absolutely definitive position on that, but your main aim is to have inclusion.

**Mr Norris:** Absolutely.

**Mr Hazzard:** Thanks for coming along. I am aware from the papers that you said previously that a fully integrated system would be ideal but is not achievable. Many people believe that sectoral bodies and representatives such as you are one of the barriers to a fully integrated system and that the shared education model, which you are big advocates of, is just a halfway house. I said before to Lauri McCusker that it is a dirty deal. We cannot get compromise or agreement on a fully integrated system, so this is what they are going for. What are your thoughts on that?

**Rev Dr McClure:** Some of my colleagues will want to say something, but, clearly, our line is that one size does not fit all. There are good models, and we want to capitalise, as it were, on what we have and allow the exploration of the sharing from within the various sectors.

Let me state again that the Churches are committed to shared education, but we do not want to be so prescriptive that it strangles the young shoots, as it were. Clearly, we all come from different contexts and can see where some places will work at a different pace, but we want to encourage it.

The bottom line is that one size does not fit all. I think that would be a fair representation of where we are coming from.

**Mr Norris:** It is important to say that, as Churches, we clearly affirm integrated with a capital "I" as one form of sharing. We see a menu of options that are available to take sharing forward, and we think that shared education as a whole is going to be for the good of society. As Colin said, it is not a one-size-fits-all approach.

**Mr Craig:** Thanks for attending. I get the idea and understand that you are concerned about the inclusion of the socio-economic aspect. What I want to understand is why you would be so concerned about that. There is a thought in my head that most of the sharing that is required will be in rural areas. A lot of the smaller schools are predominantly around the border areas in Northern Ireland. If we are going to get a shared future for them, that is where shared education will be necessary. Some of them — in fact, a lot of them — do not fall under what would be normally defined as deprived areas. Would that be a concern for you? Would you be concerned that they would somehow miss that trigger because they are in rural areas, as opposed to deprived areas?

**Dr Hamill:** I agree. I think that that is where our concern is. It is that, as you say, somebody would get missed because their socio-economic profiles would be very similar, whether that is rural, urban or wherever, so there would not be that opportunity for shared education because they had not ticked the socio-economic box. That is where our concern lies. It is not about trying to narrow it; it is about ensuring that nobody gets excluded.

**The Chairperson (Mr Weir):** So that there is not an artificial barrier, if you like.

**Dr Hamill:** Yes; exactly.

**Rev Dr McClure:** Correct. That is precisely the point.

**Mr Craig:** Thanks for that; it is helpful. As a Committee, we will have to look at that.

I am going to bring this point up, because you are the right people to discuss it with. When it comes to shared education and sharing across the controlled and maintained sectors, to me, there is always an artificial barrier there, which is the Catholic certificate. It is not right for me to ignore that issue. Is that an issue that you working on with the maintained sector to find a practical way around it so that it does not become a barrier to shared education?

**Rev Dr McClure:** It would be fair to say that there have been ongoing discussions on that and other matters. We work very closely with the Catholic trustees. If those issues need to be ironed out, as it were, I am pretty sure that there is a willingness amongst us all to engage with that. There may be some folk here who are more aware of the practicalities of it at the moment, but there is certainly a willingness to deal with that. We recognise the issues that that gives rise to.

**Mr Craig:** Would you be keen to move to the sort of compromise that there is in England on that? I think there are specific teachers in maintained schools who have that qualification just so that they can carry out the work they are allocated to, as opposed to everyone needing it.

**Dr Hamill:** As Colin said, it is not an issue that we have discussed particularly, so it would be unfair to give an answer on that.

**Mr Kennedy:** You are very welcome. I am interested in teasing that out a little bit more on your commitment to share between and within sectors. Clearly, there is a sharing emphasis there as well. Do you have any thoughts on both those areas? Most people see the big challenge between sectors, but there are also, if I may say, pressures of sharing in the controlled sector.

**Rev Dr McClure:** Yes, indeed there are. Again, we all work from our particular contexts. In the particular context that I come from, in my town, immediately the whole thing about sharing will involve a voluntary grammar school and a controlled secondary school. There are levels at which it operates. Is that what you are thinking of?

**Mr Kennedy:** Yes.

**Rev Dr McClure:** Clearly, from where we come as transferors, our focus is on the maintained and controlled sectors, but we are aware that shared education has a much wider reach. Again, we are committed to the process, and we see the practical advantages right across the board.

**Mr Newton:** Thank you for coming. I want to come back to socio-economic deprivation. I had identified that I wanted to ask a question before Mr Norris spoke. Am I right in thinking that your position is not against the issue but is really that, if it is written into the Bill, it may be an impediment to sharing?

**Dr Hamill:** That is it exactly.

**Mr Norris:** I do not think that we would want anybody to go away with any misconceptions or idea that we have any problem with dealing with socio-economic disadvantage. We have said very clearly that we recognise it as an issue and that it needs a particular focus. Our concern, again, is just that, in areas where there may not be great socio-economic divides, there may be a possibility that, under the definition, certain projects could be hindered that would otherwise be very worthwhile in bringing people from different —

**The Chairperson (Mr Weir):** I suppose a lot of this will also come down to the definition. We need a level of assurance on that. We could have two schools that, by definition, are in neither an affluent nor a socially deprived area, but the mix of pupils in each school may, I suspect, cross socio-economic boundaries. I take on board what you said about ensuring that we do not create in the legislation something that acts as a barrier to that cooperation. We need to give a bit of thought to achieving those objectives.

**Rev Dr McClure:** Backing up what Gavin said, I assure you that, currently, a lot of the energy in our Churches' education committees is focused on social deprivation. That is a big thing for us at the moment.

**The Chairperson (Mr Weir):** Thank you very much for your evidence. This will move reasonably quickly onwards. We are taking evidence from the Department next week on this. Your evidence has been very valuable to us.

**Rev Dr McClure:** Thank you.



Northern Ireland  
Assembly

Committee for Education

# OFFICIAL REPORT (Hansard)

Shared Education Bill:  
Department of Education

9 December 2015

# NORTHERN IRELAND ASSEMBLY

## Committee for Education

Shared Education Bill: Department of Education

9 December 2015

**Members present for all or part of the proceedings:**

Mr Peter Weir (Chairperson)  
Mrs Sandra Overend (Deputy Chairperson)  
Mr Chris Hazzard  
Mr Danny Kennedy  
Mr Nelson McCausland  
Ms Maeve McLaughlin  
Mr Robin Newton  
Mr Seán Rogers

**Witnesses:**

|                     |                         |
|---------------------|-------------------------|
| Ms Jacqui Durkin    | Department of Education |
| Mrs Faustina Graham | Department of Education |
| Dr Suzanne Kingon   | Department of Education |
| Ms Joanne Maxwell   | Department of Education |

**The Chairperson (Mr Weir):** From the Department of Education (DE), I welcome Mrs Faustina Graham, the director of collaborative education and practice; Dr Suzanne Kingon, the head of the Irish-medium and integrated education team; Ms Joanne Maxwell from the shared education and community relations team; and Ms Jacqui Durkin, the director of area planning.

The Committee will review the clause-by-clause table and seek answers from the Department on any outstanding queries. At this stage, we will ask members for an informal indication of proposed amendments, and, for each of the proposed amendments, the Committee will be asked to indicate whether it wishes to pursue them or at least to give them further consideration before we take a final decision from a Committee point of view next week.

I ask the Department to make a short opening statement. I know that you have brought a proposed amendment that was covered in recent correspondence, but you may want to deal with that in a short opening statement.

**Mrs Faustina Graham (Department of Education):** I will ask Jacqui to deal with the amendment later.

Thank you for the opportunity to make some opening remarks on the Bill. I will focus and recap on three key areas: the purpose of the Bill; the interdependence of the Bill and the policy — in other words, what we need to do to advance shared education; and the practical outworking — how we are actually doing it. The Bill has three distinct purposes: to provide a legislative definition of shared education; to place a power on the Department and relevant arm's-length bodies to encourage and

facilitate shared education; and to enact a commencement order on the provision in the Education Act 2014 that places a duty on the Education Authority (EA) to encourage, facilitate and promote shared education.

Much has been said about the definition of shared education in the Bill. By defining it in line with the Executive's commitment in the Programme for Government, we sought to give all young people an opportunity to participate in shared education. Consequently, the definition sets out the minimum essential requirements, which are those of religious belief and socio-economic background. As indicated in our correspondence with the Committee, there is reasonable and objective justification for doing so, as set out in human rights case law.

The policy underpins the definition with a description that encourages educational partnerships to move beyond those minimum essential requirements and to examine how their work can include wider section 75 categories. We have already seen that happening in the practical outworking of shared education projects with groups of children and young people. Ironically, referencing all the section 75 categories in the legislative definition risks exclusion rather than inclusion. It would, for example, exclude two small rural primary schools with no children from ethnic minorities from participating together in shared education, or, equally, it would exclude two all-girls schools from working together in partnership.

The minimum essential requirements, by contrast, encourage schools to enter into a spirit of cooperation and inclusion and to get on with the actual learning. The alternative is spending time seeking a partner organisation with which they can demonstrate compliance with a wide list of requirements. I cannot think of a school that I have been in where the vision and values do not already reflect inclusivity. In your inquiry, you have commented that our children and young people and their teachers are way ahead of any of us in the learning that takes place in classrooms, and I am sure that we could echo that sentiment for the youth sector and early years provision. The important thing is to allow that learning to flourish.

The policy, self-assessment framework and individual project criteria will provide a robust, supportive delivery framework. The range of projects over the next few years will develop various aspects of shared education and allow considered decisions to be made on mainstreaming, as outlined in the policy. Schools, in particular, will have to provide clear evidence of the importance of shared education in setting their targets in their school development plans. Their work will be subject to ongoing inspection, aside from the project evaluations that we already have in train. Encouraging and describing good practice through the policy is the correct approach; a legal stipulation that will render compliance extremely difficult is not.

I turn to clause 2, which provides a power to encourage and facilitate shared education. The Bill covers a very wide range of educational providers: early years provision, schools and youth work. That is to allow for flexibility of approach and combinations of partnerships. A power provides discretion in managing the educational budget in a way that will advance shared education but without significant impact on other educational priorities. If that same range of stakeholders falls within a duty, the sheer number of settings operating with an already challenged education budget means that there will never be enough funding to meet the applications of all stakeholders at all times. A power not only provides statutory recognition of shared education but allows the Department of Education to prioritise key areas of spend and activity at any given time without the diversion and risk of legal proceedings that a duty could bring from that wide range of settings. Money spent on litigation may have been better spent on children's learning.

A statutory duty to encourage and facilitate is appropriate for relatively small developing sectors, such as the integrated and Irish-medium sectors. It supports their continued embedding and growth through targeted, earmarked funding schemes or reasonable adjustments to wider policies.

It is important to say that shared education is neither a sector nor a particular type of school: it is a relatively new and evolving concept of partnership, to be embraced by all our existing schools, youth providers and early years provision. We need to accrue good practice learning before placing a legal obligation on our education system that entails mandatory action.

The public consultation confirmed mixed views as to the relevance of a power versus a duty. A power will provide a balanced approach for those who strongly advocate consensus building over legislation as the way forward.

Clause 3 enacts the commencement of the duty on the Education Authority and provides for the definition of shared education to apply to that duty.

Clause 4 sets out the short title and provides for the Act to come into operation on the day after Royal Assent.

I now hand over to my colleague Jacqui Durkin to talk to you about the amendment.

**Ms Jacqui Durkin (Department of Education):** Members will be aware that the potential need for the additional clause was raised at a previous briefing on 4 November. The Minister has now agreed to seek to introduce this clause at Consideration Stage, and you will no doubt have a copy of the draft wording among your papers.

By way of background, the shared education campuses programme was launched by the Minister in January 2014 to deliver one of the headline action targets in OFMDFM's Together: Building a United Community (T:BUC) strategy and to commence 10 new shared education campuses by 2018. You may be aware that the first three projects are progressing in planning, and those are in Moy, Limavady and Ballycastle. Those shared campuses are pioneer projects of how school buildings and facilities will be provided. As such, they have raised new issues for the Department and the school managing authorities in the purchase and ownership of land and management/governance arrangements.

A key issue is the purchase and ownership of land for the shared campuses, which will be jointly occupied by two or more schools from two or more school management sectors. We have considered possible options to address the issue in discussions with legal representatives. A possible option has emerged in the form of the setting up a company to facilitate landholding arrangements and the management of shared education campuses. The company would be formed equally by the Education Authority and the school trustees as owners of the schools involved. Currently, however, no specific legislation allows the Department or the Education Authority to establish and participate in a company for such purposes. Legal advice has been that it would be preferable to have specific legislative authority to avoid the risk of a successful challenge to the question of vires or legal authority on the issue. The Minister is, therefore, seeking to introduce the clause at Consideration Stage for insertion after clause 2, the clause to be restricted to the purposes of shared education.

**The Chairperson (Mr Weir):** Thank you for your opening statements. We will move on to discuss each clause. Obviously, it is dependent on *[Inaudible.]*. The Committee has already had some informal discussion, so it may be worthwhile in each case, without prejudice, to get your reactions on where we are.

Clause 1 provides the common definition. The first area that we had a range of views on was the purpose of shared education. You have our clause-by-clause table, in which comments 1.1 to 1.12 are relevant. Those look at the potential need for a purpose clause or something of that nature. It is fair comment to say that, after discussion, the Committee feels that a purpose clause may not directly serve a particular purpose — forgive the pun — on the basis that it may muddy the waters. However, it has been suggested to us that there should be a review clause that looks at a number of aspects of the work of shared education. Perhaps the Committee Clerk could read the list.

**The Committee Clerk:** The list reads educational attainments; the efficient and effective use of resources; the progress or extent of sharing; allowing community cohesion; and interactions with section 75 groups, leading to attitudinal improvement.

**The Chairperson (Mr Weir):** It is something of that nature. We do not as yet have a draft amendment. Can I have your general reaction to that? Maybe you could outline the current plans for monitoring and reviewing the way in which shared education is being implemented. If, for example, there is a review-and-report mechanism that periodically produces a report, where do you see that drawing its information from? What do you believe to be an appropriate time cycle? How many years would be required between each report? Please speak without prejudice as to whether you believe it to be necessary.

**Mrs Graham:** In my opening statement, I said that this area was evolving and developing. We are trying to learn in the whole process. I did not refer to the various planning stages that will take place. We have the Delivering Social Change (DSC) signature project, which is in train. That is targeted at schools that already have a significant degree of sharing, so those projects will be covered in that area. That will be followed by Peace IV, which comes on stream next year. The schools, youth

organisations and early years provision that will be targeted through that do not have a history of sharing, so they will be starting the process. Collectively, with those two programmes, we are looking to ensure that all young people will be given an opportunity to participate in shared education. That does not mean that everyone will take it up, but the opportunity will be provided.

In planning for that, we did not start from nothing. We looked at everything that had happened previously, in particular at all the work that was done through the International Fund for Ireland's sharing in education programme, in which there were 23 projects. That was evaluated by the Education and Training Inspectorate (ETI). Over the period of the programme, 19 individual projects engaged in looking at the indicators that show progress in shared education. With that work, we were really starting from scratch. Based on the recommendations in the Education and Training Inspectorate's report, the work has been cumulative. With the DSC programme and, subsequently, the Peace IV programme, we commissioned the Education and Training Inspectorate to develop a continuum that would allow, in the first instance with the DSC programme, schools to self-evaluate and baseline where the partnership is with regard to their starting point in shared education. That continuum has four separate sections. Schools can be at any stage in the continuum around the four key pillars of Every School a Good School, so this is firmly centred on school improvement and DE policy.

The Education and Training Inspectorate has visited all the schools in tranche 1 of the DSC programme, and that will continue. Those schools will be revisited in March 2016. We are trying to look at how we can monitor the learning that has taken place, with a view to accruing best practice. The focus is very much on a constructive approach; it is not meant to be viewed or perceived as a normal inspection of an individual school. It is about looking at the partnership to see how we can accrue good practice. There will be an interim report and a DSC programme from the ETI at the end of next year, and a final report in 2018.

**The Chairperson (Mr Weir):** Faustina, that is what is happening at present. As we move ahead, a range of projects will, presumably, emerge. Reading between the lines, I take it that there could be ongoing evaluation and monitoring, on which the ETI will provide the lead, so it will be able to draw out the information in connection with that. If a review and reporting mechanism were to arise from the legislation, do you have any thoughts on an appropriate timescale? For the sake of argument, should a report be laid once every three years, for instance? What would you see —

**Ms Joanne Maxwell (Department of Education):** We have already established some questions that will be included in the young life and times survey. It looks at attitudinal changes that will be captured. Those will be done, I think, every other year. That will look at attitudinal changes as we progress along the route of shared education.

**Mrs Graham:** Our intention is that there will be a specific inclusion of shared education in the chief inspector's biennial report, because it pertains to the entire education system, including youth provision and early years. In all this work, we have been trying to make it as integral to our normal educational system as possible.

**The Chairperson (Mr Weir):** If that is the case, the Committee may look at something explicit by way of a review and reporting mechanism, but I think that there is a desire not to overburden or increase the burden that might be tied in with that biennial report.

**Mrs Graham:** That is our intention. We must also ensure that all our providers do not see this as an additional bureaucratic burden. It is about helping providers to see that this should be integral to their work and is not something that is additional or an add-on. The same is true of data collection or any type of work that we will do with them. It is about trying to minimise that and encouraging people to see this as part and parcel of good practice in schools, youth work or early years provision.

**Dr Suzanne Kingon (Department of Education):** Before any funding — at the minute, the DSC — goes into individual shared education programmes, they are subject to a robust expenditure appraisal and business case process. The business case sets out measurable targets. There are quantitative targets, such as targets for improvements in levels of progression and attitude, using the scales set out by Queen's, and, as Faustina referenced, the qualitative changes. They are then traced down to individual project level, where, through the school development planning process, schools set their own individual targets. For future programmes like Peace, each programme will be subject to an individual business case that sets those targets. At the end of that, we monitor. We carry out post-project evaluation and monitor that. Quite a lot of reporting is already there. I emphasise that it is

robust. It leads from the business case at the beginning to the post-project evaluation at the end, and it is at system level and individual school level.

**Mrs Overend:** You say that shared education should be integral to the work that schools do and not an add-on, yet not every school has to participate. The legislation simply provides an opportunity to have shared education; not every school has to do it.

**Mrs Graham:** There is not a requirement on every school to do it. The important thing is that schools are charged with realising the Northern Ireland curriculum to its optimum. That is their statutory requirement, and a school may believe that it can do that without participating in shared education. I think that, over time, we will demonstrate that, to realise the curriculum to its optimum, it would be very difficult not to work with other schools and not to participate in that way, because we are looking at all the skills, attitudes and dispositions in the Northern Ireland curriculum. It may be that a school could not participate in shared education and continue to get very impressive GCSE and A-level results. The question that we are trying to answer is this: will they be more impressive as a result of participating in shared education? Is a young person a more rounded, independent learner and a more active contributor to society as a result of investing in those partnerships? The evidence certainly seems to point that way. That is the idea of a school that is "outstanding" in its provision as opposed to "good" or "satisfactory". It is aiming for the best outcomes.

**Mr Newton:** Faustina used a phrase that ties in with that point. She talked about allowing "learning to flourish". That encapsulates a lot. Given where Sandra is coming from — correct me if I am wrong — it would not be a requirement for every school to participate. Some schools just could not participate, whatever the circumstances might be. The fact that a school might not participate would not in any way result in a penalty against that school.

**Mrs Graham:** Absolutely not.

**Mr Rogers:** Is it a prerequisite in a school development plan that there has to be some reference to shared education?

**Mrs Graham:** If a school is working in partnership with another school, there would be that expectation. That is because, as Suzanne said, in bidding for that money for the project, there is an expectation that improvement will be demonstrated through the school development plan. When any additional funding goes into schools from the Department of Education, there is a requirement that, whatever the work is, it will be integral to the school development plan. As you know, there have been situations in the past in which multiple funding streams have gone into a particular school, and that school has not been able to build that into something coherent. Whatever additional funding goes into a school, whether it is for shared education or another area, it needs to find its way into the school development plan because that is part and parcel of what that school will be doing in the coming years.

**Dr Kingon:** As part of the application process for the DSC programme, we would directly look for evidence that this was being built into a school's development planning process. If you are asking whether that is a statutory requirement, it is not, but it is a requirement of the individual project.

**Mr Rogers:** So there would be quite a wide interpretation of reasonable numbers of Catholics, Protestants and others, depending —

**The Chairperson (Mr Weir):** We are coming on to that, Seán, but fire away if you want to ask a question.

**Mr Rogers:** I wanted to tie it to school development plans, target setting and so on. You could have a situation with two rural primary schools: 80% of the children come from one community, and 20% come from the other. The ETI would look at the targets that had been set as to whether the numbers were reasonable, as opposed to another school that had 20% —

**Dr Kingon:** The targets would not really be on numbers. In assessing the project at the outset, we would look, on a case-by-case basis, at whether the numbers were reasonable for the community that they come from. The targets that they are setting in the school development plan are on how they increase collaboration, improve educational attainment and improve the attitudes of the children who attend the school. They would not set targets on numbers per se in their school development plan.

That is done at the outset; it is all about quality. At the outset, we look at whether the numbers are broadly reflective of the community. If it is a community where there is an obvious demographic imbalance, is it broadly reflective of that? We look at everything on a case-by-case basis, and that is where the word "reasonable" comes from.

**Mrs Graham:** I will separate that out. The ETI is evaluating shared education projects, and it will continue to do its normal inspections. When the ETI evaluates an individual school's school development plan, it will look at it as stand-alone work. Equally, one of the key things in a school development plan is the pupil voice and the impact that pupils can have on the evaluation of a complete school development plan and the delivery of a new one. There are real opportunities there, for example, working in partnership, to look at how to access better and where our young people want to be in the future. There are opportunities that we do not yet know the answers to in terms of their impact. It is about seizing those opportunities to see what we can learn.

**Mr Rogers:** I want to go back to two general points that you made, Faustina. One was about mainstreaming, and the other was about the need to acquire good practice before making it mandatory. There was an acknowledgement earlier that in some schools, maybe because of their rural isolation, it is difficult to do shared education. Could you tease that out a bit more?

**Mrs Graham:** What I was saying in that instance was that if we include all the section 75 groups as a requirement in the Bill, then, looking at two small rural schools, we start to make it more difficult for them to participate in shared education. As I said, the minimum essential requirements were around religious belief and socio-economic disadvantage. Most schools will be able to meet that requirement, even the small rural schools. However, if you start to add everything else into the mix, at this moment in time around 20% of our small rural schools could not meet some of those requirements. If, in a sense, we set the bar so high that it becomes compliance work and has to include every one of the section 75 groups before you can have a partnership, that will start to exclude many of our small schools. We want people to partner in a straightforward way with schools where there seems to be a natural partnership that can grow, rather than having to find a partner school where you can find all those examples within it, which starts to make it difficult. The 20% figure was in regard to ethnic minorities: many of our small rural schools would not be able to meet that.

**Mr Rogers:** You made the reference that we should work harder on inclusion rather than exclusion. If we have two small, rural, three-teacher schools from different sides of the community, which, budget-wise, are really stretched, but, if they come together, they could become a four-teacher school and be sure in their plan that they could be in budget and could have high-quality education. Would the Department see the pluses for sharing in the efficient and effective use of resources and good-quality learning as the key bits if, for example, they still did not meet the 105 figure?

**Mrs Graham:** Say that again. Would we see the quality —

**Mr Rogers:** If two rural three-teacher schools come together — this is totally fictional — with one principal, it becomes a four-teacher school. To get the budget on line, there can be effective and efficient sharing of resources. The quality of teaching and learning is good and so on, but it still does not make the Bain 105 figure.

**Dr Kingon:** I think that what you are talking about is actually a stage on from shared education. Are you talking about them becoming a single school?

**Mr Rogers:** Yes.

**Dr Kingon:** Really, they would be looking at becoming a jointly managed school, and it would need to go through a statutory development proposal process once they had got to the point where they were sharing and it was so embedded that they decided that they wanted to become one school. That is a change. The two existing schools would close, and a new school would have to open. It would go through that statutory development proposal process. In looking at the development proposal, the Department takes all the sustainable schools indicators into account. It is not just a numbers game. It is never just that it has not reached the figure of 105; it is quality of education and access. That is how it would be appraised by the Minister: through the development proposal process and looking at all those, including the finances, but, above all, the quality and sustainability of the proposal.

**The Chairperson (Mr Weir):** Do you want in, Robin? We are in slight danger of going a bit wide of the subject.

**Mr Rogers:** Apologies, Chair.

**The Chairperson (Mr Weir):** No, it is OK.

**Mr Newton:** I should not be penalised because of that.

**The Chairperson (Mr Weir):** No. There are many other reasons why you should be penalised, but go ahead, Robin.

**Mr Newton:** Very quickly, you can tell me if I am wrong at this stage, Chair, but, under the relevant provider, meaning a person providing —

**The Chairperson (Mr Weir):** Hold on a second, Robin. Again, we are trying to take this sequentially. We will come to the issue of providers in a minute.

**Mr Newton:** OK.

**The Chairperson (Mr Weir):** I know that we strayed into the next section, but I want to deal with each of these issues and close off this section first of all. Obviously we will take a final decision next week, but it seems to be that, potentially, we could see an amendment drafted that would have a review and reporting mechanism tied in with the biennial report along the lines that have been suggested earlier, if members are content for that to be considered next week. OK?

Right; we will move on to the next section. Seán has touched on it, and I just want to get 100% clarification on it. On points 1.13 to 1.31 on page 23, which, again, relate to the definition, a couple of main issues came up, one of which I think Seán has raised. It is something that we may need to get 100% clarification on. It may be something that does not require an amendment, but on which we may seek assurance from the Minister in the Chamber. It is about whether the reasonable numbers are meant to be flexible and the extent to which that will look at context, in particular. One worry that has been raised with us is whether, if you had a couple of very small rural schools whose sheer actual numbers were relatively low, that would preclude them from being part of this. You would look at the context and the community context to try to judge that sympathetically.

**Mrs Graham:** We have already seen that in the projects that have already been approved where there is that range of context. I think that that is why we were keen to keep the range of reasonable numbers broad: so that we could look at the various permutations in the contexts in which the schools were actually operating. It is exactly as you have outlined, Chair.

**The Chairperson (Mr Weir):** Similarly, I know that you have dealt with the wider issue of the broader section 75-type issues that create so many hurdles. It is up to anybody if they want to raise it. One other issue that has been raised with us — I suppose that it is about terminology or the correct definition — is that you talk in the legislation about pupils of Protestant or Roman Catholic "religious belief". It has been suggested to us that it might be more appropriate to talk about Protestant or Catholic "community background", which may be more accurate. Why have you gone for one rather than the other? What are your views on that?

**Dr Kingon:** I think that it was just to avoid administrative burden. The very detailed data that we collect from schools is on the religious background of their pupils. We do not collect data on community background. We collect that; it is already there; it is in the system; and it is measured. We do not collect data on community or cultural background.

**The Chairperson (Mr Weir):** I think that you refer to "belief" rather than "background".

**Dr Kingon:** Yes, "religious belief". That is what we collect. The question is about religious background of belief. I cannot remember whether it is "background" or "belief", but it is the same thing. It is about religion, not community. It does not ask about community.

**The Chairperson (Mr Weir):** No, I understand that: the issue was whether it reflects that accurately if you talk about "belief" when you do not know whether a child —

**Dr Kingon:** It allows people to designate as being of no belief. It is a very detailed religious breakdown. I think that there are up to 20 categories in it.

**Mrs Graham:** Again, it is the pragmatic approach of looking at what it is that schools already do and the information that they already provide, rather than changing something. We want schools to focus on the actual learning.

**The Chairperson (Mr Weir):** OK. Does your wording reflect precisely what you capture?

**Mrs Graham:** The data that we collect.

**The Chairperson (Mr Weir):** OK. Does anybody want to raise anything on that issue?

**Mrs Overend:** It is not any further; I am just not really satisfied with that. I am just thinking back to what I filled in. I think that "religious background" is probably more likely. Can you check what the wording is? It is just that when you put that doubt in your mind —

**The Chairperson (Mr Weir):** I think that there is no objection if it is completely compatible, but I think that there might be a little scepticism.

**Mr Hazzard:** Does the data show that fewer people affiliate themselves to a religious background?

**Dr Kingon:** We would have to check that for you with regard to the overall numbers. We can come back to you on that.

**Mr Hazzard:** I think that general societal trends suggest that to be the case. If that is the case, perhaps "community background" is a more accurate reflection of the situation. We are becoming a more liberalised society, so increasingly people will say that they have no religious background. It would be hard to define —

**The Chairperson (Mr Weir):** I appreciate that there is a bit of scepticism. Can you get us something very definitive on what you collate for next week?

**Dr Kingon:** Absolutely.

**The Chairperson (Mr Weir):** We will consider that with regard to amendments. On balance, I think the "background" stuff, to be honest, reflects more accurately what is there. I appreciate that if the collection of data is done on a different basis, we do not want to create an administrative burden.

Does anybody have any other issues in relation to this? I suppose that, informally, depending on what response we get back on the background issue, it may be something that we would consider. Beyond that, is everybody else happy on the other aspects? Are we happy on the reasonable numbers?

We move on to the next section — 1.32 to 1.35. Issues have been raised about the question of why the Department did not refer to integrated education as being at the upper end of the sharing continuum. Do you want to comment on that?

**Dr Kingon:** The 1989 Order sets out the governance arrangements for grant-maintained and controlled schools in terms of integrated education and the legislative provision for integrated education. This is the legal definition with regards to that.

In relation to integrated education being at the upper end of the shared education continuum, shared education in this Bill is specifically defined as containing two or more relevant providers. You can immediately see here that there is a legal contradiction. To say that something which is defined in statute as "a single school with specific governance and management arrangements" is at the upper end of something that is defined in law as "two or more schools and providers cooperating together" is a contradiction. There would be an immense legal difficulty with that. Rather, the policy has referenced integrated schools in terms of their inclusive ethos and promotion of inclusivity as being at

the upper end of the spectrum in terms of those qualities. However, in terms of that legal concept, there is a tension between the strict definition in the 1989 Order and trying to say that it is the upper end of two schools cooperating together.

**The Chairperson (Mr Weir):** Does anybody else have any comments? Are members content with what is there at present? OK.

**The Committee Clerk:** Just for clarification, when we come to this next week, does the Committee want to get something drafted? Members may well choose to vote it down, but in terms of including integrated education in the definition of shared education, we are only making an informal decision at this stage and could vote it away next week.

**Mr Hazzard:** There is a value of some sort in including it, but I think it causes so much confusion and trouble that it is maybe not worth it.

**The Chairperson (Mr Weir):** Does anybody wish for something to be drafted?

**Mrs Overend:** We should. We can take a look at it.

**The Chairperson (Mr Weir):** I am guessing that it may well be that the Committee will go against it, but —

**Mrs Overend:** That is fair enough.

**Mr Hazzard:** And it may well be brought to the Floor by somebody else anyway.

**The Chairperson (Mr Weir):** Yes. OK. We will move on to the next section. This comes now to Robin's point regarding 1.36 to 1.39 on relevant providers. To clarify on this, if we are talking about two schools, they can presumably come from different providers but yet be contained in the same sector. I appreciate there are other boxes to be ticked in relation to this.

**Dr Kingon:** Yes. "Sector" is not a term that is actually defined in legislation.

**The Chairperson (Mr Weir):** I am probably speaking shorthand in that regard.

**Dr Kingon:** We look at them all on a case-by-case basis. There is nothing in the legislation that would prohibit two providers from the same sector, and we would look carefully at any proposals that come from two providers in the same sector to see if they meet the statutory definition. However, there is nothing that prohibits that in the legislation.

**The Chairperson (Mr Weir):** Robin, do you want to say something?

**Mr Newton:** Basically that is it, Chair. I would like to add that we have not covered the DEL issue at this stage and whether a relationship can be formed with a further education college within shared education.

**Dr Kingon:** Absolutely. There is nothing to prohibit it in the Bill. What we would say is that we do not see a partnership between a single school and an FE college, which would normally be very much post-16. With regard to the entitlement framework, we do not see that being able to deliver the breadth of educational experience and deepening of shared education on a whole-school basis that a partnership between two schools can provide. Really, we would probably be looking at a partnership of two schools with a further education college. There is no prohibition.

**The Chairperson (Mr Weir):** Just to pick up on that point, I can understand where you are coming from in relation to that. If you had a situation with two or three schools, for instance, and then an FE college, when it comes to the definitional side of it in terms of the other boxes to be ticked, does the FE college in any way count as part of that? For example, if you are looking at the overall project in terms of the religious mix, the numbers involved and the socio-economic —

**Dr Kingon:** Yes. We would always view it on a case-by-case basis, but it may not be on an absolute basis. It would depend on the number of pupils registered at the FE college participating in the project, rather than a matter of doing a headcount in the FE college itself.

**The Chairperson (Mr Weir):** I understand that, but the point I am making is maybe a separate point. If you had, for the sake of argument, a couple of small schools dealing with an FE college and it is a particular course within the college, you are looking at the profile of people involved on that course who are directly engaging. If it is not listed as one of the providers, does it potentially count towards the numbers?

**Dr Kingon:** I think that, if they were coming in on the partnership, they would be included in terms of the overall partnership. There would be no issue with regard to that.

**The Chairperson (Mr Weir):** What I mean by that is, as a qualifier — OK, let us take an example. Say an FE college has a particular religious mix on that course, with a majority Catholic population, and the two schools they were dealing with were heavily and overwhelmingly Protestant. If the FE college was not listed as a provider, the overall mix in total could satisfy the requirements, but it might well be that the schools element may fall short of that. In what way would that be viewed?

**Dr Kingon:** It would be a factor, but the vast, vast majority of shared education projects would not be based around a single course like that. We would have to be shown a deepening over time of that mixing and that it was progressing towards a wider range of courses.

**The Chairperson (Mr Weir):** I understand that. The point that I am driving at, to get a bit of reassurance, is that, if you have the involvement of an FE college — I appreciate that simply an FE college and one school is not sufficient; you need more than one school — will the mix from the involvement of the FE college be taken into account in the —

**Dr Kingon:** Yes.

**The Chairperson (Mr Weir):** So you are saying yes. To potentially enable it to qualify —

**Mrs Graham:** The focus is on the young people involved, not the structures. If it is something that will develop a better, more rounded education for those young people, that is the key thing.

**Mr Newton:** The FE colleges are the truly integrated sector. I was a wee bit worried about the fact that there would have to be more than one school partnering with an FE college.

**Dr Kingon:** We would also look at it on a case-by-case basis. I was just saying that it would be difficult to envisage a scenario where, over the course of a project, a school on its own cooperating with an FE college could demonstrate that it was providing the breadth of shared education that we would expect to see. Schools normally set targets to increase the number of classes and areas of the curriculum in which they participate with the partner over the course of a project. A single school partnering with an FE college would be restricted to the upper end of the school and, presumably, to some specific subject areas. It is difficult to see how that would grow over the course of the project, but in no way are we saying that it is excluded. We are just saying that we would have to look at it on a case-by-case basis. It is difficult to see a scenario where that would fulfil the project criteria.

**Mrs Graham:** In practice, what we see by and large in our current provision is that an area learning community will work with the FE college. That is why, I think, it would be unlikely that we would see a single school liaising with an FE college. The more we can encourage that organic growth of an area learning community, the better. We see and envisage — indeed, I think that we already have — area learning communities putting in bids as groups. In practice, while Suzanne is talking about what might happen if we were looking at an envisaged scenario, the reality is that, across Northern Ireland at this time, all our area learning communities work with the FE colleges as an integral part. The likelihood, therefore, is that in practice this will happen. That is why we said yes to your earlier question. The focus is very much on those young people and on ensuring that the choices that they get for their education, individually and as part of a partnership, are the best for them, whether at GCSE or A level, if there is an FE college involved in the process.

**Mr Newton:** I would be content enough if I was assured that a partnership with an FE college would not be ruled out.

**The Chairperson (Mr Weir):** When referring to providers, you initially listed potential providers and, at that stage, you did not mention FE colleges. If there were explicit reference in the legislation to providers, including FE colleges, would the Department be opposed to that or feel that it was unnecessary? What is your view on that?

**Dr Kingon:** That would really be a matter for the Minister to consider.

**The Chairperson (Mr Weir):** I appreciate that we are putting you on the spot a bit.

**Mr Rogers:** I was getting worried too, but I think, Faustina, that you have clarified it. Some of our best examples of shared education are in some of our area learning communities. Not only are they for GCSE onwards but some schools use them from Key Stage 3 onwards for day release of one or two days for key skills. There is a place for that as well as pupils who are 16-plus. Some fantastic work is going on in some of the learning communities.

**Mrs Graham:** That is the point that I was making earlier when I said that this is an evolving process. The important thing is that we are trying to capture as much effective learning as we can in the examples that you mentioned to see how that can impact on our entire system in the longer term. I absolutely take that point.

**The Chairperson (Mr Weir):** I have one final question just to clarify the point on reasonable numbers. On any project, are you carrying out the assessment on the basis of the reasonable numbers being those who are participating rather than those who are at the school? I appreciate what you said about FE but, leaving that out of it for the moment, in the case of a shared education project that involves two schools and particularly relates to sharing in sixth form, for example, is it based on the numbers participating, which, in that example, would be the numbers in the two sixth forms, rather than the numbers from the two schools?

**Mrs Graham:** I think that it is both. In looking at the projects that are already in train, and even as we move to Peace IV, no project is exclusive to one part of the school over time. If you are talking about a three-year project or a four-year project, the expectation is that there is planning for that work to widen and develop throughout each of the schools over time. If, for example, the beginning part of the project will be based on the sixth form and, in the sixth form, there is not the balance that we are looking for, although it exists across the school, then, obviously, as Suzanne said, we would look at that on a case-by-case basis, as long as we could see that, over time, the intention was to broaden that out to either Key Stage 4 or Key Stage 3. The planning of the project will be the determinant of whether something is accepted as having reasonable numbers. It will never be taken in isolation as the one factor that decides whether or not it is approved.

**The Chairperson (Mr Weir):** As with the previous situation, the Committee may either be satisfied or may not be. Do members want any amendment drafted to make explicit reference to including further education colleges or are you happy with what you have heard? We can take members' views. Obviously, any decision would be for next week. Are you happy not to amend the Bill?

**Mr Newton:** Chair, I would be more comfortable if the FE colleges were referenced.

**The Chairperson (Mr Weir):** We will at least have an amendment drafted. It may be like the early amendments. An amendment can be drafted, and we can take a decision next week on whether it may be tabled.

**Mr Rogers:** We are certainly content with your assurances, but I think that we would like to see FE referenced.

**Mrs Graham:** Clause 1(3)(b) refers to:

*"services of any kind ... which provide educational benefit to children or young persons".*

I think that was trying to encapsulate the breadth, particularly around early years as well.

**The Chairperson (Mr Weir):** That is a fair enough point. We will have an amendment, and we may or may not proceed with that. I think that that concludes clause 1, you will be pleased to hear.

There are probably two main areas in relation to clause 2. We had representation from a number of bodies, and I appreciate what has been said that there is not a legal definition of sectoral bodies. One of the issues raised — it goes wider than some of the others — is that, although CCMS is directly mentioned, there is no mention of NICIE, CnaG or the controlled sectoral schools body.

**Dr Kingon:** That is really for the simple reason that they are not statutory bodies. CnaG, NICIE etc are companies limited by guarantee, and it was not felt appropriate to give statutory powers to non-statutory organisations.

**The Chairperson (Mr Weir):** Why?

**Dr Kingon:** That is the advice that we have had from our legal advisers.

**The Chairperson (Mr Weir):** There has been a strong desire for that from both NICIE and the controlled sector. It was the transferors, rather than the controlled sector, but it effectively indicated that. To be fair, we have not heard directly from CnaG, but it would want to be given that power. We are talking about a power that can be exercised; it does not put a duty on them. Apart from not feeling that it is appropriate, is there any strong reason why they should not be given that power?

**Dr Kingon:** They are companies limited by guarantee, so it would be slightly strange to give them legislative powers.

**The Chairperson (Mr Weir):** Yes, but it is simply a power to do something. Have any other members thoughts on that?

**Mr McCausland:** It is a strange education system in Northern Ireland. *[Laughter.]*

**The Chairperson (Mr Weir):** To be fair, if we delve into the depths of strangeness, we could be here all day. Obviously, there is a difference of views on that. Again, without prejudice to the decision of the Committee, could we at least have an amendment drafted to include those bodies?

**The Committee Clerk:** OK.

**The Chairperson (Mr Weir):** You dealt with another issue, to a certain extent, in your opening remarks, and that is the number of bodies. To be fair, there is a distinction in the evidence. We are now at comments 2.11 to 2.26, which the Committee will have to consider. There did not appear to be a great deal of enthusiasm to impose any duty on bodies such as CCMS or the Youth Council, but there was a considerable weight of evidence in people's submissions that, as there was a duty on the EA, the Department itself should have a duty, which would then potentially require a consequential amendment from "may" to "shall". I appreciate that, to some extent, you have covered that in your remarks, but can you talk about a duty specifically on the Department, as opposed to on any arm's-length bodies or other bodies?

**Mrs Graham:** It comes back to what I said in the opening remarks around that concept of the number. We are trying to be as enabling as possible through the power, so that as many educational organisations as possible can become involved and there would be that breadth of organisational involvement. With a duty, it becomes much more difficult, in view of the stringent financial climate that we are in, to accommodate all the needs of that broad spread of organisations, if there were that obligation on the Department, rather than the power to do so as it came across. There is the concept that shared education is not a sector in the way that the other two sectors that I talked about are. They are small sectors that require support to develop and to be embedded as part of the wider education sector, with regard to both integrated and Irish-medium education. This is something that involves all our schools and, potentially, our youth organisations and early years providers working together. It is geared towards the entire system. I appreciate the differences, as you said, in the sense that the Education Authority, at the moment, has a duty.

**The Chairperson (Mr Weir):** Are there any other comments from members?

**Mrs Overend:** I will just come in on that. One of the organisations that talked to us talked about placing a duty on the Department to encourage shared education. I appreciate what you said about keeping shared education separate, but the idea was that shared education would be an integral part

of all decisions with regard to education. Shared education would be part of the thought process in making all decisions; it would be just like rural-proofing all decisions of the Government so that they think of the rural needs of Northern Ireland. In all educational decisions, they would look to see whether shared education could be brought into that decision or whether it would be impacted by it. It was an interesting thought that it would be in the DNA of the Department and the Education Authority. Have you any thoughts on that?

**Dr Kingon:** It might be helpful to give a worked example of how the statutory duty operates with two existing sectors. We have 30 Irish-medium schools and 60 integrated schools, which are relatively very small numbers. We would stocktake all our existing policies and see whether a reasonable adjustment had been made in those sectors on decision-making. That works in practical ways. For example, in transport policy, you can get transport assistance to an integrated or Irish-medium school even if you live nearer to another type of school. Another example would be an integrated or Irish-medium school's application for a temporary variation being considered favourably, even if there were spare places in other sectors. It is easy to see how those reasonable adjustments to existing policies can be made for small developing sectors that, in total, have fewer than 100 schools. It is more difficult when you start to work through the practical consequences. How would you adjust the transport policy for something that potentially involves all our schools? Likewise, how would you adjust temporary variation policy for something that potentially involves all our schools?

The power gives a flexibility that, when it comes to decision-making and the major policies of the Department, will be infused throughout, but it does not create a duty to make a reasonable adjustment. It might be quite impractical and, as Faustina said, extremely costly to make reasonable adjustments in a lot of those cases. Those adjustments are reasonable for a relatively small number of schools but would not be reasonable or affordable if all our schools had to participate, never mind our early years and youth providers. The issue is the practical outworkings of that. We have seen that in how we take very seriously and use the duties that we have.

**Mrs Graham:** Does that address the question that you asked?

**Mrs Overend:** I appreciate the difficulties, so you have answered my question.

**The Chairperson (Mr Weir):** It would be easy for someone to table an amendment but, on the issue of power or duty, are members content with what they have heard or do they want an amendment to be drafted for consideration next week? The drafting will not take too long if it is to remove "power" and put in "duty".

**The Committee Clerk:** Would the amendment be to place a duty on the Department but leave the rest of them as powers?

**The Chairperson (Mr Weir):** Yes.

**The Committee Clerk:** OK. Presumably, it would not be about some of the other things that were suggested, such as placing a duty on the Department to encourage schools to further integrate.

**The Chairperson (Mr Weir):** We can consider that. The other issue that was raised, in addition to the power to encourage and facilitate, was whether "promote" should be in there. Do you want to comment on that?

**Mrs Graham:** We have gone through that on various occasions fairly extensively. We have looked at the idea, the complementarity and the comparability of the integrated and Irish-medium sectors with the fact that they are to "encourage and facilitate". We talked to the Committee about that previously. It was interesting that one of the submissions pointed out that it may be more appropriate for the Education Authority to "promote", because they are the operational area of working and interacting with front-line services in a way that the Department does not. That was an interesting observation. Is there anything else?

**Dr Kingon:** A lot of it is about perception. The addition of "promote" on the Department could very much create the perception of a hierarchy: it is only "encouraging and facilitating" integrated and Irish-medium sectors but is "promoting" shared education. There was a feeling that it was more appropriate to keep them aligned in the Department of Education's approach.

**The Chairperson (Mr Weir):** To play devil's advocate for a second time, one could say you are keeping them aligned regarding "encourage and facilitate" but you are placing the duty on one set and the power on the other, so you are not keeping them aligned.

**Dr Kingon:** The point is that it is more about stakeholder perception. The other issue is that the Department is not the front-line delivery body. The Department does not see a role for itself as regards promotion; it does not actively promote in that sense. That is what Faustina was alluding to when she spoke about the EA as the delivery body, which delivers face-to-face to schools.

**The Chairperson (Mr Weir):** Do members wish to make any comments on the issue of promotion? Are members content, or does anyone wish to seek an amendment?

**Mrs Overend:** I do not know.

**The Chairperson (Mr Weir):** We want, at least, to have one drafted so that we can consider it. There are probably a number of these that, I suspect, may well fall next week, but at least it is an option.

**The Committee Clerk:** The amendment will be to add "promote" to the duty on the Department.

**The Chairperson (Mr Weir):** We will move on. The offer is there if members want to raise anything. I do not think that anyone has raised any issues around clauses 3 and 4. I will assume that members are content not to propose amendments to those clauses.

There are a few other items. The first one, to come back to the point that was made earlier, is at paragraph 5.3 in the clause-by-clause table. You addressed it earlier, along with the Department's specific amendments. Does anyone want to ask any further questions on that? I will assume that members are content with that.

The next item is covered in paragraphs 5.4 to 5.7 in the clause-by-clause table. To a certain extent, we covered these points earlier. It is about assessing the impact that would, potentially, come about under the review mechanism. It would appear that members are content, so we will move on.

Paragraphs 5.8 and 5.9 deal with the resourcing of shared education. Do members have any questions about that?

**The Committee Clerk:** There was a suggested amendment, Chair.

**The Chairperson (Mr Weir):** Yes. There is a suggested amendment to clause 2, which reads as follows:

*"The Education Authority shall have regard for the avoidance of unreasonable public expenditure in its duty to encourage, facilitate and promote shared education".*

Does the Department have a view on that?

**Dr Kingon:** Just to say that the Department and, by virtue of that, the Education Authority, already operate within the framework provided by 'Managing Public Money' as set by the Department of Finance and Personnel. They have a duty to avoid undue and unreasonable public expenditure. There is no particular legislative necessity to re-reference that. As we said earlier, all the projects are subject to expenditure appraisal, they have to be approved in the usual way and they are subject to the availability of funds. The normal procedures that apply to all allocations of public money will, obviously, apply to shared education. The Department does not feel that there is any particular need to reference that.

**The Chairperson (Mr Weir):** OK. Are members content or do they wish to seek an amendment on this? I will assume that members are content to proceed.

We will move on to paragraphs 5.10 and 5.11 which, again, you have touched on. They relate to equality and human rights aspects of the Bill. Do you wish to make any further comments in relation to that?

**Dr Kingon:** If there are compelling and viable reasons to cite certain groups under human rights legislation in the circumstances, that is allowed. In this case, the reference to religious beliefs and the reasonable numbers of Protestants and Catholics is, obviously, reflective of society and the conflict here and is particular to that. As Faustina has already explained, in this case, to include and reference all the section 75 groups could end up excluding, because school partnerships could not meet that long list of requirements. It would actually have the reverse effect. In this case, we are content, and we have been advised that it is fully compliant with human rights legislation.

The other point to make is that it is a particular form and delivery of education. In a similar sense, the legislation for integrated education references the education together of Roman Catholic and Protestant young people in the same sense that Catholic education is a phenomenon in Northern Ireland. It is exactly the same. This is a particular type of education, and there are viable and justifiable reasons for the groups that are cited.

**The Chairperson (Mr Weir):** Are there any further comments?

**Ms Maeve McLaughlin:** I apologise if you have dealt with this — I had to step out — but it is on the policy direction being very broad. I understand that that is the context piece and, potentially, the definition being at odds with that. The correspondence indicates that there is a willingness to engage directly with an organisation like the Human Rights Commission. Is it right to say that that has not happened?

**Dr Kingon:** The Human Rights Commission did not respond to the public consultation, but they met officials. We indicated our willingness to receive any additional submission from them, but that has not been received. That is the position. We made further inquiries, so we have done that legwork. Because the legislation will have legal standing, we have designed it to be not prohibitive. We have designed it so that it allows as many children and young people as possible to participate in shared education, rather than having a long prescriptive list of groups that have to be present or ticked off to be present for a partnership to fulfil shared education. The policy sets out a wider framework to say, "This work is about bringing together children and young people from a wide range of diverse backgrounds". It is that difference between the legal position and the wider context set by the policy.

**Ms Maeve McLaughlin:** That is the Sharing Works policy.

**Dr Kingon:** Yes.

**The Chairperson (Mr Weir):** If members are content not to seek any amendments to that bit, we will move on to paragraphs 5.12 to 5.14, which deal with the impact of the Bill on integrated education-related obligations. Do members have any comments?

**Dr Kingon:** There might have been some misunderstanding among stakeholders that the provisions of the 1989 Order, including the statutory duty to encourage and facilitate integrated education, are completely separate from this provision. This provision has no impact upon the 1989 Order and the provision that are completely self-contained in it.

**The Chairperson (Mr Weir):** Any comments, members?

**Mrs Overend:** I think that adds to the confusion of integrated with a capital "I" and integrated with a small "i", does it not? I suppose that it is trying to bring something into the Bill that ensures that the schools improve and advance shared education, although not necessarily towards an integrated school.

**Dr Kingon:** It is the only legal definition. I understand your point. In fact, we were talking about that. Moving towards an integrated with a small "i" education system is, in some senses, what shared education is about. The only legal definitions of Integrated with a capital "I" are found in very strict provisions in the 1989 Order. It is a grant-maintained integrated or controlled integrated —

**The Chairperson (Mr Weir):** Could we have "integrated" italicised? *[Laughter.]*

**Dr Kingon:** The only "integrated" that you can refer to in legislation is integrated education as set out in the 1989 Order. The other concept does not exist in legislation.

**The Chairperson (Mr Weir):** Are members content that there is no need for amendments in this area?

*Members indicated assent.*

**The Chairperson (Mr Weir):** Do members wish to seek amendments on any other informal issues or issues that have not been covered? We have a potential range of amendments, some of which, I expect, we will adopt, and some of which we will not. Are members content that we are in a position to proceed with formal clause-by-scrutiny? That will be the final formal decision-making, at least for the Committee. That will begin at the Committee meeting on 16 December, if members are content. Thank you to the officials.



Northern Ireland  
Assembly

Committee for Education

# OFFICIAL REPORT (Hansard)

Shared Education Bill:  
Formal Clause-by-clause Consideration

16 December 2015

# NORTHERN IRELAND ASSEMBLY

## Committee for Education

### Shared Education Bill: Formal Clause-by-clause Consideration

16 December 2015

**Members present for all or part of the proceedings:**

Mr Peter Weir (Chairperson)  
Mrs Sandra Overend (Deputy Chairperson)  
Mr Chris Hazzard  
Mr Trevor Lunn  
Mr Seán Rogers

**Witnesses:**

|                   |                         |
|-------------------|-------------------------|
| Mr Andrew Bell    | Department of Education |
| Ms Jacqui Durkin  | Department of Education |
| Dr Suzanne Kingon | Department of Education |

**The Chairperson (Mr Weir):** Today, we will set out the formal position of the Committee on the clauses and proposed amendments and divide as necessary. All decisions of the Committee will be final. Of course, that does not mean that Committee members will not be free to take whatever view or table whatever amendments they want in the Chamber. I also remind members that there is the opportunity, if the Committee is not content with a clause, although I do not think that there has been any suggestion of that happening, for the Committee to register its formal opposition to the clause standing part of the Bill. The clause would then have to be debated at Consideration Stage. It is anticipated that the Committee will conclude all formal deliberations today and agree the report arising out of today's meeting on 6 January 2016.

I welcome, somewhat belatedly, the departmental officials, who are here to answer any questions. We have Andrew Bell, the head of the shared education and community relations team; Suzanne Kingon, the head of the Irish-medium and integrated education team; Joanne Maxwell, from the shared education and community relations team; and Jacqui Durkin, the director of area planning. We will go through the amendments individually. Do you wish to say anything at this stage?

**Mr Andrew Bell (Department of Education):** Most of the points that we wish to make were made during last week's informal deliberations. However, it may be helpful to make just a few points at this stage on some of the key areas that members will consider this morning.

The definition at clause 1, as you know, sets out the minimum essential requirements for shared education: the education together of those of different religious belief and those from a different socio-economic background. Ironically, as was previously indicated, replicating all section 75 categories in the legislative definition risks exclusion rather than inclusion. The words "religious belief" have been used in the Bill, as that is the terminology —

**The Chairperson (Mr Weir):** Sorry to interrupt. Are there any points that you want to make over and above what will be dealt with directly in the amendments? On each occasion, there will be an opportunity for you to comment on the amendments individually, and that may be more helpful.

**Mr A Bell:** That is fine. I am happy to do that.

**The Chairperson (Mr Weir):** Is there anything outside the amendments that you wish to speak about?

**Mr A Bell:** No, it is mostly on the amendments.

**The Chairperson (Mr Weir):** Clause 1 provides a common definition of "shared education". We have six or seven amendments that we need to look at. If we include the one from the Department, there are seven.

I direct members first to amendment 1 to clause 1, which would leave out "religious belief" and insert "community background". Does the Department have any comments to make on that?

**Mr A Bell:** The words "religious belief" are consistent with the policy, and they reflect the wording of the relevant section 75 category. That is why we used "religious belief". Community background information is not routinely collected. To do so would impose further administrative burden on education providers.

Equality Commission guidance and section 75 monitoring guidance indicates that there are two options for monitoring religious belief: current stated religion or community background. What we are proposing is current stated religion. The guidance goes on to state:

*"For the purposes of section 75, the current stated religion question is the more appropriate, as it better recognises the increasing diversity of Northern Ireland society."*

By contrast, the statistics that the Department collects are organised under 31 separate categories, including "no religion". That is why we believe that "religious belief" is —

**The Chairperson (Mr Weir):** To clarify, you collect at present from schools on the basis of 31 categories under the broad umbrella of religion. One of the categories is, effectively, "no religious belief" or "none". Presumably, the other 30 categories are —

**Mr A Bell:** All the main religions.

**The Chairperson (Mr Weir):** — the different denominations and then the different religions, be that Islam, Buddhism or whatever.

**Mr A Bell:** You have "no religion". You also have "other Christian", if it does not fit into one of categories given, "other Protestant" and "unclassified". Therefore, the full range is covered.

**Mr Lunn:** Is humanism in there?

**Mr A Bell:** Not at the moment, no.

**Mr Lunn:** I am not advocating it. I was just wondering.

**Mr A Bell:** It would be —

**Dr Suzanne Kingon (Department of Education):** Under "no religion". That, presumably, would be the designation.

**Mr Lunn:** Humanists would argue strongly that humanism is a religion, because they do not have any. You say that "no religion" is one of the categories.

**Mr A Bell:** I am not sure whether that would be viewed as "no religion" or "unclassified". I am not sure how the schools would record that.

**Mr Hazzard:** I am just wondering what effect the adding of "or none" after "religious belief" in clause 1 would have.

**Mr A Bell:** We are considering whether we need to put something into the Bill to make it clear that "religious belief" at the moment does not include not having any religion. We are looking at whether it would be helpful to put that into the Bill. If so, that would be done at Consideration Stage.

**The Chairperson (Mr Weir):** Maybe this is overly simplistic. I take the points that have been made by Chris and Trevor. If you are talking about "religious belief or none", does that not clarify it?

**Mr A Bell:** The advice is that we are better taking the lines as used in the fair employment guidance. It does not use the word "none" in its terminology.

**The Chairperson (Mr Weir):** Some sort of phraseology along the lines of "or those of no religion".

**Mr A Bell:** A clause would go in to say, "religious belief" as defined in the Bill would include those of a religion and those of no religion". That is what it would state.

**Mr Lunn:** A lot of the people who do not have a religion would be quite offended at being categorised as having a religion. I hear the argument, but it does not make any sense to me.

**Mr A Bell:** It follows the Equality Commission's guidance.

**Mr Rogers:** I find there to be a significant difference between the terms "religious belief" and "different religious belief". To me, "different religious belief" assumes that you have a religious belief. I agree with you that, if you were talking about just religious belief, you could include "or none" there, but to include it under "different religious belief" —

**Dr Kingon:** It is important to keep sight of the fact that this is a minimum requirement, and that is very much where we are coming from with the Bill. It is about bringing together those of different religious beliefs, including the reasonable numbers of Roman Catholics and Protestants. That is a minimum requirement for shared education, and it is important to keep sight of that. As we have explained before, the policy is very much directed towards bringing all the section 75 groups together and increasing awareness of them all. This, however, is the minimum requirement, and, because of the historical difficulties with the situation here, there is a focus in the Bill on bringing together children from the two main communities. It is important to keep in mind that it is a minimum requirement. It is not the pinnacle. It is not defining what all the shared education activity will be about.

**Mr Lunn:** I do not want to trivialise this, but, let me put it this way, if you are saying that somebody who has no religion actually has a religion, that is about the same thing as categorising non-smokers as smokers who do not smoke. The legislation does not need this.

**Mr A Bell:** There is a section on the form for religion, and you can write "no religion" against that. That is what people would do.

**Dr Kingon:** "No religion" is an explicit category. It is listed there, and you can designate as "no religion".

**The Chairperson (Mr Weir):** I am aware of the time difficulties, but, Andrew, you indicated that the Department was looking to bring forward an amendment to cover that point.

**Mr A Bell:** We are considering whether it is necessary to do that just for clarity.

**The Chairperson (Mr Weir):** Sorry, I maybe picked you up wrong. You are saying that you may or may not put down an amendment to cover that point. We do not know what the wording would be for that at present, or even whether you are going to do it.

**Mr A Bell:** If we were proposing to do that before Consideration Stage, we would try to let you see any amendment ahead of then, but it is really about whether we need to have that clarity in the Bill. We are still getting advice on that.

**The Chairperson (Mr Weir):** There seem to be a couple of issues with the amendment. It strikes me that the ground has slightly shifted. There is an issue around how those who do not have religious beliefs are categorised. Specifically, I have not heard anybody argue that "community background" should replace "religious belief". Am I right in thinking that?

**Mrs Overend:** I wonder whether "different religious belief" should be termed "different religions", with "belief" taken out. You say that is what is called "religion" includes having no religion. You might like to refer in the Bill to the collected data so that, if you change —

**Dr Kingon:** The data will probably change. There is the potential that the data collection and the fields will change in the future. I do not think that we would particularly want to refer to data collection.

**Mr A Bell:** We used "religious belief" because that is the section 75 category. As you know, the policy goes on to encourage other section 75 categories. We used the term to be consistent with the section 75 categories rather than anything else. The Equality Commission guidance says that you can use the current stated religion, which is essentially the data that we are collecting, for religious belief.

**The Chairperson (Mr Weir):** There seem to be a couple of options for us. The Committee could table its own amendment, although we would need to agree some form of wording, and, depending on what the Department did, either move it or not move it. The second option is, if the Department is considering this, to hold back on putting forward an amendment and if members are not satisfied with the Department's amendment they can put forward their own. I am happy to be guided by the Committee on what members want to do. If there is an amendment people want to table, they will need to put forward a specific wording for the Committee.

**Mr Lunn:** Sorry, are we still on amendment 1?

**The Chairperson (Mr Weir):** Yes.

**Mr Lunn:** It has been a wee bit discredited, has it not?

**The Chairperson (Mr Weir):** The point I was making is about the term "religious belief". It is clear that, as far as draft amendment 1 is concerned, nobody wants to push the bit about "community background". The point I am making is that, to cover people with no religious beliefs, the choices for the Committee are twofold. We could provide our own amendment and move or not move it, depending on what the Department does. If we are providing our own amendment, we need some form of suggested wording. The alternative, if the Department is considering an amendment, is to wait and see it and decide whether to support it. If it is not moved, there is the opportunity for members to table their own amendment.

**Mr A Bell:** The only amendment we will be considering is one that makes it clear that by "religious belief" we include those with religious —

**The Chairperson (Mr Weir):** I understand that. To be fair, that is where the crux of the argument is. The inclusion of "community background" is dead in the water for the reasons that have been stated, and I do not think that anybody is particularly pursuing that.

Chris, do you want to say something?

**Mr Hazzard:** No, I have a point about the reference to "Protestant and Roman Catholic" in clause 1(2). Do you want to first take the decision on the first part?

**The Chairperson (Mr Weir):** The problem is that, unless anybody has a specific amendment, we may have to wait to see what the Department brings forward and consider it.

**Mr Rogers:** We will wait and see what the Department has to say, but I think that we should put in "different religious beliefs or none".

**The Committee Clerk:** If the Committee thinks that, you could put it in an amendment.

**Mr Lunn:** It seems simple.

**The Chairperson (Mr Weir):** One option is to put in "different religious beliefs or none", as an amendment, and, if the Department comes up with what we consider to be better wording, we could agree to not move our amendment.

**Mrs Overend:** Would it be better for it to say, "Those of different religious beliefs, including none"?

**The Committee Clerk:** I will ask the Bill Office to come up with the exact wording, but the spirit of the amendment is evident here.

**Mrs Overend:** Very good.

**The Committee Clerk:** That was not intentional. *[Laughter.]* I have got the idea about what you want. It is going to be "or none", "of different religious belief" or similar phrasing.

**The Chairperson (Mr Weir):** Can we sign off on the final wording at our meeting on 6 January?

**The Committee Clerk:** Yes, because it will be in the report.

**The Chairperson (Mr Weir):** Chris, you have a separate point.

**Mr Hazzard:** Is it possible to do this without mention of "Protestant and Roman Catholic"? I have a worry that the long-term unintended consequences will be to entrench the divisions of "Catholic" and "Protestant". Is it possible to do this without mentioning "Protestant" and "Catholic" and talk about those of "different religious beliefs or none"?

**Dr Kingon:** Obviously, it is possible to do that, but the Minister's decision was that this phrase should be included:

*"including reasonable numbers of both Protestant and Roman Catholic children or young persons".*

Obviously, from the Department's perspective, any amendment would have to be agreed by the Minister.

As for the rationale, some of the arguments that have been rehearsed before include the fact that the phrase makes it much more explicit that there should be cooperation between different school types and sectors that cannot be referenced in the legislation because "sector" is not a legislative term. The use of the phrase makes the requirement for cooperation much more explicit. It reflects the community here and the historic differences that exist. For those reasons, the Minister's decision is that it is important that that phrase is in there.

**Mr A Bell:** It was also to make sure that it was clear that we were addressing the legacy of the past. That was one of the things that came up during the public consultation. There was a lot of concern that, without specifically referencing that, some education providers may decide that it is too difficult or too sensitive an issue to address. That was clearly not what the intention was.

**Mr Lunn:** Is it possible to consider saying, "Protestant, Roman Catholic or other children"?

**Dr Kingon:** That is a matter for the Committee.

**Mr A Bell:** It is possible, because the wording is:

*"religious belief, including reasonable numbers of Protestant and Roman Catholic children or young persons".*

"Including" means that "others" are already included in the religious belief definition. It is just expanding that to make sure —

**Dr Kingon:** "Protestant and Roman Catholic" is setting the minimum bar again; it goes back to that. It is saying that this has to be, at its very core, about bringing children from the two main community backgrounds together. It establishes that as a minimum requirement in terms of the policy, as I said, bringing all the groups together, including others. It just sets out that, as a minimum, shared education

must do this to be shared education. If anything else goes into that clause, it dilutes that as the minimum line of "this must include this".

**Mr Lunn:** That is for another day.

**The Chairperson (Mr Weir):** It is for another day; OK. We will move on. Before we get to the second potential amendment, there is one other issue that came up a number of times. The Committee feels that the best way is to seek assurance on it. It is about the interpretation of the phrase "reasonable numbers". We have already had informal discussions with the Department. There is a concern about sharing programmes at small rural schools or, indeed, other schools. Can we get an assurance from the Minister at Consideration Stage that the interpretation of that in the judgement on shared education will not be used to preclude anyone because a school does not, overall, have large numbers?

**Mr A Bell:** The Committee wrote to the Department, and the Minister is aware that the Committee will seek that assurance at Consideration Stage.

**The Chairperson (Mr Weir):** He will do that in his opening remarks or, alternatively, there will be an intervention from me or someone else on the Committee to seek that so that it is on the record.

**Mr A Bell:** He is aware that the Committee is looking for that assurance.

**The Chairperson (Mr Weir):** OK. We will move on to the next potential amendment, which is to do with the reference to integrated education in the definition of shared education.

**Dr Kingon:** One of the main reasons why the Department would not support the amendment is that shared education is much wider than just schools. A progression towards integrated education is really only suitable for two schools cooperating. Obviously, we are looking to engage early years providers and youth providers, so the reference to integrated education does not really fit. On our last visit to the Committee, we mentioned that the only legal definition of integrated education is the definition that was set out in the Education Reform (Northern Ireland) Order 1989. In that sense, it is a distinct concept defined in law. There is not a natural progression in the sense of a legal progression from shared education to integrated education.

A transformation to integrated status or the opening of a new integrated school requires a statutory development proposal. If two schools got to the stage where they felt that they wanted to close and become a single integrated school, they would have to go through the statutory development proposal process. There is no natural progression there. The other thing is that a large number of schools will not see shared education as a progression to integrated education; indeed, the idea that it is referenced in the Bill may put some schools off participating in shared education.

**The Chairperson (Mr Weir):** OK. Do members have any comments?

**Mr Lunn:** I just want to make the point that it was not me who suggested this. *[Laughter.]* That might surprise you, but it was not me. I have reservations about it, because, first, the Assembly would not accept it anyway and, secondly, we could probably come up with something better than that.

**The Chairperson (Mr Weir):** Does anyone want to push for that amendment, or are members satisfied with the Department's position?

**Mr Rogers:** Suzanne, in your explanation, you went straight into talking about integrated education, but we are not necessarily talking about that: we are talking about children being educated together.

**Dr Kingon:** I appreciate that, but the difference is that the legal definition is such that it is wrapped around the 1989 Order. We talked the last day about the difference between integrated with a capital "I" and integrated with a small "i". I appreciate the spirit of the amendment, but the legal definition is about a grant-maintained school and a controlled integrated school and the meaning of that in law.

**The Chairperson (Mr Weir):** I know that we got legal advice that said that the law is capital blind when it comes to a big "I" and a small "i" and, I suppose, strictly speaking, a big "E" and a small "e".

**Dr Kingon:** There is only one definition of "integrated" in law, and that is the definition in the 1989 Order.

**The Chairperson (Mr Weir):** OK.

We will move on to amendment 3, which makes explicit reference to further education colleges as relevant providers. We have the legal drafting. The amendment would add in:

*"further education', as defined in Article 3 of the Further Education (Northern Ireland) Order 1997".*

Do you want to comment on that?

**Mr A Bell:** Again, we point out that the Bill as currently drafted provides for the appropriate inclusion of further education colleges in shared education projects. Our concern about this amendment is that it would potentially leave the Department and its arm's-length bodies with a power to facilitate and encourage but without the relevant ancillary means to do so, as we do not have responsibilities for further education colleges.

**The Chairperson (Mr Weir):** I understand that, but, outside of that, do you feel that it would do any harm at all?

**Mr A Bell:** It is already included. It would —

**The Chairperson (Mr Weir):** Maybe the argument is that it makes something explicit that is, arguably, implicit.

**Mr A Bell:** It is, and it also gives prominence to further education colleges over any other providers covered by clause 1(3)(b).

**The Chairperson (Mr Weir):** We do, though, make specific references to youth services, do we not?

**Dr Kingon:** I think that, the last day, we referenced the fact that a school solely partnering with a further education college is highly unlikely to be able to provide the range and scope of a shared education experience that we would look to provide through the current signature project and future projects. It would be very difficult to extend cooperation throughout the whole school community. It would be extremely difficult to really broaden out the range of curricular cooperation if it were operating solely. The point that Andrew made is that it perhaps gives an undue prominence to the role of further education colleges.

**The Chairperson (Mr Weir):** I am maybe playing devil's advocate on this bit, but if the quality of the application and the project does not make it, is that not, to a certain extent, a self-regulating mechanism, without the need to exclude on that basis? I can think of the reasons why they would count as shared education providers. I was at a prize day yesterday for the sixth form of a secondary school, and I know that there has been very strong working between it and some of the local primary schools, for instance, on a shared project. A lot of that is to do with mentoring and teaching younger children by way of peer intervention. I could see something of that nature being done between a further education college and some schools. Do any members have any comments?

**Mr Rogers:** I agree with the Chair. If we are not going to draw attention to further education, should we not leave out "including youth services" on the next line? Should we not leave out that bit in brackets completely? If you draw attention to youth services, why not draw attention to further education? I agree with the Chair: it certainly could contribute to a school's shared education and what is happening on the ground. Many young people at 14 go to further education colleges on day release. There is some good work going on in area learning partnerships as well. My point is this: should we not leave out "including youth services" on the next line?

**Mr A Bell:** Youth services is mentioned because it has a specific role in informal education that the Department has responsibility for. The majority of work with the further education colleges would be through the entitlement framework, so it would be at post-primary. However, it would not include the whole of post-primary; it would be Key Stage 3 and above. Given that shared education covers youth and early years as well as schools, we do not envisage that there would be an opportunity for a youth group, for example, in a further education college to participate. If there were opportunities like that,

certainly the Bill would not exclude them, but I suppose that, as Suzanne said, actually mentioning them brings prominence to them.

**Dr Kingon:** The important point for us is that, as the Bill is currently drafted, further education colleges are in no way excluded from participation in shared education. Our view is that they do have a role. We do not see a particularly significant role for further education colleges in the same way. We envisage that we will see significant amounts of cooperation between youth providers through the Peace IV programme, providing shared education projects solely by youth providers working together. We do not envisage that for further education colleges, and we feel that a very specific reference to them in the Bill does give them undue prominence.

**Mr Lunn:** I am just wondering about the definition of children and young persons. If you brought in further education colleges, you would be bringing in adult education as well. What is a "child" or a "young person"?

**Mr A Bell:** I think that the 1989 Order defines what is meant by "child", "children" and "young person".

**Mr Lunn:** Can you tell us off the top of your head?

**Dr Kingon:** We have not got it here.

**Mr Lunn:** Does it go by age?

**Dr Kingon:** I think that it does, yes.

**Mr A Bell:** It does.

**Dr Kingon:** I think that the age is 24 for a young person, but we can come back to you on the legal definition.

**The Chairperson (Mr Weir):** Specifically on amendment 3, do members want to go ahead with the amendment or be guided? Personally, I think that there is a reasonable enough argument to go ahead with it. Does anybody take a different view?

**Mr Lunn:** I am inclined to go with the Department for once, yes.

*Question put.*

*The Committee divided: Ayes 1; Noes 2; Abstentions 2.*

#### **AYES**

*Mr Weir.*

#### **NOES**

*Mr Lunn, Mrs Overend.*

#### **ABSTENTIONS**

*Mr Hazzard, Mr Rogers.*

*Question accordingly negatived.*

**The Chairperson (Mr Weir):** We will not move ahead with amendment 3.

We will move on to amendment 4, which relates to the issue of whether it is a duty or a power. It is one that has been reasonably well discussed. I suppose that the issue is probably the issue of promotion, to put it on a parallel with the Education Authority. Again, I appreciate that we have had a reasonable amount of discussion on this already. Is there anything else that you want to add to that? This is obviously very specific with regard to the Department.

**Mr A Bell:** Again, I suppose that the discussion last week brought out all the key points. It is about the sheer number of settings that are covered and the potential magnitude of impact on education budgets

and priorities simply because of the sheer number of settings that are covered. By contrast, a power provides statutory recognition of the importance of the concept of shared education within the system but allows the Department, in conjunction with the Executive —

**The Chairperson (Mr Weir):** Andrew, I suppose that there are two issues with regard to the impact on budgets. First of all, I know that it goes wider than purely shared education, but between shared education — probably sharing the funding with integrated education — and shared housing, £500 million is going to be made available separately over a 10-year period. There is the argument that essentially, if you have a duty, this will effectively tie the hands from a budgetary point of view. Presumably, there are particular requirements for integrated and Irish-medium education. That presumably has not so skewed the Department's funding that it has made it difficult to fund other aspects of education.

**Dr Kingon:** You are not comparing like with like. In total, in the integrated and Irish-medium sectors, there are 62 integrated schools and 30 Irish-medium schools. We are talking well below 10% of the total schools estate. I think that, last week, we explained that it is not just about the budget with regard to actual spend on shared education projects, but about how the Department manages its range of policies. Last week, we talked about reasonable adjustments to the transport policy or the temporary variation policy. It would be very difficult to make reasonable adjustments for something that potentially applies to all schools.

**The Chairperson (Mr Weir):** I am not sure that that all flows from simply having a duty rather than a power in this particular bit. There is a duty on the Education Authority. Will it be —

**Dr Kingon:** Well, the Education Authority is not responsible for the overall policy framework with regard to how shared education operates.

**The Chairperson (Mr Weir):** I understand that, but presumably it will have to make a range of spending decisions on that basis. I do not see the fact that it is a duty as particularly skewing that. Anyway, we have reasonably rehearsed the arguments. Again, do members have any thoughts on this?

**Mr A Bell:** It might be worth pointing out that the £500 million that you referred to is capital specifically for —

**The Chairperson (Mr Weir):** I understand that, but, from a financial point of view, it is still of significance. All Departments' expenditure is a mixture of resource and capital.

**Dr Kingon:** The majority of shared education activity is non-capital. It does not involve capital; it involves schools cooperating to deliver the curriculum. It is not explicitly about capital investment.

**The Chairperson (Mr Weir):** With respect, whatever is put in here does not make reference to it being capital or resource.

**Dr Kingon:** The duty will apply across —

**Mr A Bell:** It is the implications of that.

**Mr Lunn:** I am sorry that I missed last week's session, then, because maybe I am a bit confused here. We are suggesting putting a new clause 1A to emphasise the duty, but the power is under clause 2.

**The Chairperson (Mr Weir):** Maybe the Clerk can provide clarification.

**The Committee Clerk:** We would then take the Department out of clause 2. That is just over the page.

**The Chairperson (Mr Weir):** Trevor, we had a number of groups that made the point about power and duty. To be fair, there seemed to be a distinction between the lobbying that we got from a number of organisations. Nobody seemed particularly keen on making a duty on the arm's-length bodies. There was a feeling that, if CCMS or NICIE or whoever were included, it would be a step too far to impose any duty on them. However, a number of the same organisations that were saying that were also

saying that they wanted a duty on the Department. That is where they were drawing a distinction between the two. That is why I think that it is separated out, potentially.

**Mr Lunn:** In that case, the wording of suggested new clause 1A is factually correct. That is already in legislation. It might irritate people like me, but it is a fact. The only question is whether or not you want to put it in this Bill to emphasise it.

**The Chairperson (Mr Weir):** The Department would probably contend that it is not.

**Dr Kingon:** Are you referring to there being a duty on the Education Authority?

**The Chairperson (Mr Weir):** There is a duty on the Education Authority. I suppose that the argument about this is whether this is actually the Department and whether it should then be mirroring what is there for the Education Authority.

**Mr Lunn:** Is this then imposing a new duty on the Department?

**Dr Kingon:** The Bill is changing it from a power to a duty.

**The Chairperson (Mr Weir):** It changes it from the Department having a power to having a duty.

**Mr Hazzard:** On a point of clarity, do all duties on the Department not also transfer to all arm's-length bodies?

**Dr Kingon:** They do, effectively. That is our interpretation of our statutory duties on Irish-medium and integrated education. We put in a requirement for all of our arm's-length bodies to support us.

**The Chairperson (Mr Weir):** Does that mean that the CCMS has a duty to promote integrated education?

**Dr Kingon:** Yes, it has a specific business plan target to support the Department in taking forward its statutory duty.

**The Chairperson (Mr Weir):** To some extent, there is probably an issue around the interpretation of this. To be fair, what would very much be counted as a duty on the Department will ultimately probably be counted to a lesser extent on the arm's-length bodies.

**Mr Hazzard:** I may be mistaken, but I think that Justice Treacy found that powers, active or dormant, also spread to arm's-length bodies.

**Dr Kingon:** Our legal advice is that any statutory duty on us is also applicable to our arm's-length bodies.

**Mr Lunn:** My brain is going slow here. At the moment, the Education Authority has a duty to promote, encourage and facilitate, but the Department only has a duty to encourage and facilitate.

**Dr Kingon:** We do not have any duty in relation to shared education. This Bill is proposing that we have a power.

**Mr Lunn:** We need to have a bit more discussion about this.

**The Chairperson (Mr Weir):** Amendment 4 is to place a duty on the Department to promote, encourage and facilitate shared education. Do members want to press ahead with that as an amendment?

**Mr Lunn:** No, we do not.

**The Chairperson (Mr Weir):** I support the duty.

**Mrs Overend:** I would.

*Question put.*

*The Committee divided: Ayes 3; Noes 2.*

**AYES**

*Mrs Overend, Mr Rogers, Mr Weir.*

**NOES**

*Mr Hazzard, Mr Lunn.*

*Question accordingly agreed to.*

**The Chairperson (Mr Weir):** We sought legal advice on amendment 5. A number of bodies suggested that they should be in the legislation in some shape or form. A point was raised by the Department, which we checked and got legal confirmation that whereas you could make direct reference to the General Teaching Council (GTC) because it was a creature of statute and there was no problem with that, you could not make direct reference to the other bodies. Therefore, there is the formula which has been suggested by the Bill Office. Do you want to comment?

**Dr Kingon:** The suggested amendment makes reference to "sectoral body" and then provides a suggested definition of "sectoral body". The Department does not feel that that is an adequate legal description. "Sector" is not recognised in law, and there are a variety of organisations that represent the interests of different schools. The amendment would open the door to a wide range of bodies being listed and giving them a power that was really designed for the Department and its arm's-length bodies.

**The Chairperson (Mr Weir):** You spoke about recognition. The wording used by the Bill Office in terms of "sectoral body" is taken word for word from the Department's own legislation. Clause 73 of the Education Bill says "'sectoral body' means" and then quotes exactly the wording for that.

**Dr Kingon:** Sorry, I was not explicit. I actually mean what the grants are paid under, because we pay grants to a wide range of bodies under article 64 of the —

**The Chairperson (Mr Weir):** Which, again, is identical to what is in the legislation previously.

**Dr Kingon:** But then you would be putting a power on those bodies. For example, we make grants to the Integrated Education Fund or the Trust Fund for Irish-Medium Education under the 1998 and 1989 Orders. Therefore, you would be putting a power on those other Irish-medium bodies that we might make grants to. They would then have a power to encourage and facilitate shared education. We would be placing that power on them.

**The Chairperson (Mr Weir):** With respect, it is conjunctive. This talks about bodies that are recognised by the Department and to which grants are made, so you would have to have a two-tier test. Even on the basis that you were providing a power for somebody, it is not providing them with any obligation or duty, as you indicated yourself. There was strong concern raised by NICIE, the Transferor Representatives' Council and the Controlled Schools Support Council.

**Mr A Bell:** It might be worth explaining that there are other bodies. In the Bill, we have mentioned most of the statutory bodies. The other bodies are non-statutory limited companies for the most part. As a general principle of law, a statutory body has powers conferred on it only by statute. A company, on the other hand, generally has very wide powers, which are set out in its constitution or articles of association. Most sectoral bodies will already have fairly wide general powers in their constitutions to act in relation to their respective sectors. However, if for some reason they did not, it would be a matter of those bodies amending their constitutions to —

**The Chairperson (Mr Weir):** I understand that, but essentially the argument is that they have fairly wide powers, so they can probably do that anyway. The argument would be stronger if we were imposing a duty on those bodies to offer —

**Mr A Bell:** The legal advice is that, for all those reasons, it is inappropriate to confer statutory powers on non-statutory bodies.

**The Chairperson (Mr Weir):** Yes, but you already have referenced that. You will have a range of powers there anyway. Members, any thoughts?

**Mrs Overend:** Can I just go through that again? If we are giving a power to the Department, then there will be a duty on the Department. I know we are talking about a relation, but that puts the same duty on statutory bodies. Is that what we are saying?

**The Chairperson (Mr Weir):** Yes, but these are non-statutory bodies that we are referring to.

**Mrs Overend:** I know, but I am just clarifying that that is already the case.

**Dr Kingon:** If you amend the Bill to give us a duty, you effectively apply it to our arm's-length bodies as well.

**Mrs Overend:** OK, so we are talking about the ones that are not. That is OK. Just clarifying that.

**The Chairperson (Mr Weir):** What about non-statutory arm's-length bodies?

**Dr Kingon:** They are our non-departmental public bodies (NDPBs), so we apply the statutory duty in the same way.

**The Chairperson (Mr Weir):** It seems strange that you are saying that, if an amendment goes through that places a duty, it will place a duty on all arm's-length bodies, whether or not they are statutory, but you are objecting to the same bodies having a power.

**Mr A Bell:** I do not think that it is a matter of placing a duty on non-statutory bodies. It would apply to statutory bodies.

**The Chairperson (Mr Weir):** That is why I specifically asked about non-statutory bodies.

**Mr A Bell:** The advice is that there is already provision for non-statutory bodies to build that in and that that is the appropriate way to go, rather than —

**The Chairperson (Mr Weir):** Maybe I am little confused. I find it a bit odd that we are saying that there is already provision to build it in but that it is not appropriate that the power be given. That seems to be a contradiction.

**Mr A Bell:** It would not give them a power. It would alter their constitution to include that as part of their constitution, which is different from giving a statutory power.

**Dr Kingon:** I appreciate the question that you are asking, but I think that there is a difference between giving them an explicit power in legislation, which the Bill proposes, and the Department's application of its statutory duty via its arm's-length bodies. They are two different concepts. In this amendment, you propose to give explicit statutory powers to non-statutory bodies.

**The Chairperson (Mr Weir):** To be honest, a wide range of sectors are involved in education in Northern Ireland, and, because of the way in which things have developed, some are statutory and some are non-statutory in nature. Given that they provide education and support education to different sectors, I would prefer that the distinctions between the two in terms of powers are as small as possible. I am not sure how appropriate it would be if we were to draw a distinction and say that one body in a certain field will be given a power and another will have to be tackled in a completely different way. Members, do you have any other comments?

**Mr Lunn:** Instead of having:

*"any sectoral body not listed above"*

why not have "any body not listed above"? We could leave out the next line and then go straight to subsections (3)(a) and (3)(b):

*"which is recognised by the Department as representing the interests [and] to which grants are paid".*

How would that work?

**Mr A Bell:** That would expand it even more.

**Dr Kingon:** That could be an even wider range of groups.

**Mr Lunn:** I thought that I was getting rid of the question of sectoral bodies.

**The Chairperson (Mr Weir):** The amendment contains "sectoral body" because it is a direct lift from previous legislation.

**Mr A Bell:** In your proposed amendment to clause 2, you also raise a point about the General Teaching Council. Although the General Teaching Council is a statutory body, the existing legislation — 1989 Education Order — provides for it to give advice to the Department and the employing authorities. That includes training, career development, and the performance management and standards of teachers. We believe that that is sufficient for its role in contributing towards shared education. However, the 1989 Order specifically requires consultation with the GTCNI and other bodies and persons as appropriate, prior to conferring or imposing any additional functions. We cannot do that without a consultation, so that could delay the Bill to such an extent that we would be unable to complete it in the current mandate.

**Mrs Overend:** Say that last bit again

**Mr A Bell:** The 1989 Order specifically states that it requires consultation with the GTCNI and other bodies and persons as appropriate, prior to conferring or imposing any additional functions. In other words, we cannot give them additional functions without first having a full consultation.

**The Chairperson (Mr Weir):** There are two things about that. To be fair, the GTC was mentioned by organisations, but I do not think that there was a particular pressure for the GTC to be there. From that point of view, I am relatively relaxed about whether it is there. I appreciate that a power could not be conferred ahead of that. I have only one issue. If there was a strong desire to have the GTC on that, all you would need to do is to have it as part of the commencement provisions. You would not enact that bit until that had happened. By the same token, I do not detect that anybody is dying in a ditch over the GTC.

**Mr A Bell:** We feel that there is already sufficient provision for it to do what we need it to do.

**The Chairperson (Mr Weir):** If we take out the reference to the GTC, are members supportive of or opposed to amendment 5? Do we have a view? A number of folk lobbied us on that, and I thought that it was a reasonable point. I am supportive of amendment 5. Does anybody have a view to the contrary?

**Mr Lunn:** I do not have a view, Chairman. Sorry.

**The Chairperson (Mr Weir):** Are members agreed overall? I appreciate that some people do not have a view, but is everybody happy to take the GTC out?

*Members indicated assent.*

### **Clause 1 ("Shared education")**

**The Chairperson (Mr Weir):** We will go back a little. As it turned out, we did not make any amendments to clause 1. We did not propose any amendments.

**The Committee Clerk:** Yes, we did. It was about the words "or none".

**The Chairperson (Mr Weir):** Sorry, we did. We have suggested amendments to clauses 1 and 2. On that basis, are members content that I put each of them in turn? What about clause 1, as potentially

amended? We will not be opposing clause 1 or clause 2, notwithstanding the concerns about particular elements. Apologies for that.

*Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.*

*Question, That the Committee is content with clause 2, put and agreed to.*

### **New Clause**

**The Chairperson (Mr Weir):** Amendment 6, which is the final Committee amendment, is a review clause. We took on board what was said about the timescale because there was a reference to the effect that a review-and-report mechanism could be tied in with the ETI and that we do not want to create any additional administrative burdens. I should also point out that, with the draft that you have in front of you, the Committee is debating the exact wording of one sub-paragraph. Clause 2A(3)(e)(iii), which is about attitudes, will have a slightly tweaked wording, which will read:

*"attitudes of participating children towards persons from backgrounds other than their own".*

Issues were raised about what counts as relevant section 75 groups. There is still a bit of debate about the precise wording — members may want to raise it with you — of sub-paragraph (ii), which is about good relations and whether it is between "participating children" or "participating children in school communities". There could be variations on that. Before we open it up for members to probe, do you have any comments on that new clause?

**Mr A Bell:** Attitudinal improvement is notoriously difficult to measure and takes time to achieve. It is also influenced by a range of factors such as family, peers and community. It is not solely within the remit of schools. In the report to the Department, the ministerial advisory group recognised that shared education can lead to improvements in the attitudes of young people, but it stopped short of recommending that that be included in the definition. The reason was that it found evidence that engagement in shared education activities among those living in areas where there is low positive contact between communities may result in negative attitudes in the short term.

**The Chairperson (Mr Weir):** I should point out that, in the review and any reporting, we are not seeking to change the definition. It is simply to state that, in any report, those things are reflected on.

**Dr Kingon:** The Department made the point previously that significant reporting requirements on shared education are already in place at system and individual project level. In the Delivering Social Change project, there are reporting mechanisms for that. There is a robust business case and post-project evaluation, and each project will have targets and measures in the ETI. This just adds another reporting burden on the Department. There are also other mechanisms —

**The Chairperson (Mr Weir):** With respect, our view was that this could be incorporated into an ETI report.

**Dr Kingon:** The ETI report is presented to the Committee. It is not laid before the Assembly as such. It would be incorporated into the ETI report in any case. This proposed amendment is very explicit.

**The Chairperson (Mr Weir):** Yes, I appreciate that, but, Suzanne, you have to realise that the Committee had a number of options. It could have looked at a change to the definition because there is a range of issues. It is significant, I think, that educational attainment and broader community cohesion matters are regarded as being important. We could have sought to change the definition, but we felt that that would be inappropriate and would muddy the waters. We could have put in a purpose clause, but that would have run risks. Questions of interpretation might arise if you have a purpose clause and a definition clause. The feeling was that a report every two years was probably the minimum to satisfy some of those aspects. We have tried to make it as compatible with the ETI as we can.

**Mr A Bell:** I do not think that we are arguing with you. Our point is that there is already sufficient provision without any need to refer to it specifically in the Bill.

**The Chairperson (Mr Weir):** I appreciate the point, although I do not necessarily agree with it. Can we tease out one area before we talk about generality? I do not know whether Seán Rogers wants to raise the good relations issue, and, if a clause of that nature went in, what the appropriate tests would be. Do members want to quiz the Department on that?

**Mr Rogers:** In proposed Committee amendment 6, new clause 2A(3)(e)(ii) states:

*"good relations between participating children [and schools?]"*

What are your thoughts on that?

**Mr A Bell:** In some respects, good relations covers all areas, as the Department has to address good relations. However, the policy under which we mostly deal with it is the community relations, equality and diversity (CRED) policy, as opposed to the shared education policy. One difficulty will be the current wording, because we are looking at the impact of shared education on, for example, educational attainment, good relations and attitudes. The difficulty is that a number of other departmental policies would impact on it, particularly in relation to educational attainment and good relations. Trying to disaggregate the specific impact of shared education could be challenging, because there will be a number of factors. We will measure how attitudes change, but that could be as a result of a number of factors.

**Mr Rogers:** We had quite a bit of discussion about whether it should be "good community relations" or "good relationships between participating children in schools". What are your thoughts? You used the phrase "good community relations" on a number of occasions. My view is that that is probably a better phrase than:

*"good relations between participating children and schools".*

**Mr A Bell:** I assume that the Bill Office drafted this for you and that it has used "good relations" as it is referred to in section 75 legislation.

**The Chairperson (Mr Weir):** To be fair, the Bill Office has put a question mark over how exactly to word this. It is clear on the reference to "good relations"; but the question is whether it is simply "good relations", "good relations within the community", or "good relations between participating children and school communities". It is how that is qualified. We seek your views as to what would create difficulties. What would be appropriate?

**Dr Kingon:** Limiting it to the children and young people who participate is obviously an easier measure than wider communities or groups. How you measure that might present us with more difficulty. If we were pushed on it, we would prefer it to be limited to the pupil population.

**The Chairperson (Mr Weir):** There is, Suzanne, the issue of the wider community and the children. Is it possible to have a reference to "children and school communities"?

**Dr Kingon:** We take "school community" to mean the whole broad family of a school: parents, governors and the local community. School community is quite a vague term.

**The Chairperson (Mr Weir):** If something were to be put in there, your preference would be —

**Dr Kingon:** It would be to limit it to pupils.

**The Chairperson (Mr Weir):** OK.

**Mr Hazzard:** Andrew, you just referred to a policy. What is it? I am sorry, I did not get the full title.

**Mr A Bell:** It is the community relations, equality and diversity policy.

**Mr Hazzard:** Is that the overall —

**Mr A Bell:** That is the CRED policy.

**Mr Hazzard:** With education, is there an overlap? Do you have to take it into account overall in the Department?

**Dr Kingon:** We have a specific CRED policy for education.

**Mr Hazzard:** Can we make reference to that because it takes in the wider community?

**Dr Kingon:** We would be reluctant to have any specific policies referenced in the legislation because policy titles and policies change over time, and it could render the legislation a bit defunct if we start to reference it.

**Mr Hazzard:** Is the impact of that policy measured by the Department?

**Dr Kingon:** It is measured by the Department.

**Mr Hazzard:** Is that the wider community relations policy?

**Mr A Bell:** We measure the attitudes of children and young people in particular, but the life and times survey will also measure the impact beyond that.

**Dr Kingon:** The point that Andrew was making was that, in a sense, there is a lot of cross-cutting. A lot of policies contribute to improvements in good relations; it is not just shared education. There is a whole raft of policies designed to improve educational attainment in particular across our system and, at times, to isolate the particular impact. For example, if you had a school that was in the formal intervention process and receiving intense support to improve standards and attainment, it might be quite difficult to isolate the impact of that support. We had the literacy and numeracy signature project. So, there is a whole raft of initiatives that go into schools, and I think that the point that he was making was that that isolation of the particular impact of shared education, particularly in the short term, may present some difficulties.

**Mr Hazzard:** It is important, and it has been said publicly with regard to the statistics that are coming out, that we need to know which initiatives are having what effect if we are going to put resources in certain places. So, we would like to know to what extent shared education is improving. It would be great if we could say that, overall, community relations are improving, but we need to know what is working and what is not.

**Dr Kingon:** The qualitative analysis that the ETI does gives us that, but it is not always easy to isolate —

**The Chairperson (Mr Weir):** Unless you are talking about something that is very statistical in its nature, any monitoring will always be an inexact science and will be more about getting an idea of trends or improvement on that side of things.

**Mr Hazzard:** So, the Department currently assesses pupils in relation to good community relations.

**Mr A Bell:** The CRED policy has a range of measures that we use to measure the impact of that policy. One of the ways that we do that is by commissioning a module every other year in the young life and times survey, which gives us attitudinal change of young people. It is a sample, but it is a representative sample.

**Mr Lunn:** I think that you have more or less answered my question. I am sure that there are plenty of measures out there already, such as the life and times survey, CRED and all the rest, that measure any improvement in community relations. How do you break that down to general education policy and break it down further to see the effect of this policy? It has been going on for many years. This is not a new thing; it is just being formalised. So, I think that we need something in here, given the amount of emphasis and money that will be thrown at this over the next number of years, so that we can clearly identify the benefits of this programme. If we cannot do that, it will wither.

**Mr A Bell:** We are not arguing that we are not doing that. The issue for the Department is that there is existing provision to do that. That is the point.

**Mr Lunn:** Does the existing provision in any way try to measure the effect of the sharing between schools that is already going on?

**Mr A Bell:** There is commitment in the Sharing Works policy that the chief inspector's biennial report will specifically refer to shared education, but we also have reporting mechanisms in the Programme for Government's commitment to shared education and mechanisms in the Together: Building a United Community commitments towards shared education. We are not arguing that this should not be reported on. Our only point is that there are already a number of mechanisms and, essentially, it is not necessary to include it in the Bill.

**Mr Lunn:** Do the present arrangements in any way try to measure the beneficial societal or community effect of integrated education?

**Dr Kingon:** Individual projects have measures. So, if there was an individual project on integrated education, it would set measures, but, at a system level, it is not something that we would measure.

**Mr A Bell:** The range of measures that we put in for this is related to shared education. As Suzanne explained, integrated education is, in legislative terms, different. There are benefits for integrated schools participating in the programme, and their participation benefits other schools also. That is what we want to see.

**Mr Lunn:** At the moment, would you not attempt to measure the beneficial effects of children being educated together in an integrated school?

**Dr Kingon:** NICIE does quite a bit of work around that, and obviously we fund NICIE. NICIE does quite a bit of work around the positive impact in reconciliation outcomes for children and young people.

**Mr A Bell:** In some ways, it is outside the scope of shared education because it is specifically integrated education.

**Mr Hazzard:** Suzanne, I may be picking this up wrong, but you are saying that the Bill does not have to be explicit because it is underpinned by the Sharing Works policy.

**Dr Kingon:** Yes.

**Mr Hazzard:** That policy could change. Where would that leave the Bill? Surely it is better to have strong monitoring and reporting specific to the Bill.

**Dr Kingon:** It is not just underpinned by Sharing Works. All the projects and programmes have very specific reporting mechanisms built into them. The signature project is reported on at a system level to OFMDFM. It is reported on a departmental system-wide level. Its individual projects have their own targets and measures. There is a whole raft of reporting out there. It is not just based on Sharing Works. Sharing Works provides a framework, but individual projects have those measures.

We do not feel that it is necessary to reference that in the Bill. Because of the difficulty of disaggregating that we have talked about, the shared education measures are very carefully devised and put in place so that we can begin that work of disaggregating. We do not feel that it is particularly helpful to add another reporting mechanism with very broad parameters.

**The Chairperson (Mr Weir):** Given the magnitude of shared education, there has got to be some level of reporting mechanism. I think that we tried to make that point.

Folks, I want to bring this to a conclusion. There are possibly two areas that we need to clarify for ourselves first of all, really in relation to subsection (3)(e). The first point is that it has been suggested by the Department that "good relations" between participating children is the best way of monitoring that. Are members content with that? Can you live with that element?

*Members indicated assent.*

**The Chairperson (Mr Weir):** I will take silence as acquiescence.

The second bit, then. Just to clarify, we had previously talked about, on point 3, putting a full stop after "own" and removing "social". Are members happy enough with that as the wording?

*Members indicated assent.*

**Mr Lunn:** Is that a full stop after "their own"?

**The Chairperson (Mr Weir):** Yes, but also remove the word "social", so it is "from backgrounds other than their own". Are members content to agree amendment 6?

*Question, That the Committee is content with the new clause, put and agreed to.*

#### **New Clause**

**The Chairperson (Mr Weir):** The last amendment is the Department's proposal for a new clause — provisionally, I suppose, we might call it clause 2B — in relation to forming a company to look after the ownership of school buildings on a shared campus.

**The Committee Clerk:** Sorry, Chairperson, this is on the back page of tabled items.

**The Chairperson (Mr Weir):** OK. Again, I do not think that there has been any particular controversy on this. Is there anything else that you want to add?

**Ms Jacqui Durkin (Department of Education):** As mentioned at our previous appearance, the clause is to provide the Department and the Education Authority with a specific power to establish, form and participate in a company to facilitate the governance and ownership of shared campus schools. It is specifically for shared education projects.

**The Chairperson (Mr Weir):** OK. Does anybody want any final clarification? Are members content to approve the Department's amendment? Are there any dissenting voices?

**Mr Lunn:** I am not dissenting, but I have only just seen it. I am not dissenting, though.

*Question, That the Committee is content with the new clause, put and agreed to.*

#### **Clause 3 (Commencement of duty of Education Authority in relation to shared education)**

**The Chairperson (Mr Weir):** I will fly through the other couple of items in relation to this. There have been no suggested amendments to clause 3. I do not think that there is any controversy about clause 3. Unless anyone has anything that they wish to add, is the Committee content with clause 3?

*Question, That the Committee is content with the clause, put and agreed to.*

#### **Clause 4 (Short title and commencement)**

**The Chairperson (Mr Weir):** There have been no amendments sought in relation to clause 4.

*Question, That the Committee is content with the clause, put and agreed to.*

**The Chairperson (Mr Weir):** Obviously, any member or party can table their own amendments at the Consideration Stage. Is there anything anybody wants to put forward as a Committee amendment?

**Mr Lunn:** There is reference to 2015 in the short title. Should it refer to the year in which the Bill is first introduced or the year in which it receives Royal Assent?

**The Committee Clerk:** The member is right. We have had this before: the Department will probably table a technical amendment at Consideration Stage to make it "2016".

**Mr A Bell:** We queried that. We have been told that the Bill Office will make that change.

**The Chairperson (Mr Weir):** It probably initially reflects the year in which the Bill is introduced, but, as you said, the year in which it gets Royal Assent is what appears on the face of the Bill.

**Mr Lunn:** I hope it does better than the ESA Bill or it will be 2021. *[Laughter.]*

**The Chairperson (Mr Weir):** That situation is like a clock in a garage that is going round and round.

### ***Long Title***

**The Chairperson (Mr Weir):** The long title is:

*"A Bill to Make provision in relation to shared education."*

*Question, That the Committee is content with the long title, put and agreed to.*

**The Chairperson (Mr Weir):** Members, that concludes the formal clause-by-clause scrutiny of the Bill. I thank the officials for their help. Our sign-off of the Committee report will be on 6 January. Everything is meeting the timetable. If you want to sneak a mince pie on your way out, we have even provided cream. *[Laughter.]* Thank you.



Northern Ireland  
Assembly

Appendix 3

# Written Submissions

## **ARMAGH- A LEARNING CITY**

### **A Locally Appropriate Blueprint for Shared Education**

Stakeholder educational and local government institutions in the City of Armagh brought forward proposals for a model of Shared Education and Collaboration embodied in the document “Armagh – A Learning City”. The Chair of the Group submits the following comments for consideration by the Education Committee of the Northern Ireland Assembly in the light of the recently introduced Shared Education Bill

- The stakeholder group notes with pleasure and renewed enthusiasm the introduction of a “Shared Education” Bill to the floor of the Northern Ireland Legislative Assembly.
- We note that the Bill is remarkably succinct. We recognize in this the avoidance of an overly limited or prescriptive approach to the character of Shared and Integrated Education. Therefore, we welcome the space provided by the bill to imagine and design customized approaches to shared and integrated education that work positively and dynamically in differing local situations: rural towns and non-urban locations have distinctively differing circumstances, opportunities and requirements from, say, those existent in parts of the Belfast conurbation.
- We note the definition of shared education in the Bill and offer our own reflections below in the light of the considerable local experience we have gained through our interactions in Armagh.
- We applaud the powers given to an, admittedly, limited range of organisations to facilitate shared education. Although the range of such organisations is limited and does not represent the whole range of stakeholders in the field (for example, there is no reference to consultation with other “non-statutory” bodies intimately involved in education or to local authorities with their new overarching planning powers and functions). We look particularly to the Department of Education to encourage and facilitate discussions among schools – discussions that have been taking place in Armagh hitherto without statutory support.
- We note and welcome the reference to the role of the Education Authority which, among other responsibilities, has Area Planning functions. In our particular circumstances we are grateful for the support and encouragement we receive from the staff of the E.A.

The group also welcomes the iteration of the commitment by HM Government, originally set out in the Stormont House Agreement and renewed in Section D of “A Fresh Start”, to an additional £500m over 10 years for capital works in support of Shared and Integrated Education. We note and regret that the totality of this sum may have been compromised by the apparent intention to allocate part of these funds for other “shared” purposes such as housing. We trust that the high priority originally given, rightly, to the promotion of shared and integrated education outcomes will not be deprioritised, undermined or supplanted.

It may be worthwhile, at this juncture, to offer a non-exhaustive summary of the Armagh experience to date. In December 2013 a consensus group representative of schools in the City of Armagh submitted to the Education Committee of the Northern Ireland Assembly an initial outline of proposals for the creation of an Educational and Community Village in Armagh. The proposals arose out of the extremely positive experience of ever-closer collaboration at post-primary level among the schools in Armagh. This positive experience has engendered burgeoning mutual respect and increasingly congenial relationships, facilitated and forged through participation in the work of the Armagh Area Learning Community. It has led to the strong conviction that the mutual sharing of educational experience and expertise in schools of different traditions contributes both to the enrichment of the educational experience of all young people and to the increase of community cohesion. No threat is offered to the identity, autonomy or ethos of any of the partner institutions by the enforcement of a doctrinaire or narrow model of integration. Rather, an “organic” approach is adopted wherein different institutions invite one another into an exploration of each other’s true identity and ethos through the real time sharing of classroom excellence and the enhancement of the overall curriculum offer. The approach is best seen as a model of convergence - an “integrating” rather than an “integrated” model – characterized by the dynamics of a “continuous present” rather of an “aorist past”. Thus it is that varieties of educational experience are shared rather than constrained by the enforced homogeneity of a single, amalgamated, institution. This is of particular value because of the opportunity it

offers both to normalise and to model human and institutional relationships, respectful of difference, through an experiential rather than an artificially didactic portal.

Proposals originating as early as 2010 envisaged the development of a **shared educational campus co-located with new sporting and leisure facilities**, the latter to be provided and managed by Armagh City and District Council. The initial outline proposals were subsequently modified in significant ways in order to become wholly inclusive since it emerged that not all post-primary institutions were in a position to contemplate the abandonment of long established campuses. However, as a result of the commitment by all parties to enhanced and convergent models of sharing and mutual collaborative support, early proposals were transformed into a **development proposal that was subsequently submitted for consideration to the Department of Education under the masthead of “Armagh – A Learning City”**. It is important to note that the sustained and determined commitment to “a shared educational future” has not been abandoned as a result of initial difficulties. Rather it has been reaffirmed and transformed into an approach that establishes the model of educational collaboration and sharing as a leader and driver for city-wide community collaboration and cohesion.

Regrettably, the development proposal, as originally submitted, was deemed not to meet all the criteria set by the Department of Education and therefore could not immediately be taken forward in its original form. The Department did, however encourage the consensus group to refine its thinking and offered feedback to assist in that exercise. The original proposal is set out below in **Appendix 1**.

An overall strategy in response to the departmental feedback is under consideration by the consensus group. Members of the consensus group have reaffirmed their continuing commitment to the aims and objectives of the “City of Learning” proposals. However, they also recognize that **the most fruitful opportunities for collaboration with shared study and shared facilities, social and denominational inclusion, and the most numerous and profitable synergies, lie in the post-primary sector**. Indeed, the original shared campus aspirations had their genesis in the post-primary schools of the city with the support of the Southern Regional College. The feedback and comments on the original proposals are set out in **Appendix 2.1** an initial process of response for further discussion is set out in **Appendix 2.2**

Additionally, and in close consultation with the Southern Education and Library Board, (now subsumed into the Education Authority), it was recognized that the future of non-selective post-primary education in the Controlled Sector was in need of urgent address, and that this is a key component of the overall strategy for collaboration and shared education. Discussion involving representatives of the Education Authority, the Royal School, Armagh, the City of Armagh High School and Armagh City, Banbridge and Craigavon District Council were initiated during the spring of 2015 that resulted in the acceptance of the Memorandum of Understanding set out below:

#### *Area Planning Context*

1. *Studies have indicated that pupils in City of Armagh High School and Markethill High School have to attain a higher standard at GCSE in order to proceed to post 16 school based provision as compared to their counterparts in the maintained sector in the Armagh area.*
2. *Falling numbers at City of Armagh High School over recent years means that the school is far short of the Sustainable Schools’ threshold and it has accumulated a substantial deficit. This deficit severely limits opportunities for development of the curriculum to meet the needs of the existing pupils and it is not clear how it can be sustained as a free standing entity.*
3. *Review of post 16 provision in schools both locally and in other ELBs suggests that long term viability is increasingly difficult where the school size is less than 750 (including sixth form) and that co-operation with other schools is vital in order to facilitate the demands of the Entitlement Framework particularly at post 16.*

*The following memorandum of understanding sets out the key elements required to initiate the development of a long term solution for the educational needs of post primary pupils (11 to 18) in the controlled and voluntary sector within Armagh City and its hinterland.*

- *The Education Authority, Southern Region, will agree that it is preferable that Armagh City continue to be a location for non-selective post primary education in the controlled sector and that this is taken forward by a changed City of Armagh High School (CoAHS) through agreed innovative collaborative arrangements with*

*Royal School Armagh (RSA) within the RSA stated non-negotiable principles of academic selection and voluntary status*

- *RSA will agree in principle to participate in the development of an overarching Trust arrangement with CoAHS whereby the two schools remain separate with separate Boards of Governors but will form a Trust which will have responsibility to ensure that the highest educational quality is attained in their separate sectors by collaboration and working together for mutual benefit thus improving overall learning outcomes for their pupils.*
- *CoAHS will agree in principle to participate in the development of an overarching Trust arrangement with RSA whereby the two schools remain separate with separate Boards of Governors but will form a Trust which will have responsibility to ensure that the highest educational quality is attained in their separate sectors by collaboration and working together for mutual benefit thus improving overall learning outcomes for collaboration*
- *The Education Authority, Southern Region, will agree in principle to a Trust arrangement and in this context will develop proposals to provide enhanced 6<sup>th</sup> Form facilities with equality of access for the controlled sector of Armagh city and its natural hinterland which will be based on an increase in the current 6<sup>th</sup> Form provision at RSA as an environment which can offer the maximum educational opportunities.*
- *Armagh City, Banbridge and Craigavon Borough Council will support the Trust proposals and will commit resources to assist in the Legal arrangements for such a Trust in the context that all parties will continue to support and develop the City of Learning proposals.*
- *All parties must support these proposals in principle and commit to working together to finalise arrangements in March 2016 at which time all parties will be required to formally sign up to an agreed Trust.*
- *A draft framework and timetable is attached for information and discussion by any steering group set up to take forward the above proposals.*
- *If all parties agree in principle to these proposals it is accepted that these arrangements for the enhancement of education can be made public.*

The Memorandum of Understanding was accepted by all participating parties and, in August 2015, the Right Reverend A.E.T. Harper, O.B.E., F.R.G.S., former Church of Ireland Archbishop of Armagh and Primate of All Ireland (in which capacity he was also Chair of Governors of the Royal School, Armagh,) was invited by the Education Authority to act as independent chair of a committee tasked with implementing the objectives of the Memorandum. Substantial progress has already been made in shaping specific proposals for consideration by the relevant authorities.

Resolution of outstanding issues will be followed by the submission of development proposals for a successor school to the City of Armagh High School, together with enhanced facilities and an enhanced curriculum offer in an enlarged Sixth Form at the Royal School. Significant additional opportunities for collaboration between the Royal School and the new non-selective post primary school will also be identified and pursued.

Meanwhile, the other partners in the consensus group are being kept informed of the current undertaking. Their insights will inform the final proposals, ensuring that a “shared education ethos” pervades not only the current discussions but also the delivery of post-primary, and especially Sixth Form, education going forward.

The resolution of the area planning issues associated with the post primary controlled and voluntary grammar sectors in Armagh will clear the way for further opportunities for shared education to be identified and addressed. An early draft of such a process was drawn up as a result of the feedback from the Department of Education. It is set out below in its un-amended form and forms Appendix 2.2. Timings are indicative and no longer relevant

## APPENDIX 1

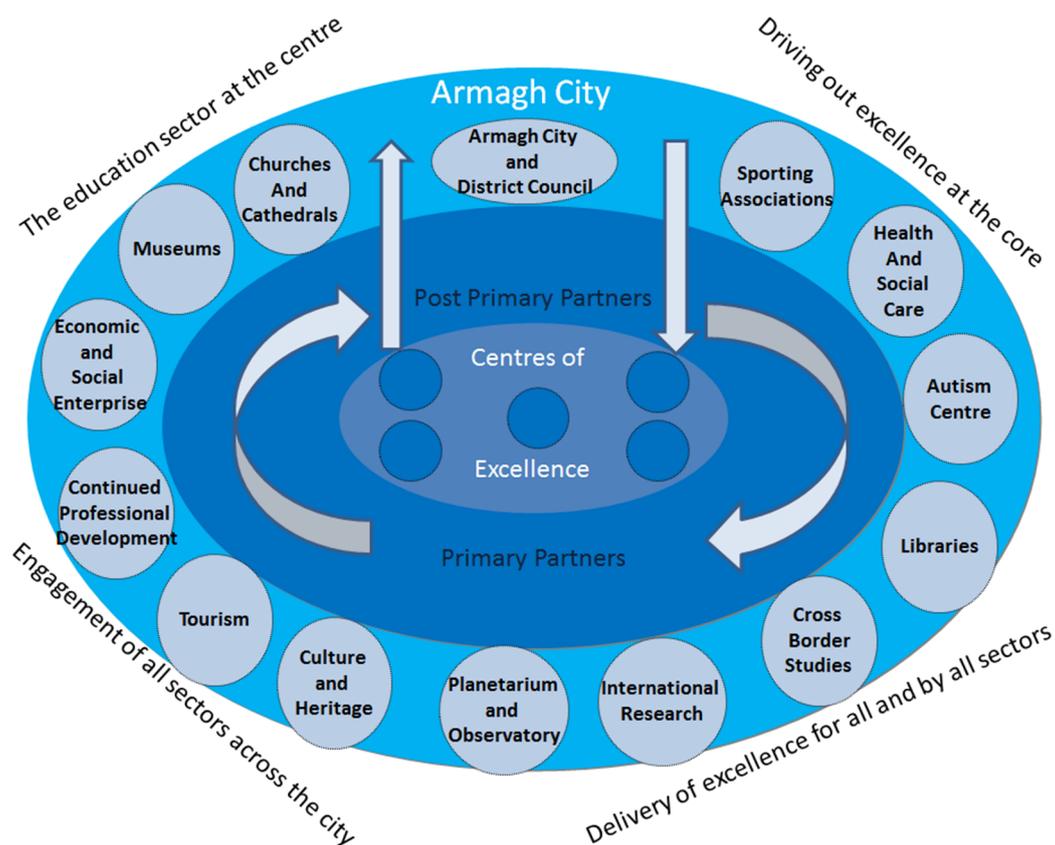
### 1.1 The Concept

Armagh City is well renowned as a “City of Saints and Scholars” with a longstanding reputation of excellence in education and learning. Since August 2012, a collaborative approach has been advanced by the primary and post primary schools in Armagh City, with input from Armagh City and District Council as the “honest broker/enabler” to develop a new vision and aspiration for the future which positions:

*“Armagh as a Shared Learning City in which all citizens have access to educational opportunity at every age, to every age.”*

*This will be achieved by investment in new state of the art facilities to create ‘Centres of Excellence’ providing state of the art facilities for academic and sporting excellence. Access will be enjoyed by schools within the city to deliver shared learning, academic, vocational, performance and sporting excellence. This model of educational sharing will be further enhanced by receiving support from and affording support to key groups and sectors across Armagh City, thus fully integrating with the rich cultural, sporting, entrepreneurial, historical and academic resources outside of the schools sector proper.*

**Figure 1.1: ‘Armagh – A Learning City’**



The aspiration outlined for Armagh is a far-reaching and ambitious one and one which involves a myriad of stakeholders. Whilst engagement has been ongoing and coordinated, this submission represents work in progress in arriving at the far-reaching vision for ‘Armagh – A Learning City’. This report sets out the strategic framework, direction of travel, engagement and journey to date by all participating stakeholders. It is fully recognised that further work is required to define detail and design of ‘Armagh – A Learning City’. The overall strategic framework for this submission will be centred upon an investment strategy which combines the development of new shared facilities with investment in existing facilities within the city boundaries. The core principle is that of establishing centres of excellence to be the drivers for significant

sharing of facilities by all schools (and indeed the community) and will be located at available lands within the City boundary. The current proposal is centred on lands at Mullinure (see **Appendix 1**), however a key first task of the Project Board when established will be to review and appraise other site options within the City. It is anticipated that shared facilities will focus on applied subject areas, where facilities are typically more technologically advanced, state of art and differentiated from the existing schools offering and which existing schools in their own circumstances could not achieve. The centres will focus on subject delivery that allows greatest interaction amongst students. It is envisaged at this stage that centres of excellence will provide facilities for: STEM and land economy, creative/digital media and ICT, culture, languages and the arts, enterprise, industry and innovation together with full access to dual use sports and leisure. Critically, there will be clear synergies across the centres of excellence thereby generating significant added value to learning and leisure experiences and facilitating integrated programming. A number of key drivers offer early opportunity to create the nucleus and include the planned leisure dual use investment by Armagh City and District Council and the new build development by the Southern Regional College.

The '*Armagh – A Learning City*' proposal has the potential to be first truly 'shared education' project that brings together all elements of the educational spectrum including early years, primary, special education, secondary, grammar, Irish medium and further and higher education. All within a unique learning environment that is enriched by a wealth of educational assets such as the Robinson and O'Fiaich libraries, museums and public, private and voluntary sector facilities and services that will provide support and deliver added value to shared education in Armagh.

## 1.2 Schools that are Viable and Core to Area Plan

The application relates to all schools within Armagh City including post primary and primary. The ambition to deliver shared education in Armagh is aligned with the area planning and the need to secure a future for a controlled post primary in the city. The vision for shared education within Armagh City is founded on involvement from all sectors – offering opportunity for young people from all ages, all community backgrounds and from all abilities. Integral to the aspiration for '*Armagh – A Learning City*' is the continuing provision of excellent education to all young people in the City and its hinterland. This will continue to be underpinned by collaboration between schools through the *Learning City*.

## 2 Rationale, Aims and Needs

### 2.1 Rationale for Shared Education

Armagh is not only recognised for the strength and breadth of its education provision but also for its positive cross community relationships which flow through many aspects of local life. The vision for shared education in the city seeks to build on both key elements to enhance the educational offering, delivery and opportunity through access to state of the art educational teaching and facilities for all, thereby, and in parallel encouraging and embedding a shared future.

Armagh, and particularly its educational community, has already travelled a significant distance along the road towards the advancement of the concept of shared education in our city. We enjoy the advantages of:

- **Shared Space** - Physical location, proximity and connectivity of the existing schools, to the community, to each other and to the proposed shared facilities;
- **Shared Activity** - Collaboration between schools in the active delivery of both the curriculum and extra-curricular opportunities which has spanned several decades. This experience of collaboration leading to increased understanding, mutual and enhanced relationships is a strong foundation for further enlargement and enrichment;
- **Shared Ethos** - All participating schools have the commitment, ambition and the enthusiasm to deliver excellence in education for the young people of the City. This is reflected in the Guiding Principles (via infra) to which they are committed; and
- **Shared Future** - All participating schools desire and are committed to a shared future for the young people of Armagh. This shared education endeavour is seen as fundamental to Armagh 'together building a united community'.

#### Guiding Principles

The overall concept of 'Armagh - A Learning City' is firmly founded upon a number of fundamental principles (informed in part by the Department of Education, Ministerial Advisory Group's paper on Advancing Shared Education). These have been developed, agreed and accepted by all participating schools:

- **Clear Focus and Purpose** - There is full recognition and acceptance by all schools in the city that 'Armagh - A Learning City' - will have at its heart centres of excellence' offering specialist facilities which are available to all schools and accessible by all schools, and that provide a focus for life-long learning, academic excellence, cultural expression, social interaction and educational collaboration with quality leisure and dual use facilities. It is accepted that there is a need for a **significant strategic core linked to other potential satellite centres** to provide the overall capacity for learning in the City. Implicitly all partner schools will, in advancing any future investment plans for their own institutions, consider and review what enhanced facilities may be best placed to be delivered as shared resources and refine their own proposals accordingly and invest relevant resources to the shared facilities:
- **Strong sense of place and identity** - The centres of excellence will be recognisable as **shared central cohesive locations** for all schools within the city and provide a positive sense of place

where all individuals, schools and community can socialise, interact and collaborate together. At the same time the individuality and ethos of all participating schools will be respected and maintained;

- **A Model of Sharing** - A strategic approach to shared education will be underpinned by equality of access for all and a commitment to the maximisation of opportunity for each student to achieve his or her personal ambition and potential. The partners setting forward these proposals commit themselves to delivering educational excellence through schools working together to share resources and facilities, and to pioneering innovative approaches to the types of facilities and educational approaches that can be generated by the collective pooling of resources, both human and physical, and by collaborative investment planning;
- **Curriculum Advancement and International Linkages** – The partners are also committed to exploring and developing a clear, robust framework for academic and vocational based education which offers a **suite of options and choice to individual learners** – a ‘*Community Curriculum*’ - thereby positively enhancing overall learning outcomes. In addition the partners share the ambition of investigating, nurturing and developing third tier educational linkages to embrace the possibilities of a post graduate offering, and also of nourishing academic development through interaction with business and industry, to equip our young people to contribute to and enjoy the fruits of economic growth and development. Potential exists to build particularly upon Armagh’s sectoral business strengths in pharmaceuticals and the agri-food industry, and to establish a reputation as an innovation hub for the agri-food sector;
- **Relationships** - Leadership and commitment is strongly evident at all levels by participating schools to growing an ethos of sharing, and to building and nurturing personal and professional relationships between staff, governors, pupils and parents;
- **Education/Learning Excellence** – The vision of the partners is to secure educational excellence which will incorporate a maximising of academic achievement and skills development, and comprehensive sport and leisure opportunity with an emphasis on high moral and spiritual values informed by religious faith whilst emphasising tolerance and respect for diversity. We aspire to tailor our educational offering both to individual needs and aspirations as well as to the family business/community and voluntary sector needs;
- **Innovation** – Armagh – a Learning City aims to establish connections to and collaboration among existing and emerging sectors in Armagh to drive forward and promote a culture of innovation. Working across all partners and sectors opportunities for learning development in the form of work experience, apprenticeships and economic and social enterprise start-up will be explored and developed;
- **Connectivity, Integration, Quality and Sustainability** – Our proposals seek to develop quality well designed facilities with an integrated approach to connectivity amongst existing schools and integrate with the wider environs of Armagh; and
- **Openness, Accountability and Governance** – We seek the development of a strong governance framework to lead, and deliver the educational provision to which we aspire and which draws upon statutory, community, voluntary and private sectors and promotes inclusivity, accountability and sound financial management, and ensures long term sustainability.
- **Efficiencies** – Our model of shared education should provide the opportunity for capital and revenue cost efficiencies through the sharing of enhanced facilities across all schools and lead to collaborative

management and operational costs. Programming through timetables and holiday arrangements will be coordinated to maximise utilisation of shared facilities.

It is the strong view of the partners involved that the shared commitment to the delivery of outcomes informed by these principles, building upon the significant collaboration which already exists, provides a very powerful and indeed exciting rationale for shared education in Armagh City.

## 2.2 Type of Sharing Proposed

The vision for '*Armagh – A learning City*' envisages the creation of centres of excellence providing access to state of the art teaching and facilities across a range of disciplines. Engagement among partners has identified the potential to create such centres in:

- **Sports and Recreation** – The partners acclaim the commitment of Armagh City and District Council to develop extensive sports and leisure provision on the Mullinure Lands for dual use with all schools. Existing plans include an eight court sports hall, dance studios, health and fitness suite including junior provision, a ten lane, 25 metre swimming pool, learner pool and steam/sauna, a sports excellence centre including strengthening and conditioning suite, sports medicine, lecture space, hydrotherapy pool, grass and 3G/4G pitches, athletics track, bridleways, cycle-ways, paths and sensory gardens. The facilities will provide for all types of sports and recreation activity across all schools;
- **STEM** – The partners advocate the development of cutting edge science, technology and engineering facilities to provide space for learning and innovation in STEM subject areas to include provision for food science to link with the local agri-food industry. It is envisaged that private sector involvement through research and development could also be leveraged in this facility and early conversations have been positive in this regard;
- **Languages and the Arts** – Armagh has a rich tradition in the arts and an Armagh 'Centre of Excellence' will seek to build on preeminent expertise and achievement through programmes and infrastructure delivery accessible by all young people. Linkages with existing arts facilities including the Marketplace Theatre will be explored, in particular as a showcase venue for programmes delivered through the shared education model. Furthermore, acknowledging the increasingly globalised world in which we live, where connectivity between people, across geographical and language boundaries is paramount, combined with the preeminent emergence of Armagh City as an Irish Language 'hub'<sup>1</sup> a Languages centre of excellence is proposed. The development of shared language facilities provides a unique opportunity for Armagh to extend its offer of other world languages to all learners to include languages not presently on offer;
- **ICT, Digital Media and Creative Media Zone** – The partners recognise the burgeoning importance of providing access to extensive ICT resources as well as state of the art advanced technologies to provide students, schools, communities, businesses and entrepreneurs the tools to turn ideas and concepts into reality;
- **Business Institute** – The partners also strongly advocate the development of a local Business School in order to provide shared learning and development facilities to embed an entrepreneurial culture and associated skills among students, the community and business

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<sup>1</sup> The Irish language is experiencing a growth in Armagh City over and beyond that being experienced in other areas. Gael Linn who have been mounting their provincial operations from Armagh City for over half a century have just been appointed lead organisation for the promotion of the Irish language in the English medium schools sector at primary and secondary levels and amongst adult learners of Irish. Armagh City will soon have an Irish language hub, 'Aonach Mhacha' which will open in 2015. The City of Armagh has been shortlisted for a prestigious Glór na nGael award for the promotion of Irish and are now vying with two other areas for this award; Carntougher in Co. Derry and the Conamara Gaeltacht in Co. Galway.

generally. It would further provide collaboration between partners to advance both economic and social enterprise, provide a hub for research and development and directly support the development of business and social economy organisations. In particular the centre would aim to provide state of the art shared facilities for the travel and tourism and catering curriculums congruent with the specific context of Armagh and its particular learning environment including the development of a new SRC campus. Furthermore, this 'Centre of Excellence' will offer significant development opportunity for the post 19 year old student base who wish to pursue vocational careers. We particularly note the importance of such transitions for young people with special educational needs. The aim is to form and promote greater social inclusivity across the spectrum of enterprise activity; and

- **Ecclesiastical Heritage Studies** – We propose the development of a centre of excellence to build on Armagh's uniqueness and international reputation as the Ecclesiastical /Christian Capital of Ireland resonating with the spiritual legacy of St. Patrick in Armagh. St Patrick's heritage would be the foundation for a new 'Centre of Excellence' in the study of Christian spirituality and of comparative religions. The Centre would be shared by all the schools in specific areas of the curriculum and the development of mutual understanding. The intention is to build on the foundation work already established in the City through the joint Clergy Partnerships.

Facilities to nurture **personal development** will also be a key component of the shared model. Opportunities for personal development across both pupils and teachers will be explored with a vision for a personal learning environment which draws upon concepts of "**next practice**" drawing upon shared experience from across the partner organisations. Provision may include CPD activity, careers advice, personal awareness, health and wellbeing, behaviour and relationship, counselling and welfare.

We envisage the sharing of a range of bespoke, accessible and attractive facilities which will provide enhanced opportunities for young people from all socio-economic and community backgrounds. In addition to the shared facilities it is acknowledged that several of the partner schools within Armagh City are in need of a core new build facility. The current intention is for these redevelopments to progress on existing school sites which already provide good connectivity to other schools within the city and to the shared facilities. The core new builds would not replicate the facilities provided through the shared hub and thus significant savings on individual school builds could be realised.

### 2.3 Aims and Objectives

The evolution of 'Armagh – a Learning City' has the potential to deliver significant educational, societal, health, economic and regeneration benefits.

The **overall aim** of the project is to:

*"Establish Armagh as a Shared Learning City in which all citizens have access to educational opportunity at every age, to every age."*

Underpinning this overall aim is a wide range of intended **objectives**:

- **Better Outcomes:**
  - The creation of '**Centre of Excellence**' and a model of sharing which will promote maximum academic achievement and skills development for all;
  - Enhanced professional development opportunity for teachers;

- Collaboration between education, enterprise, community to evolve best practice (“next practice”) and more efficient and effective delivery;
- **A Shared City embodying:**
  - High moral values and a faith based ethos for learning and development;
  - Tolerance, respect for diversity and inclusiveness and promotion of opportunities for young people with special needs;
  - The creation of natural relationships among pupils, parents, teachers and the community through an ethos and environment shaped by shared education;
- **Increased Access:**
  - Enhanced opportunity for participation, achievement and excellence in the sports, culture and the arts and enterprise by students and the community;
  - The offering of a broader ‘community curriculum’ focused on the learner and not on any individual provider;
  - The opportunity through significant critical mass of pupil numbers to secure tertiary education provision in Armagh City;
  - The provision of greater family learning and participation opportunities across all age and ability spectrums;
- **Regeneration:**
  - The regeneration of Armagh City and the promotion of it as a place to live, work, play and invest with state of the art facilities and a fully integrated ‘community’; and
- **Increased Efficiency:**
  - The realisation of resource savings through an agreed model of collaboration.

## 2.4 Management Type of Schools

The schools partnering in this expression of interest are representative of all sectors within Armagh including controlled, voluntary grammar, maintained, integrated and special educational needs. Represented in percentage terms of the total population of the City’s schools (excluding further education and the private sector) 48% of all pupils are in the Maintained Sector, 32% are in the Voluntary Grammar Sector, 13% in the Controlled Sector, 2% are in Special Needs Education and 4% in the Integrated Sector. The schools partnering in this expression of interest are set out in Table 2.1.

**Table 2.1 Partners**

| Management Type   | School   | Pupil Numbers* |
|-------------------|--|----------------|
| Voluntary Grammar | Royal School Armagh  | 706            |
|                   | Royal School Armagh Preparatory                                  | 43             |
|                   | St. Patrick’s Grammar School (including St. Brigid’s High School | 1,004          |
| Maintained        | St. Catherine’s College (including Irish Medium school)          | 1,182          |
|                   | Mount Saint Catherine’s Primary School                           | 219            |
|                   | Christian Brothers Primary School                                | 408            |
|                   | St. Malachy’s Primary School                                     | 209            |
|                   | St. Patrick’s Primary School                                     | 448            |

|                          |   |              |
|--------------------------|---|--------------|
|                          | Drelincourt Primary School                    | 20           |
| <b>Controlled</b>        | City of Armagh High School                    | 260          |
|                          | Armstrong Primary School                      | 490          |
| <b>Special School</b>    | Lisanally Special School                      | 100          |
| <b>Further Education</b> | Southern Regional College (Armagh Campus)     | 1300         |
| <b>Integrated</b>        | Saints and Scholars Integrated Primary School | 219          |
| <b>Private Sector</b>    | Crèche <sup>2</sup> /After Schools Facilities | N/A          |
| <b>TOTAL</b>             |   | <b>6,608</b> |

\*2013 enrolment numbers.

## 2.5 Educational Benefits

The sharing of expertise through teaching and leadership resource, the evolution and acceptance of best practice and the collaboration of teachers and pupils at all levels combined with access to and delivery through leading edge facilities, has the potential to deliver significant additional educational benefits. In particular, partners are strongly encouraged and incentivised by the opportunity to:

- Enhance the curriculum offering in academic and vocational study areas;
- Raise the standard of teaching across all partners;
- Increase participation in academic life, sports, culture and enterprise;
- Raise the expectation and achievement level of both pupils and parents from all socio-economic backgrounds;
- Encourage and deliver life-long learning for all; and
- Ultimately enhance academic, vocational and sporting achievement.

Educational benefits are supported by research literature which strongly suggests that collaborative activity between schools is widely recognised as activity which is directly beneficial for schools. In effect the data exploring this relationship appears to define school improvement in a broad sense. By working in partnership and drawing upon more institutional interdependence, the schools in Armagh intend to continue to focus energies on school improvement. A number of thematic areas emerge:

- **Pupil attainment, engagement and performance** (Chapman et al. 2009; Chapman et al 2011; Hadfield et al. 2006; CUREE, 2005; Hadfield and Chapman, 2009; Chapman and Muijs, 2013)
- **School leadership** (Ofsted, 2011; Hargreaves, 2010; Kubiak and Bertram 2010; Chapman et al. 2008; Hadfield and Joplin 2012)
- **Teacher development, performance and motivation** (Hadfield et al. 2006; Harris and Jones, 2010; Chapman, 2008; Ofsted, 2011; Mujs, et al. 2010; Chapman et al. 2009; Hadfield and Jopling, 2012; Ainscow et al. 2006)
- Offering wider **curricular choice** and broadening opportunity (Pring, 2009; Muijs et al. 2010)

Others demonstrable benefits of collaboration and networking include: motivating disengaged and at risk students (Hadfield et al. 2006); helping schools cope with challenging circumstances (Ainscow et al. 2006);

<sup>2</sup> See letter of support at Appendix III.

combatting negative effects of competition (Hodgson and Spours, 2006; Ainscow and West, 2006); and helping schools make more effective use of resources by providing economies of scale. Research from Bell et al. (2006) argues that collaborative arrangements between schools tend to be more effective when there is specific and focused goal driving partnership. By extension, Chapman and Muijs, (2013) demonstrate that impact is strongest in federated arrangements which had an explicit focus on student performance and school performance.

The proposed centres of excellence will be designed and delivered in a manner promoting participation and excellence. Young people will be offered opportunities not currently available within any single school and through interaction and learning across all sectors it is the belief of partner schools that the 'equilibrium' of participation and achievement for the City will increase.

## 2.6 Societal Benefits

The proposal for '*Armagh – A Learning City*' is not purely founded on the aspiration for educational benefits. Rather the potential to deliver much greater positive impact in terms of wider society is envisaged as a direct result of the investment proposed. The evolution of a shared education model in itself has the potential to deliver benefits far beyond the classroom in terms of: respect for diversity, tolerance and understanding of background and belief; free expression of culture and social interaction.

The establishment of the infrastructure associated with the shared learning also has the potential to offer significant societal benefit in terms of: the creation of truly non-contested shared spaces for all to enjoy; the regeneration of Armagh City with the potential for road network improvements; the enhancement of the economic and development appeal of Armagh city on a regional and national scale; the creation of employment and the opportunity to significantly to shape the future of Armagh City, its environs, its people and its communities.

The '**layered model**' (See Figure 1.1) upon which the concept for '*Armagh – A Learning City*' is formed provides the opportunity for benefits to flow beyond the primary educational partners to the wider sectoral interests in Armagh. As an example: the opportunity exists to establish best practice ("next practice"?) through collaboration in applied research by local industry and schools, with use of state of the art facilities within centres of excellence.

As noted earlier the evolution of a shared education model in Armagh City is deemed fundamental to the emergence of a truly 'shared future' for all people in the City and beyond. Engagement among partner schools originated and continues to be founded on the principle of a 'shared future'. What has become apparent to all however is the impact of shared education will be much greater than bringing all communities together.

The concept of shared education is supported by a number of theoretical perspectives including: inter-group contact theory which explores the context and the quality of contact between pupils who engage in shared educational activities. This body of literature (Hughes, 2010; Hughes et al. 2012; Hughes, 2012; Hughes 2012a; Hughes and Donnelly, 2012; Hughes and Donnelly, 2012a) indicates a number of important findings (i) separate schooling can be divisive whereby minimal and superficial contact between pupils can lead to physical and cultural isolation (ii) sharing offers a potentially more effective contact model than previous educational initiatives (iii) sharing offers significant community relations benefits and improved intergroup relations and (iv) pupils who engaged in shared education demonstrated reduced levels of anxiety; demonstrated positive action and more trust towards one another other.

## 2.7 Parent and Pupil Support

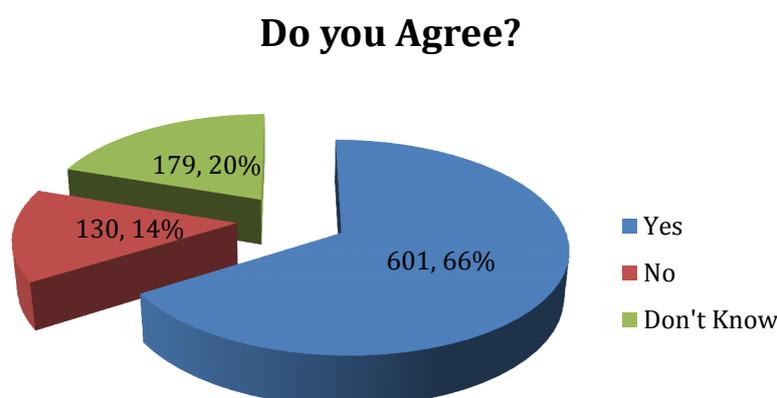
The schools within the shared education endeavour commissioned a research study to assess views from parents and the community of Armagh with regard to proposed shared learning opportunities in the City.

The research was undertaken by LucidTalk and collected views from over 900 people across Armagh from both Roman Catholic and Protestant community backgrounds. The following question was posed to respondents:

*“The Consensus for Post Primary Education proposes that post-primary schools in the Armagh City and district share both physical and teaching resources as part of a shared campus ‘Educational Village’, whilst also maintaining the independent educational ethos, selective/non-selective criteria, and character of each institution. Do you agree that the above plan is the best approach?” [LucidTalk Survey, 2013]*

The responses are outlined in Figure 2.1.

**Figure 2.1 Survey Responses**



Two thirds of all respondents indicated a preference for shared education in Armagh. Whilst not able to directly relate these results to the parent and pupil population of Armagh, the sampling techniques applied should appropriately reflect this grouping also.

## 2.8 Location

The proposal for ‘*Armagh – A Learning City*’ is strengthened by the availability of lands within the boundaries of Armagh City which provide excellent linkages to existing educational establishments, the City Centre and the local road and transport network. The current proposal is based on the development of centres of excellence at land referred to as the ‘Mullinure Lands’. A key first task of the Project Board when established will be to review and appraise other site options within the City. The Mullinure lands are strategically and centrally located in Armagh, in close proximity to existing post primary and primary schools and with further planned connectivity generated by new link road investment. See **Appendix I** for an outline of the site alongside the existing school estate. **Appendix III** includes a letter from the commercial agents responsible for the sale of the land, outlining its availability for this proposed use. This proposal and other sites will be subject to a full site investment appraisal.

## 2.9 Existing Sharing

Shared education is a long established concept in Armagh and is very much accepted as a core element of educational delivery within the City. Sharing has been extended and formalised in recent years through the Armagh Area Learning Community (ALC). The success of the Armagh ALC demonstrates how effective collaboration between schools can help deliver a broader educational offering for all.

Established shared learning experiences in Armagh exist through:

- The St. Catherine's College and St. Patrick's Grammar Consortium which has been successful in offering a shared learning experience to pupils in both schools for more than 30 years;
- The St Catherine's College, St. Patrick's Grammar, City of Armagh High School and the Royal School ALC which includes shared learning experiences across a number of subject areas including construction, French, Irish, Spanish, Home Economics, Music and Sports Studies, Health and Social Care. The ALC also extends to a number of additional activities and initiatives including collaboration between St. Patrick's Grammar and St. Brigid's High School in Home Economics and Music at Key Stage Three;
- Twilight provision in computer aided design (CAD) and journalism for students from City of Armagh High School, St. Catherine's College and St. Patrick's Grammar;
- Engagement across schools in teacher CPD activity, sporting tournaments and training and development initiatives, reading partnerships;
- Extra-curricular, social and sporting events are often organised across schools e.g. school formals, sporting tournaments etc. As an example, a single GAA Team was established combining pupils from St. Patrick's Grammar, City of Armagh High School, St. Brigid's High School and the Royal School to compete in a tournament held in San Francisco in 2009<sup>3</sup>;
- An Armagh Learning Choir has been established with representation across all post-primary schools to perform during the forthcoming Giro d'Italia cycle race this May;
- Lisanally Special School collaboration currently involves links with City of Armagh High School, St Patrick's High School, Keady, St Catherine's College, Armstrong Primary School and Mount St Catherine's Primary School. This is focused on activities such as 'All Sets' Music and Dance Workshops; academic sharing and social integration; Health and Social Care; Sentinus Day and Link courses offered as part of the Schools Partnership Programme;
- City of Armagh High School and in particular Learning Support and Autism Support Centre has strong links with Southern Regional College and Lisanally Special School resulting in pupil learning exchange between each schools;
- Primary schools have access to and use of science labs, ICT facilities and sports facilities; and
- A range of extended shared opportunities are in development including twilight GCSE study between St. Catherine's College and St. Patrick's Grammar, Music links between St. Patrick's Grammar, St. Catherine's College and Lisanally Special School, shared Health and Social Care delivery by St. Catherine's College, City of Armagh High School and the Royal School;
- Southern Regional College also supports schools in the Armagh Area Learning Community in the delivery of the entitlement framework, these include:
  - City of Armagh High School
  - Markethill High School
  - St Brigid's High School
  - St Catherine's College
  - St Patrick's High Schools Keady
  - St Patrick's Grammar School
  - Royal School Armagh
  - Lisanally Special School

## 2.10 Area Planning Context

The vision for '*Armagh – A Learning City*' has to an extent been born of the area planning study for post-primary provision in Armagh. The Southern Education and Library Board (SELB) Area Plan clearly identified the need for greater collaboration particularly in the context of continued Controlled provision within Armagh City. Undeniably, the realisation of the Area Planning conclusion and recommendations

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<sup>3</sup> See hyperlink for video.

encouraged schools within the City to come together to find innovative and workable solutions to protect and grow post-primary provision across all sectors.

To date, collaboration between the City of Armagh High School and the other post-primary providers within the city, most notably the Royal School has helped sustain its position.

## 3. Constraints

### 3.1 Constraints

The '*significant distance already travelled along the road towards the advancement of the concept of shared education*' referred to earlier has allowed the vision for '*Armagh – A Learning City*' to evolve within broad boundaries, without the instance of any significant constraints. The partners involved however understand the importance of progressing the vision with understanding and acknowledgement of any constraints. In particular, considerable work has been advanced to this point which has helped mitigate/reduce potential constraints, including:

- Ongoing and coordinated engagement among key stakeholders; and
- A development of a concept masterplan by Armagh City and District Council.

The collaborative engagement of all stakeholders throughout the process has demonstrated an overwhelming commitment to achieve shared education in Armagh through the creation of a Learning City. This vision will be underpinned by strong leadership and a strategic investment framework which will focus development of new facilities whilst also enhancing existing facilities.

Constraints upon the scale and extent of shared education may however arise as plans are further advanced. In particular the degree to which individual educational providers are willing to share students, teachers, facilities etc. will need to be formally agreed. Such constraints are not deemed prohibitive to the overall success of the shared education proposal in delivering far reaching educational and societal benefits for Armagh and beyond. It is evident that all partners want to see significant enhancement and enrichment of sharing and collaboration.

The current proposal based on Mullinure land that has been subject to an initial feasibility study through the work on a Concept Masterplan, commissioned by Armagh City and District Council. The Concept Masterplan was able to successfully align the vision of an '*Armagh – A Learning City*' with the planning context, site characteristics and development potential of the Mullinure lands. In doing so however it did acknowledge some development constraints relating to this site which include the challenging topography consistent with the wider Armagh environment; absence of specific land zoning on aspects the site; the need for supporting road infrastructure investment and the need to preserve ecology on the site.

The intention to establish a Learning City with core schools remaining on existing sites but accessing shared facilities implies the need for improved transportation corridors and methods. Connectivity is currently good but to promote and underpin a greater degree of sharing it is envisaged that a Transport Masterplan will need to be developed. Early discussions have mentioned the installation of a roaming bus service between schools and shared facilities and the Council has further outlined road improvements planned for the City. Based on early work and ongoing commitment from all involved, connectivity and travel within the shared model should not be a major constraint.

A key first task of the Project Board when established will be to review and appraise other site options within the City.

## 4. Stakeholder Issues

### 4.1 Key Stakeholders

An outline of the key partners and an indication of their commitment to the project are below.

- **Royal School Armagh** – the Royal School will remain as an academically selective school and will seek financial investment in core facilities on its existing site which is on the boundary of the Mullinure lands and allows good connectivity to proposed developments within a shared ‘Centre of Excellence’. The Royal School will continue to offer boarding facilities which in the context of *Armagh – A Learning City* has the potential to increase the cultural exchange among all learners with pupils from across the globe boarding in Armagh and participating in a shared education programme;
- **St Patrick’s Grammar** – It has been approved by the Education Minister that St. Brigid’s will merge with St. Patrick’s, paving the way for the establishment of an all-ability, 11-18 school for boys. St Patrick’s at present have indicated a preference to develop a new school build to accommodate the increased pupil numbers on their existing site;
- **St. Catherine’s College** – St. Catherine’s College is an all ability, all girls, 11-19 school. The school encompasses a growing co-educational Srúth, which provides the post primary curriculum bilingually and has grown substantially from its first intake of 10 in 2002 to over 200 in September 2013. St. Catherine’s is pursuing a new build option on their existing site, reflecting the strong links the school holds with the local community in the west of the city;
- **City of Armagh High School** – the High School will seek to consolidate its position in Armagh City building on its collaboration with the Royal School. The SELB will continue to work with the school and the other partner schools to develop plans for future provision including extending access to the Learning Support Unit<sup>4</sup> to all schools in the city.
- **Lisanally Special School** – The Special School is presently located within the core of the proposed shared facilities at Mullinure and is central to the future shared learning plans. Young people in Lisanally Special School will be offered opportunities to access curricular and extra-curricular offerings through mainstream schools and other partners e.g. access to broader shared curriculum offerings and state of the art sports and leisure facilities. In particular, opportunities for post 19 students will be sought among the partners through work experience, apprenticeships and social enterprise. The creation of a shared model of education with Lisanally Special School at its core will be instrumental in integrating the School and it’s pupils within the community of Armagh from early years onwards;
- **Southern Regional College (SRC), Armagh Campuses** – The SRC is currently advancing plans to develop a new consolidated facility for the Armagh Campus on lands along the boundary of the proposed shared site (Mullinure lands). It is hoped this development will serve as an early mover in the shared education endeavour for Armagh City. Once established the SRC has indicated that the shared education model with associated centres of excellence may provide additional support for the delivery of professional and technical training;

- **Armstrong Primary School** – The Armstrong School is presently located along the site boundary, adjacent to the Royal School and has expressed a strong commitment and desire to be part of a shared learning experience within the city; and
- **Saints and Scholars Primary School** – Saints and Scholars has indicated a desire to relocate to the proposed shared site and enter into a meaningful programme of sharing with other schools across the city. A private day care/after schools provider has also indicated a desire to relocate alongside Saints and Scholars on a shared site. The Fun 4U Club is already providing day care and after schools care for children across the schools estate in Armagh and a location on a shared site would significantly increase the accessibility and convenience of such provision going forward (see **Appendix III**).

In accordance with an underpinning principle for *'Armagh – A Learning City'*, investment in core school/college facilities will not replicate facilities provided at shared centres. Rather partners commit to further working together to shape, develop and use enhanced facilities within centres of excellence. It may also be noted that at the time of making this submission there is also strong positive interest from the remaining primary schools<sup>4</sup> based within the city, higher education providers and the private sector. Delivering this vision will require significant leadership, proof of concept and development of appropriate governance/arrangements. Fortuitously a number of key drivers offer early opportunity to create the nucleus for centres of excellence' and include the planned leisure dual use investment by the Council, as well as planned capital developments by SRC on the proposed site.

## 4.2 Consultation

The submission of an expression of interest for *'Armagh – A Learning City'* is the culmination of long series of structured and genuine consultations with all relevant stakeholders since August 2012. St Catherine's College, while not associated with the earlier proposal, would now express interest and support for the current vision. In particular:

- The launch of a public campaign and website seeking views on the concept of a shared education model in Armagh City;
- A Masterplan for the Mullinure Lands commissioned by Armagh City and District Council in May 2013; the development of which involved consultation with schools, lands owners and relevant statutory agencies (Planning Service, Roads Service, Southern Health and Social Care Trust);
- A public information evening in the Marketplace Theatre to which all interested members of the public were invited in June 2013. The evening provided an opportunity for project partners to share their commitment towards a shared education programme, outline the nature of the concept evolving and seek views and challenges from the audience;
- The establishment of a Steering Group including representatives of all partners which has continued to meet on a frequent basis to evolve the concept for shared education in Armagh City and ultimately to submit this expression of interest;
- An Education Symposium was held on the 10<sup>th</sup> January 2014, at which all relevant partners and key stakeholders to the concept of a shared education vision in Armagh were invited. The Symposium which was attended by over 100 people offered an opportunity to hear experiences from principals, staff and pupils involved in the Shared Education Programme (SEP) supported through Queen's University Belfast (QUB) and for principles, staff and pupils from the Armagh schools to work through key aspects of a shared education model for Armagh; and
- A visit to Armagh to discuss the vision for shared education in the City by the Consul General at the US Consulate in Belfast, Gregory Burton.

<sup>4</sup> St. Patrick's Primary School, St. Malachy's Primary School, Mount St. Catherine's Primary School, Christian Brothers Primary School and Drelincourt Primary.

The primary partners have worked, and continue to work closely in a concerted effort to see the delivery of a vision for shared education in Armagh City.

### 4.3 Outstanding Stakeholder Issues

All partners to this proposal are committed to its delivery. The definition of all aspects of the sharing model are however, not yet well defined. It is crucial that recognition of the significant positive strides that have been made is given, alongside the additional investments in time and finance required to allow plans to be progressed and defined further. Much work remains to be done among all stakeholders if the vision in its entirety for Armagh is to be realised.

Should this submission be positively received and accepted by the Department of Education (DE) early work with all partners will be advanced to:

- **Define ‘Community Curriculum’** – partners working together to identify and define how the curriculum offer can be streamlined and extended at different Key Stages to focus on increasing access and excellence for the learner, regardless of the institution to which they belong. This has the potential strongly to influence the evolution of a joint 14-19 strategy through the combined reviews underway by DE and the Department of Employment and Learning (DEL) into the future of GCSE/A Level, Apprenticeships and Youth Training; and
- **Evolve the centres of excellence’ Model** – further define and design the curriculum and community offer from within the shared facilities, acknowledging the earlier movers potential offered by Armagh City and District Council and SRC. To help design the shared facilities, research will be undertaken across the globe to identify globally leading educational facilities that are recognised as offering potential for excellence.
- **Further Site Investigation and Appraisal** – to further assess the feasibility of all potential sites within Armagh City for shared learning facilities

### 4.4 Endorsement

Please see **Appendix II** for endorsements from the Southern Education and Library Board (SELB), Council for Catholic Maintained Schools (CCMS), Royal School Armagh, St. Patrick’s Grammar Armagh, City of Armagh High School, Southern Regional College, Lisnally Special School, Armstrong Primary School, Saints and Scholars Integrated Primary School and Armagh City and District Council. In addition the Northern Ireland Council for Integrated Education (NICIE) has provided a letter of support to this submission.

# 5. Management and Implementation

## 5.1 Project Management Arrangements

The importance of appropriate governance particularly given the complexity of stakeholder involvement in this proposal is well understood. The proposed management arrangements, operating within the guiding principles referred to above will seek to:

- Acknowledge and build from the positive engagement and commitment established by all schools in the partnership;
- Align with the principle of sharing through the establishment of a coherent and structured governance model allowing all relevant stakeholders to understand and inform the concept and benefit from its realisation;
- Learn and embed good practice from other projects including the Lisanelly Shared Education Campus and look outwardly nationally and internationally through research and exploratory visits;
- Acknowledge the importance of and thus provide a voice to young people;
- Provide clear mechanisms for engaged and timely decision making and for resolution to operational issues; and
- Establish and maintain ownership of the Shared Education vision with the local schools themselves.

The proposed project management arrangements include:

- **A Project Board** – tasked with providing advice as necessary but ultimately ensuring the vision for shared education in Armagh is realised. This will be led by the Department of Education (DE), or its representative, and will include a representative from each educational institution within the partnership, SELB, CCMS, Armagh City and District Council and two local community representatives (voluntary, non-affiliated members representing the wider Armagh community). Decision making rights will be agreed among members thus allowing the Board to take key strategic and management decisions in respect of the project. The requirement to establish a Trust will be examined by the Board in accordance with potential acquisition of lands;
- **A Quality Assurance Board** – this forum will include representatives of the Boards of Governors of each partner school/college, whose role will be to quality assure proposals and recommendations prior to formal submission to the Project Board for a decision;
- **Working Groups** – combined by school principals and other stakeholders as relevant who are responsible for bringing ideas, developing concepts and advancing design. It is expected that distinct Working Groups will be established with defined lifespans to address issues such as: timetabling; payment mechanism; community curriculum, shared learning programme and stakeholder engagement;
- **A Project Manager** – to date a considerable level of effort has been expended on moving the shared education concept further in Armagh City. It will be important should the project secure the formal backing of DE that a full-time Project Manager be appointed to oversee the concept from evolution to reality; and

- **A Youth Council** – bringing together young people from across Armagh and across the partner institutions to discuss and recommend ways forward on the model of sharing.

## 5.2 Consultancy Support

It is envisaged that consultancy and professional support will be required to develop an Outline Business Case (OBC) for the project. An integrated financial and technical design team will be required to develop the case for change and design options for a shared education model in Armagh City.

Other consultancy / professional expertise may be required in the form of:

- Professional legal advice to resolve the partnering of separate legal entities;
- Procurement advice to support the procurement of professional expertise; and
- Public relations to support the comprehensive approach to stakeholder engagement which will be necessary to ensure the Learning City is aligned with and informed by input from all relevant stakeholders.

## 5.3 Legal or Contractual Issues

Separate legal entities are involved in the proposed partnership and in particular the legal title and control of shared facilities will have to be agreed across all partners. Furthermore the operation of shared facilities, liabilities and costs across all partners will need to be agreed based on an equitable apportionment model. Acquisition of the proposed Mullinure Lands will need to be resolved early on to secure its future use for shared education purposes.

## 5.4 Outstanding Management / Implementation Considerations

As the vision for shared education in Armagh City evolves, so too does the range of schools and stakeholders who wish to become involved. Considerable engagement across a wide range of schools has taken place in advance of this expression of interest and key partners have been identified. It will be important that any additional partners are identified and formally engage in the proposal from this point forward. Equally for those already engaged and committed it will be important to maintain their commitment as the proposal advances.

The current partners recognise the importance of formally planning for the delivery of the Learning City and have identified key activities to be delivered over the coming months. Table 5.1 outlines.

**Table 5.1 – Implementation Plan – Immediate Next Steps**

| Activity  | Due Date       |
|---|----------------|
| Approval of Expression of Interest (Subject to Approval by DE)                                  | June 2014      |
| Formally establish Project Governance arrangements, including appointment of Project Manager    | July 2014      |
| Further site identification and investigation   | December 2014  |
| Identify best practice in educational design to inform centres of excellence                    | January 2015   |
| Develop and agree 'Community Curriculum' across age spectrum                                    | March 2015     |
| Develop Outline Business Case (OBC) and Technical Design (with associated transportation plans) | June 2015      |
| Acquire land (or options)   | September 2015 |
| Stakeholder engagement and communication  | Ongoing        |

# 6. Costs, Benefits and Risks

## 6.1 Costs

It is difficult at this strategic outline stage to identify with any certainty the costs for the proposal. In particular detailed design of the shared facilities will be necessary to allow costs to accordingly be measured. It is envisaged that this would form part of an outline business case (OBC).

For the purposes of this application, costs have been classified within two phases:

- **Phase 1: Outline Business Case** – costs required to advance the proposal for shared education in Armagh City to the next stage (assumed as submission of an OBC); and
- **Phase 2: Development** – potential costs associated with the development of the shared education proposal.

### **Phase 1 – Outline Business Case (OBC)**

Indicative costs for the period to the submission of OBC (assumed to cover period July 2014 – March 2015) are outlined in Table 6.1.

**Table 6.1 – Phase 1 Indicative Cost**

| Cost Category              | Cost Description  | Cost (£)                     | Detail  |
|----------------------------|---|------------------------------|---|
| <b>Revenue</b>             | Project Manager   | £60,000                      | £60,000 per annum   |
| <b>Costs</b>               | Project GAE   | £10,000                      | To cover general expenses including office running costs, venue hire, advertising, procurement etc.   |
|                            | Accommodation   | £0                           | It is proposed that the Project Manager would be accommodated in existing accommodation.  |
|                            | Consultancy – Outline Business Case (Financial and Technical) | £150,000                     | To secure an external team of professionals to develop a NIGEAE compliant OBC and advance design to RIBA Stage B, including Transport Masterplan.   |
|                            | Best Practice Research  | £10,000                      | To cover travel and research fees.  |
|                            | Legal Advice  | £25,000                      | Allowing for potential legal title issues and acquisition of land.  |
| <b>Total Revenue Costs</b> |   | <b>£250,000</b>              |   |
| <b>Capital Costs</b>       | Land Acquisition  | £1,500,000 (indicative only) | Early discussions with land owners have been positive, however there remains a risk that the land is developed for alternative means or sold. It is therefore proposed that subject to the approval of this application that acquisition options for the land could be advanced alongside the development of the OBC. |
| <b>Total Capital Costs</b> |   | <b>£1,500,000</b>            |   |

### **Phase 2 – Development**

It is much more difficult to estimate with any degree of certainty what the costs of the proposed development might be. A range of new facilities are proposed however the technical scale and design of these has not yet been determined. Similarly it is envisaged that several individual partner schools are in need of redevelopment. It is thus envisaged that the capital cost associated with the Armagh City proposal could be significant i.e. in excess of £100 million accounting for new school development for five primary and post primary schools and a range of new shared and enhanced facilities.

Financial savings are expected to be delivered through collaboration between all the schools. In particular it is agreed by partners will define and agree central sports, arts and science resources that will be provided for within the centres of excellence.

## 6.2 Non-Monetary Benefits

Significant non-monetary benefits are anticipated from this proposal including:

- Enhanced educational offering and achievement for young people of Armagh area;
- Social and economic regeneration of Armagh City;
- Improved community relations across the City and beyond;
- Greater access to more and better sports and recreation facilities for the school children and people of Armagh, helping to promote participation, development and achievement in sport;
- Improved physical and mental health and wellbeing;
- Enhanced opportunities for young people in Armagh through greater linkages between schools and employers, aided by a growing skills base in the City;
- Job creation both through short-term development works but also longer terms as Armagh establishes itself as a powerful skills base;
- The development of a 'shared space' for all; and
- The establishment of a reputation and brand associated with Armagh as a learning city and a city of Saints and Scholars.

## 6.3 Risks

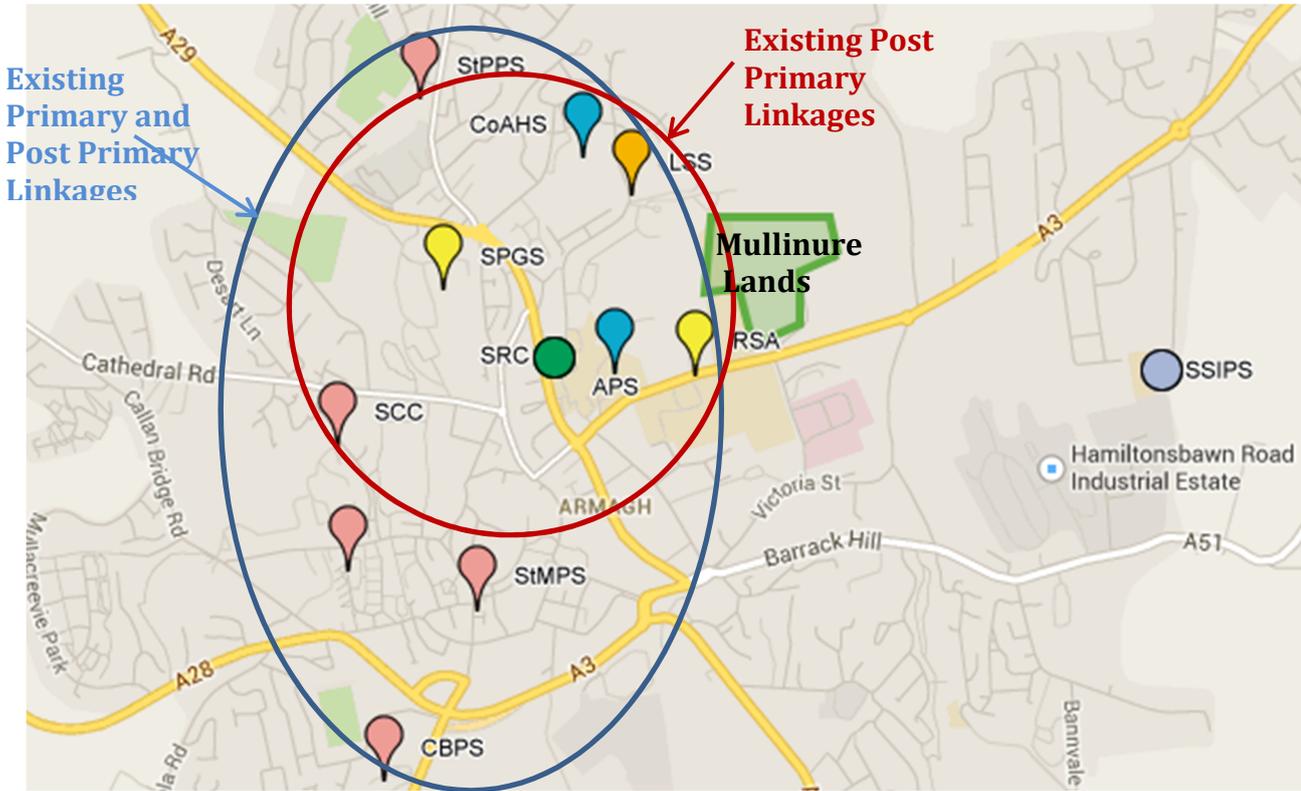
The achievement of an ambition for shared education in Armagh City will be complex. Along the way risks will present and will need to be mitigated so as never to undermine the journey towards the end vision. At this early stage, high level risks have been identified alongside mitigating actions. These are presented in Table 6.2.

**Table 6.2 – Risks**

| Risk  | Impact | Likelihood | Mitigation Strategy   |
|---|--------|------------|---|
| One or more of the schools move away from the commitment to shared education in Armagh City | High   | Low        | Continue to engage closely and routinely with all key partners and provide a forum within which partners can express concerns in an open and transparent manner. Establish formal commitment to the shared vision, potentially through a Memorandum of Understanding (MOU). |
| A proposed site for shared facilities at Mullinure, become unavailable.                     | High   | Low        | Armagh City and District Council should continue to engage with land owners and move as quickly as possible to formally secure options for the purchase of the land.  |

## APPENDIX I

### Armagh Map – Existing Schools Connectivity and Mullinure Lands



**Key:**

|                   |   |
|-------------------|---|
| Controlled Sector | APS – Armstrong Primary School                        |
|                   | CoAHS – City of Armagh High School                    |
| Voluntary Grammar | RSA – Royal School Armagh                             |
|                   | SPGS – St. Patrick’s Grammar School                   |
| Maintained        | CBPS – Christian Brothers Primary School              |
|                   | MstCPS – Mount Saint Catherine’s Primary School       |
|                   | StMPS – St. Malachy’s Primary School                  |
|                   | SCC – St. Catherine’s College                         |
|                   | StPPS – St. Patrick’s Primary School                  |
| Integrated        | SSIPS – Saints and Scholars Integrated Primary School |
| Special School    | LSS – Lisanally Special School                        |
| Further Education | SRC – Southern Regional College                       |

## APPENDIX II

### Managing Authority Endorsement

I endorse this expression of interest as a reflection of our intention to work together in the evolution of 'Armagh – A Learning City'. I am committed to ongoing engagement with all other partners and relevant stakeholders to advance the development and realisation of 'Armagh – A Learning City'.

**Managing Authority** Southern Education and Library Board (SELB)

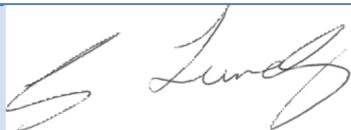
**Signature**

**Position**

**Date**

**Managing Authority** Council for Catholic Maintained Schools (CCMS)

**Signature**

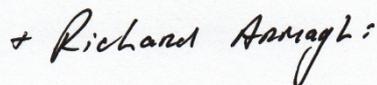


**Position** Deputy Chief Executive

**Date** 31 March 2014

**Managing Authority** Royal School Armagh, Board of Governors

**Signature**

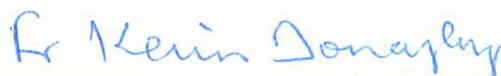


**Position** Chairman of the Board of Governors

**Date** 31 March 2014

**Managing Authority** St. Patrick's Grammar Armagh, Board of Governors

**Signature**



**Position**

SECRETARY TO BOARD OF GOVERNORS

**Date**

31. 03. 2014

**Managing Authority** St. Catherine's College, Board of Governors

**Signature**



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|                 |               |
|-----------------|---------------|
| <b>Position</b> | Principal     |
| <b>Date</b>     | 31 March 2014 |

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|                           |  |
|---------------------------|--|
| <b>Managing Authority</b> | City of Armagh High School, Board of Governors |
|---------------------------|--|

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|                  |   |  |
|------------------|---|--|
| <b>Signature</b> |  |  |
|------------------|---|--|

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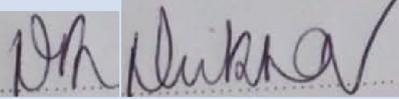
|                 |               |
|-----------------|---------------|
| <b>Position</b> | Principal     |
| <b>Date</b>     | 31 March 2014 |

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|                           |   |
|---------------------------|---|
| <b>Managing Authority</b> | <b>Southern Regional College</b>  |
| <b>Signature</b>          |  |
| <b>Position</b>           | Chief Executive   |
| <b>Date</b>               | 31 March 2014   |

|                           |   |
|---------------------------|---|
| <b>Managing Authority</b> | <b>Lisanally Special School, Board of Governors</b>                               |
| <b>Signature</b>          |  |
| <b>Position</b>           | Principal   |
| <b>Date</b>               | 31 March 2014   |

|                           |   |
|---------------------------|---|
| <b>Managing Authority</b> | <b>Saints and Scholars Integrated Primary School, Board of Governors</b>          |
| <b>Signature</b>          |  |
| <b>Position</b>           | Chairman of Board of Governors  |
| <b>Date</b>               | 31 March 2014   |

|                           |   |
|---------------------------|---|
| <b>Managing Authority</b> | <b>Armstrong Primary School, Board of Governors</b>                                 |
| <b>Signature</b>          |  |
| <b>Position</b>           | Principal   |
| <b>Date</b>               | 31 March 2014   |

|                           |   |
|---------------------------|---|
| <b>Managing Authority</b> | <b>Armagh City and District Council</b>   |
| <b>Signature</b>          |  |
| <b>Position</b>           | Chief Executive   |
| <b>Date</b>               | 31 March 2014   |

**APPENDIX III**  
**Letters of Support**

GL/AR  
25 March 2014  
Mr Gavin Boyd  
Chief Executive  
SELB  
3 Charlemont Place  
Armagh  
BT61 9AZ

Dear Gavin

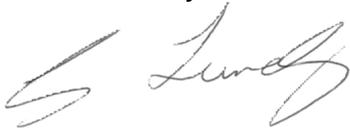
**Re: Armagh – proposal for a Shared Learning City - Shared Education Campuses Programme**

I write in respect of the above to advise that the proposal has been considered carefully by CCMS. It is considered that the project has significant merit in principle and that, subject to agreement with the SELB, CCMS is open to committing appropriate resources to support the Maintained schools in Armagh and to work with the SELB and other stakeholders to develop a future potential bid for shared education facilities across the city.

This offer of support is given under the following conditions:

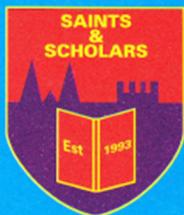
- The role of Senior Responsible Officer for the CCMS schools in the project will be exercised by CCMS;
- The proposal will be reviewed at each stage and will be brought back to the Trustees and CCMS for endorsement before moving to any further stage within the project; and
- That an agreed Memorandum of Understanding and Agreement will be developed and approved for the project between the Trustees and the Department of Education.

Yours sincerely



**Gerry Lundy**  
**Deputy Chief Executive**

CC: Mr P Carlin, Principal/Mrs D McDonald, Principal  
Very Rev P McAnenly, Trustee  
Very Rev E Sweeney, Chair of Governors  
Mr P Brannigan, Chair of Governors  
Archbishop E Martin  
Mr J Briggs, CEO Armagh City Council



Principal: Mrs Julie Macartney B Ed (PQH)

*It takes a world of differences to make a different world*

**Saints and Scholars  
Integrated Primary and Nursery School**

Killuney Park Road, Portadown Road  
Armagh BT61 9HG

Telephone: 028 3751 0113

Facsimile: 028 3752 2300

Email: [jmacartney985@c2kni.net](mailto:jmacartney985@c2kni.net)

Dear Sir or Madam,

Fun 4U is a registered Child Care Provider which is located within the Saints and Scholars Integrated Primary School and Nursery Class site. Saints and Scholars Integrated Primary School and Nursery Class have established an effective public/private partnership with the aim of providing strong bonds to enhance childcare provision in a safe, secure, stimulating, integrated and caring environment.

Fun 4U is a registered out of school provider which presently provides childcare during term time from 2:00-6:00pm and from 8:00am-6:00pm during all school closures.

The Board of Governors of Saints and Scholars Integrated Primary School and Nursery Class support the relocation of Fun 4U to the proposed Education Village and request that they are relocated within any new site proposed for Saints and Scholars Integrated Primary School and Nursery Class.

Yours faithfully

David Millie  
(Chairman)

[www.saintsandscholarsips.org](http://www.saintsandscholarsips.org)



**International  
School Award**  
2010-2013



**INVESTORS  
IN PEOPLE**



Fun 4U Club  
(Out of School Care Provider)  
78 Gosford Road,  
Markethill,  
Co. Armagh.  
BT60 1RH  
Phone 028 3755 2713  
E-mail: fun4uclub@tesco.net

Dear Sir or Madam

- Fun 4U club is a registered Child Care Provider; our ethos is to provide a safe, secure, stimulating and caring environment for all children. We are members of Play Board NI, who are the lead agency for promoting the child's right to play. We are presently engaged in a well established Public / Private partnership with Saints & Scholars Integrated Primary School. This partnership has grown and strengthened year on year creating strong bonds with our working parents their children and the school's staff and Governors.
- Provision at present.  
Registered Out of School Care Monday to Friday term time, 2pm to 6pm.  
School closures Mon to Fri 8am to 6pm.  
Full summer scheme during July & August.  
Available for children 5 to 12 years of age.
- Cross community.  
We accommodate children from Saints & Scholars IPS and from various other surrounding Primary and Secondary Schools, these have included:  
Armstrong PS.  
Drelincourt PS.  
Saint Patrick PS.  
Lisnadill PS.  
Hamiltonsbawn PS.  
Saint Catherines College.  
City of Armagh High School.
- Flexibility  
Full and part time spaces.  
Half day sessions available.  
No retainer fees imposed.  
Pay only for the days booked.  
Free collection service for surrounding schools.
- Proposal  
Relocate with Saints & Scholars IPS to the newly proposed Educational Village.  
To expand and provide a full day care facility (0yrs to 5yrs) while retaining and developing the Out of School Care facility (5 to 12yrs).  
This will provide working parents with the convenience of one drop off and collection point each working day, for all the children in their family, regardless of age.  
Concentrating all their family child care needs in one location.

Pauline & Stephen Martin

*Pauline Martin, Stephen Martin*  
Fun 4U Club

Dear Julia,

## **Re Armagh Educational Village**

I am writing on behalf of Northern Ireland Council for Integrated Education (NICIE) to indicate NICIE's support for the involvement of Saints and Scholars IPS in the Armagh educational village.

This is an innovative project which has the potential to transform educational performance in the Armagh area and to make a significant contribution to community relations.

Bringing together a range of schools of different management types, both primary and post primary, has the potential to create a model of educational excellence for the 21<sup>st</sup> century.

There will be obvious economic savings in such a campus. However the contribution to educational performance will be significant and important. The underachievement in our educational system, particularly as it affects protestant boys, is well documented. The proposed campus will raise aspirations and normalise the value of education for all by bringing together a diversity of schools, providing a social blend and a range of positive role models.

Armagh remains a town divided. The educational campus, embracing all types of school management and educating together all children from the town has the potential to play a significant role in healing division.

This proposed campus will benefit from collaboration across schools, sharing teaching expertise and resources and creating opportunities for children and young people to be share educational experiences.

NICIE will support this proposal in practical terms though offering training for staff involved through our Sharing Classrooms :Deepening Learning Project and our anti -bias training.

NICIE is pleased to register its support for the Armagh Educational Village proposal.

Yours sincerely,



Our Ref: SD/LB

25 March 2014

Clarence House  
4/10 May Street  
Belfast BT1 4NJ  
Tel: +44 (0) 28 9032 7954  
Fax: +44 (0) 28 9024 4057

Internet: [www.btwshiells.com](http://www.btwshiells.com)  
E-mail: [info@btwshiells.com](mailto:info@btwshiells.com)

To Whom It May Concern

Dear Sir/Madam

I would advise that negotiations are currently taking place regarding the sale/option to buy the land identified on the attached map from the Armstrong Family to Armagh City and District Council.

I/We are happy to confirm that the land that is available for sale for intended use of recreation, community and education land and the Armstrong Family remain enthusiastic to see the land put to this use.

I trust this brief note is satisfactory for your purposes at this stage, however, should you require anything further, please do not hesitate to contact me at any time.

Kind regards

Yours faithfully

A handwritten signature in black ink, appearing to be 'Stuart Draffin', written over a light blue horizontal line.

**STUART DRAFFIN MRICS**

Direct Line: 028 9028 9215  
Email: [sdraffin@btwshiells.com](mailto:sdraffin@btwshiells.com)

Enc

**Headmaster:**

P. CRUTE, M.A., B.A., P.G.C.E.

**Bursar:**

S. T. H. McCONNELL, LL.M., M.B.A., F.C.I.S.

31 March 2014



**THE ROYAL SCHOOL**

ARMAGH

NORTHERN IRELAND

BT61 9DH

**T:** +44 (0) 28 3752 2807

**F:** +44 (0) 28 3751 1126

**W:** www.royalschool.com

Mr John Briggs  
Chief Executive Officer  
Armagh City and District Council  
Gosford Place  
Armagh

Dear Mr Briggs

**"Armagh – A Learning City"**  
**Expression of Interest to the Department of Education**

We refer to the above document (which was received at 13:39hrs on 31 March 2014) and would make the following comments by way of a response.

The Royal School is proud to have been at the centre of the 'City of Saints and Scholars' for over four hundred years.

The document was considered by the Chair of Governors and a sub-committee of the Board and it was agreed that we offer our support for the broad principles which were outlined in the document, subject to the following conditions:

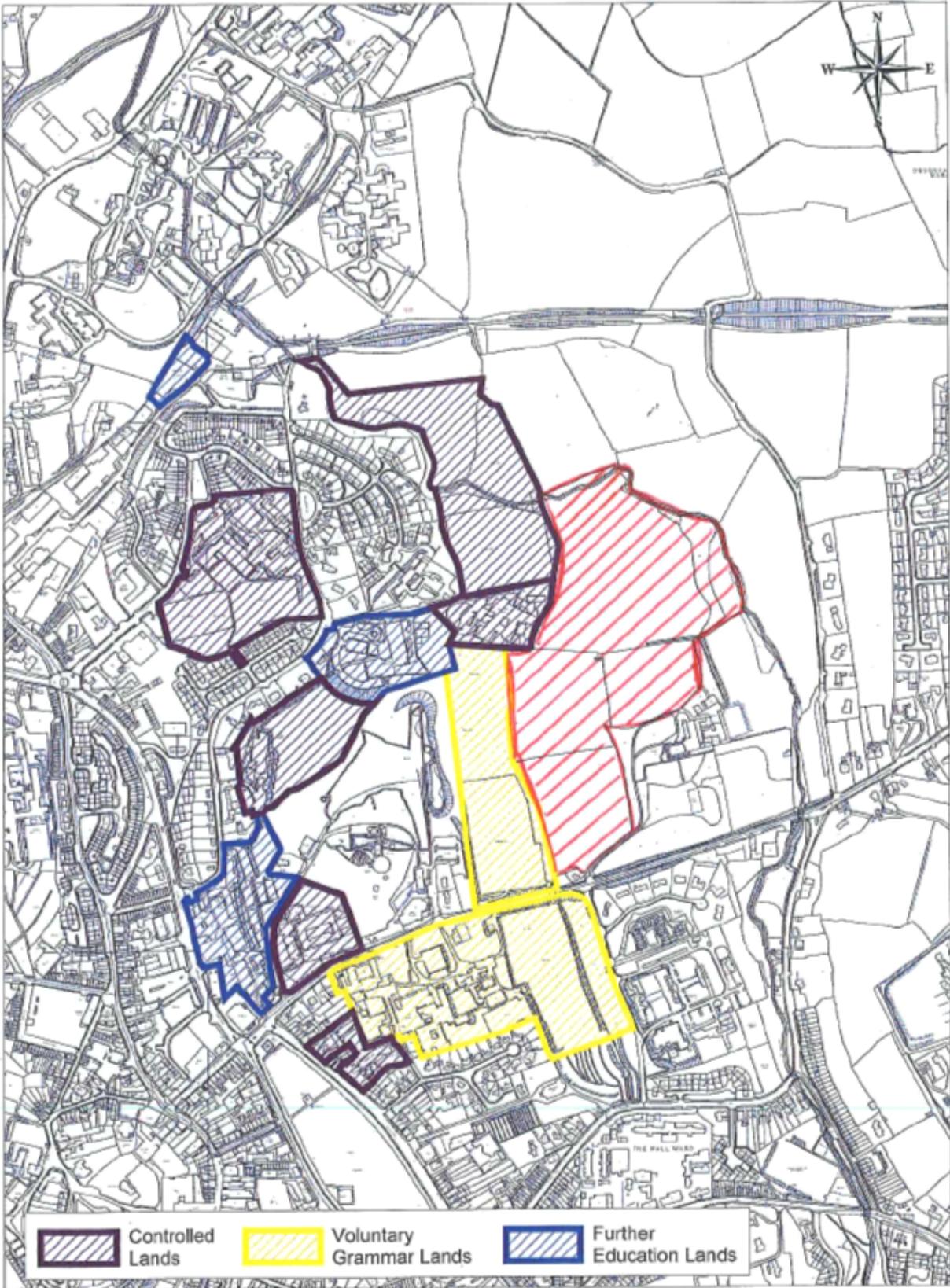
1. That the constitutions of the Project Board, Quality Assurance Board and Working Groups have equal representation from all sectors.
2. That there is a clear understanding that any decisions reached by any of the Boards cannot be taken by means of a simple majority.
3. That a clear rationale is established for the locations of hubs or centres of excellence and that no hub or centre of excellence will be sited without the full agreement of the schools involved.
4. That opportunity will be afforded to the Board of Governors of the Royal School Armagh to regularly review the proposals as the project progresses in order to make recommendations and apply alterations that are considered necessary.

Yours sincerely

*Richard Clarke*  
..... Chairman of the Board of Governors  
Archbishop Richard Clarke

*Paul Crute*  
..... Headmaster  
Paul Crute

*Stephen McConnell*  
..... Secretary to the Board of Governors  
Stephen McConnell



## APPENDIX 2.1

### 6.4 Department of Education Feedback

The Department of Education concluded that the expression of interest for 'Armagh – A Learning City' did not sufficiently meet the essential criteria for selection. In particular the following feedback needs to be addressed:

- Whilst there is acknowledgement of some education benefits, there was felt to be limited evidence of sharing together through proposed centres of excellence;
- There was no evidence of how primary schools involved would benefit;
- There is no reference to how the proposal for a centre of excellence in ICT, digital media and the creative media zone would link with the work of AMMA;
- Further work would be necessary with Southern Regional College to ensure no duplication in provision of further education; and
- There remain area planning issues to be resolved with the City of Armagh High School currently being under the enrolment threshold of 500 pupils for 11-16 (219 in 2013/14) and 100 in sixth form (19 in 2013/14) and with viable alternative schools in the locality for pupils. SELB would need to clarify the position for controlled provision in the area within an area planning context.

Against defined desirable criteria the following comments for consideration were made:

- Pupils would be required to travel up to 1.5 miles between shared facilities;
- A number of sharing practices between schools are for one-off events rather than over a sustained period of time and are often within sector rather than across the religious divide.

The feedback also questioned the extent to which a shared campus would be achieved given new build facilities for individual schools were being proposed.

It is timely and necessary in moving forward with a vision for shared education in Armagh that the feedback comments received be addressed. In summary the key considerations which remain to be resolved are:

- How can duplication in provision be avoided i.e. within further education and with existing facilities i.e. AMMA?
- What is the model of sharing - how will centres of excellence as proposed deliver shared learning opportunities?
- How can schools demonstrate a sustained commitment to sharing across educational and religious sectoral divides?
- What is the role of the primary sector in the proposals?
- What is the future position of City of Armagh High School given viability concerns and the area planning context?

## APPENDIX 2.1

## STAKEHOLDER GROUP RESPONSE PROCESS: EXTRACT

It is important that all key partners reflect on the commitments made through the Expression of Interest and the feedback received from the Department of Education. In doing so each partner should examine their continued commitment to the vision and to its delivery. Once reaffirmed a series of important practical next steps need to be agreed to move towards realisation.

This section sets out proposed next steps for discussion.

### 6.5 Reaffirm Commitment to the Vision

There is acknowledgement that the vision for shared education in Armagh City will require a journey with commitment and belief along the way from key partners. The vision outlined through the expression of interest whilst undoubtedly far-reaching was, nonetheless, underpinned by basic principles. It is necessary at this stage on the journey to reassess commitment and belief in these principles:

- **Clear Focus and Purpose** - Recognition and acceptance by all schools that *'Armagh – A Learning City'* – will have at its heart **centres of excellence** offering specialist facilities which are accessible by all schools and provide a focus for life-long learning, academic excellence, cultural expression, social interaction and educational collaboration enhanced by quality leisure and dual use facilities. It is accepted that there is a need for **a significant strategic core** linked to other potential **satellite centres** to provide the overall capacity for learning in the City. Implicitly all partner schools will, in advancing any future investment plans, consider and review what may best be delivered as a shared resource, re-align and refine their own proposals accordingly and make provision for the designation of such resource contributions as shared facilities;  
**[Clear Focus and Purpose – The model of Shared Education** herein proposed rests upon
  - a) The **recognition and acceptance by all schools** that *'Armagh – A Learning City'* has at its heart **the sharing of 'Centres of Excellence'** offering specialist facilities to be accessed by all schools.
  - b) The recognition that, whereas use of such centres of excellence **will be largely associated with provision for Key Stages 4 and 5 of the NI curriculum**, but will also provide resources for life-long learning, academic excellence, cultural expression, social interaction and educational collaboration that are not limited by the requirements of the post primary curriculum and include enhanced quality leisure and dual use facilities.
  - c) The model also assumes provision of **a significant strategic core with associated satellite centres** that together enhance the overall capacity for learning in the City. All partner schools as stakeholders in the shared facilities will therefore, in advancing future development plans, take particular account of what may best be delivered as a shared resource - either part of the strategic core or as a satellite - and make appropriate budgetary accommodations in consultation with fellow stakeholders.]

**Strong sense of place and identity** - The centres of excellence will be recognisable as central, cohesive locations for all schools within the city and provide a **positive sense of place** where all individuals, schools and community can socialise, interact and collaborate. At the same time the individuality and **ethos of all participating schools will be respected and maintained**;

- **A Model of Sharing** - A strategic approach to shared education underpinned by **equality of access for all and opportunity to achieve personal ambition and potential**. Commitment to delivering educational excellence through schools working together to **share resources, facilities**, and achieving greater innovation in the type of facilities that can be created by collective pooling of resources and shared investment planning;
- [A Model of Sharing specifically implies
- a) the adoption of a **strategic approach to provision for education** informed by the principle of **equality of access for all with enhanced opportunities for the maximising each individual's human potential and achieving personal aspiration**;
- b) a commitment to excellence through **the sharing of professional expertise, resources and facilities**;
- c) enhanced opportunity for innovation in the provision of educational facilities through **pooling of resources with cooperation and consultation in matters of strategic investment planning**;
- **Curriculum Advancement and International Linkages** - Exploring and developing a clear, robust framework for academic and vocational based education which offers a suite of options and choice to individual learners – a '**Community Curriculum**' thereby positively enhancing overall learning outcomes. In addition investigating, nurturing and developing **third tier education linkages to post graduate offering, linking academic development with industry** experience thereby generating economic growth and development. The potential also exists to build upon Armagh's sectoral business strengths in the agri-food industry and to establish a reputation as an innovation hub for this sector;  
[**Curriculum Advancement and International Linkages** offer fresh opportunities to explore and develop
- a) a robust framework of academic and skills-based/vocational education capable of affording a **broad suite of choices – a Community Curriculum - capable of being individually tailored to meet individual needs**;
- b) **third tier education** up, to and including post graduate study, **linking learning with business and industry**, and thereby enhancing the potential for economic development and growth initially building upon Armagh's existing sectoral strength in the agri-business with an aspiration to establish a reputation as a hub of innovation for the whole agri-business sector;]

**Relationships** - Leadership and commitment at all levels by participating schools to growing a sharing ethos, building and **nurturing professional relationships** between staff, governors, pupils and parents;

[**Relationships are key educational and social components of the "Learning City" proposals**, recognising that socially responsible citizenship requires a commitment to living positively with difference in relationships that exhibit equality of opportunity, parity of esteem, and mutual respect for individual ethnic, religious, social and intellectual diversity. Therefore, **leadership at all levels in participating schools will show dedicated commitment to building an ethos of sharing by nurturing wholesome professional relationships** among staff, governors, parents and pupils.]

- **Education/Learning Excellence** - Secure educational excellence that incorporates maximising **academic achievement and skills development, comprehensive sport and leisure opportunity, high moral values and faith based ethos**,

**tolerance, respect and diversity**, tailored to individual needs and aspirations, relates to the family business/community and voluntary sector needs; **[Education/Learning Excellence** for all is the principle goal and objective of the “Armagh – A Learning City” project. The breadth and holistic character of the project incorporates commitments to

- maximise academic achievement and skills development,
- offer comprehensive sport and leisure opportunities for all,
- maintain high moral values drawing inspiration from a faith based ethos,
- model tolerance and respect through a positive approach to diversity and difference,
- tailor the educational offering to individual needs and aspirations as far as practically possible,
- and
- relate the educational experience to family, business, community and voluntary sector needs.]

- **Innovation** – establishing a Learning City with connections to and collaboration between existing and emerging sectors in Armagh to drive forward and promote a **culture of innovation**. Working across all partners and sectors, opportunities for learning development in the form of work experience, apprenticeships and economic and social enterprise start-up will be explored; **[Innovation** is at the heart of the “Learning City approach. The very concept is itself, innovative exemplified by the creative and mutually beneficial interaction between schools and local government of the city. Furthermore, **the existing partners are committed to exploring greater innovation through collaboration among not only the schools of the city but also other, existing and emerging, academic, business and community sectors**, to drive forward a **culture of innovation**].
- ; and **[Connectivity, Integration, Quality and Sustainability** through partnership are key concepts that underpin proposals to develop **high quality, well designed facilities with well established connections to existing schools thus ensuring maximal – and therefore efficient –use of resources** with additional opportunities for **integrated use by other educational establishments** in the wider environs of Armagh;]
- **Openness, Accountability and Governance** - Development of a **strong governance framework** to lead, and deliver and which draws upon statutory, community, voluntary and private sectors and promotes inclusivity, accountability, sound financial management and sustainability. **[Openness, Accountability and Governance** imperatives will require the development of a **strong governance framework** embodying a commitment to **continually monitored consultation among stakeholders** with the object of leading the delivery of the emerging project and which draws upon **statutory, community, voluntary and private sectors** and promotes **inclusivity, accountability, sustainability and sound financial management**].
- **Efficiencies** – a model of shared education should provide the opportunity for capital and revenue **cost efficiencies** through the shared facilities across all schools and shared management and operational costs. **Programming through timetables and holiday arrangements will be coordinated to maximise utilisation of shared facilities**.

**Action: Partners should examine the principles set out and confirm or amend these to reflect the proposed way forward.**

**Timing: Immediate**

On the basis that belief in and commitment towards shared education principles, remains it is now necessary to outline practical steps towards their realisation.

## **7.1 Confirm Shared Education Parameters**

Figure 1.1 set out a wide range of stakeholders with involvement within 'Armagh – A Learning City' including the primary and post primary education sectors, third level education and training providers, businesses, statutory agencies, churches, sporting associations and local societies and institutions. The vision for the City in its entirety therefore spans beyond the core education and learning curriculum as defined by Department of Education and Department of Employment and Learning.

**Action: Confirm that the breadth of vision for 'Armagh – A Learning City' remains and consider how best to structure and phase the vision in terms of shared education i.e. is priority given to post primary, post sixteen, core curriculum or extra curriculum?**

**Timing: Immediate**

## **7.2 Governance**

The aspiration outlined for Armagh is a far-reaching and ambitious one involving a myriad stakeholders. It is important therefore that a delegated interim governance structure is established, representative of the interests of all stakeholders, to provide a forum in which decisions can be taken and action can be progressed.

To date the Consensus Group has provided the forum through which the vision for shared education in Armagh City has been advanced. This has also been reinforced by the role of Armagh City and District Council.

Armagh City and District Council will cease in its existence post 31st March 2015, after which a newly formed enlarged Council of Armagh, Banbridge and Craigavon will exist. The formation of the new Council will see a change in leadership and potentially strategic direction. It is important therefore that a defined governance structure is put in place prior to April 2015 to cement the interest and commitment of the Council to bring forward the vision for 'Armagh – A Learning City'.

**Action: Key Partners need to agree and establish a defined governance structure including terms of reference and a memorandum of understanding for the advancement of shared education in Armagh.**

**Timing: 31 January 2015.**

### **7.3 Area Planning Context**

As referenced in the feedback from Department of Education, the area planning context for Armagh continues to present challenges. There is a need to continue to work towards resolving, post primary provision within the controlled sector.

**Action: Continue to engage with the Southern Education and Library Board in relation to the sustainability of City of Armagh High School.**

**Timing: 31 March 2015.**

### **7.4 Capital Development Assessment**

Armagh City and District Council remains committed to the development of dual use leisure and recreational facilities within Armagh City. In line with government protocols on securing approval for capital and revenue spend<sup>5</sup> and the need for detailed planning, the Council expect that capital development works on a new leisure facility will commence in 2018.

In parallel it is understood that many of the partner schools as well as Southern Regional College has plans for capital development work. An assessment of proposed capital development works across the education sector (both through the School Enhancement Programme and new capital build) will be necessary to identify opportunities for sharing and collaboration and importantly to reduce duplication.

**Action:**

**Armagh City and District Council to commission an Outline Business Case for the development of a dual use leisure facility to replace the Orchard Leisure Centre.**

**Timing – 31 December 2015**

**An assessment of proposed capital works within the education sector to be developed with exploration of opportunities for facilities to be shared.**

**Timing – 31 March 2015**

### **7.5 Pilot Programmes Design**

To further test the feasibility of sharing, including management, governance and operational arrangements, it is considered that pilot programmes may be desirable. This should also provide valuable experience in addressing potential pitfalls and challenges in the operation of shared facilities and provide an informed response to the

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<sup>5</sup> Northern Ireland Guide to Expenditure Appraisal and Evaluation

Department of Education feedback in terms of collaborating and demonstrating sharing on a sustained basis.

As an example only, these pilots may include:

- Sixth form sharing programme;
- Use of city centre based facilities to deliver shared programmes;
- Engagement between schools and AMMA; and
- Work between post primary schools and SRC on a community curriculum offering to reduce potential for duplication.

**Action: Armagh City and District Council to commission an Options Appraisal for the definition and advancement of pilot programmes aligned with the vision for 'Armagh – A Learning City'.**

**Timing – 31 March 2015**

## **7.6 Exploration of Funding Opportunities**

It would be prudent to continue to engage with potential funders to explore funding opportunities for elements of 'Armagh – A Learning City'. In particular opportunities may exist with core Northern Ireland Government Departments, Atlantic Philanthropies and the Special European Union Programmes Body (SEUPB) through the Peace IV Programme.

**Action: Once agreed the Governance Body is to agree approach to engagement with potential funders.**

**Timing – 30 June 2015**

## **7.7 Expression of Interest to Department of Education**

Whilst it is possible to resubmit an expression of interest for 'Armagh – A Learning City' at present, it is considered that further work, as outlined above, would be beneficial, to address the areas of feedback received on the initial application. It is likely however that, in light of progress on the actions outlined above, a further expression of interest could be developed for inclusion with the Department of Education Shared Education Programme.

**Action: Once agreed, the Governance Body is to engage with the Department of Education to provide updates on progress and discuss opportunities for 'Armagh – A Learning City' within the Shared Education Programme.**

**Timing – 30 June 2015**



## **Response to the Shared Education Bill request for written evidence from the Northern Ireland Assembly Education Committee Tuesday November 17<sup>th</sup> 2015**

### **Association of School and College Leaders Northern Ireland.**

#### **1. Shared Education.**

ASCL notes that in the definition of “Shared Education” in section 1 of the bill, equal weight is given to (a) education together of those of different religious belief and (b) those who are experiencing socio-economic deprivation and those who are not. Experience in Area Learning Communities has shown that where schools have delegated financial autonomy to develop sharing in a way that suits their local context, that genuine shared education initiatives have thrived and improved cross community contact and cohesion while respecting existing structural realities.

In ASCL’s National Blueprint (2014), it is argued that we can learn from initiatives like London Challenge;

“...where a strong sense of collective endeavour, accountability, a focus on students’ outcomes and deep partnerships between and among schools, brought about significant improvement”.

“School Leaders took on a shared responsibility for the quality of education of all young people in their area, not just those in their own school. There is a strong commitment to principled strategic partnerships, including with higher education institutions.”

This last comment ties in well with the best practice in N Ireland Learning Communities where local FE colleges provide a strong, well equipped, shared, vocational provision and are linked in curriculum collaborations with schools. In these type of contexts shared education becomes a reality. There is no mention in the bill of linkages between schools and FE colleges to facilitate both vocational curricular education opportunities and a naturally evolving shared educational experience for young people from all socio-economic settings.

#### **2. Power to Encourage and Facilitate shared education.**

As the bill proposes to give power to encourage and facilitate shared education as defined above, to a range of public bodies with potential financial controls over schools, the danger exists that one section may be prioritised or incentivised over another and become a mechanism for structural change.

The leap of faith needed for schools to move from separate self- interest to educational collaboration needs support and encouragement from government and equally, respect for the excellence and genuine commitment to the existing educational contexts in which schools operate.

Shared education will be enhanced more by changing minds than changing structures. We start from where we are by supporting financially those in collaborative settings who are on that journey however modest their initial projects. This type of change cannot be legislated into existence, it must grow from the local leadership and the emerging confidence of schools and parents.

For shared education to work schools need to agree sharing between themselves locally and prioritise an inclusive, intercultural vision. There must be support for professional development for teachers and leaders engaged in this difficult work. In the ASCL national strategy document “Blueprint for a Self-Improving System” (2014), it is suggested that, “the role of government is to remove obstacles and create the conditions for a self- improving system”.

Published research on N Ireland Area Learning Communities by McGuinness, Abbott and Cassidy (2013) shows that key barriers in Northern Ireland to the effective development of this approach on Shared Education are both the level of delegated funding and the demotivating complexity of funding delegation. The evidence shows that collective ownership of the collaboration by the schools involved and a high degree of autonomy bring about significant change. We note that there is no mention of encouraging local autonomy in the bill. Over centralised government direction will not bring about lasting shared education but legislators can create the conditions which will allow schools and communities to find their own ways to share.

Frank Cassidy BEM Regional Officer ASCL Northern Ireland

#### References:

ASCL, (2014) Blueprint for a Self- Improving System. Leicester ASCL

McGuinness, S.J. Abbott, L. Cassidy, F. ( 2013) Northern Ireland Some post-conflict challenges in education. In R.P. Clarke, O’Donoghue, T. A. School Level Leadership in Post-Conflict Societies. Routledge. Oxon

DATE: 19<sup>TH</sup> November 2015

## RESPONSE TO SHARED EDUCATION BILL

Association of Principal Teachers in Integrated Schools (APTIS) welcomes the opportunity to comment on the contents of the Shared Education Bill.

Shared education can give children the opportunity to learn from and with those who come from different backgrounds. Unfortunately this Bill does not set out a vision or framework to show how shared education can progress a shared future for Northern Ireland.

The short four-clause Bill has encapsulated the definition of shared education into a few brief lines. There have been a number of definitions of shared education from different organisations and the department itself over the past number of years which have been more inclusive and robust than the one proposed to be enshrined in legislation.

Integrated education is the highest form of sharing; integrated schools educate our young people side by side every day, they experience and learn to celebrate difference. In "Sharing Works- a Policy for Shared Education" it says, 'integrated education, which has already embraced a culture of diversity, is at the upper end of that continuum. Indeed, by supporting Shared Education, it is envisaged that a proportion of schools may move along the continuum to a more fully integrated model.' Yet there is no mention of integrated education or how this progress can be achieved in the Bill.

The integrated education movement would like to see the inclusion of a new clause or amendments putting a duty on the Education Department or Education Authority to help schools involved in sharing projects explore the possibility of moving up the continuum. Putting this responsibility on those who will have a power to encourage and facilitate shared education creates a robust mechanism to ensure that any school who wishes to explore integration as an option will be fully supported in doing so. The lack of responsibility and clear sign-posting at present is impeding schools in exploring models of integration.

We, in APTIS, would like to see this important Bill shaped to ensure that Shared Education works to the maximum advantage of Northern Ireland's children and young people. We are confident that the vast majority of the population wants a truly shared future, and we deserve legislation which genuinely moves us forward to achieve that.

Submitted by :

Heather Watson , Chair of APTIS Committee

Contact details: c/o Phoenix Integrated Primary School, 80 Fountain Road, Cookstown

Telephone: 028 8675 7096



As a governor in an integrated school I feel:

Shared education can give children the opportunity to learn from and with those who come from different backgrounds. Unfortunately this Bill does not set out a vision or framework to show how shared education can progress a shared future for Northern Ireland.

The short four-clause Bill has encapsulated the definition of shared education into a few brief lines. There have been a number of definitions of shared education from different organisations and the department itself over the past number of years which have been more inclusive and robust than the one purposed to be enshrined in legislation.

Integrated education is the highest form of sharing; integrated schools educate our young people side by side every day, they experience and learn to celebrate difference. In “Sharing Works- a Policy for Shared Education” it says, ‘integrated education, which has already embraced a culture of diversity, is at the upper end of that continuum. Indeed, by supporting Shared Education, it is envisaged that a proportion of schools may move along the continuum to a more fully integrated model.’ Yet there is no mention of integrated education or how this progress can be achieved in the Bill.

The integrated education movement would like to see the inclusion of a new clause or amendments putting a duty on the Education Department or Education Authority to help schools involved in sharing projects explore the possibility of moving up the continuum. Putting this responsibility on those who will have a power to encourage and facilitate shared education creates a robust mechanism to ensure that any school who wishes to explore integration as an option will be fully supported in doing so. The lack of responsibility and clear sign-posting at present is impeding schools in exploring models of integration.

I am confident that the vast majority of the population want a truly shared future, and must have in place legislation which genuinely moves us forward to achieve that.

Helen Bready

Governor, Cedar Integrated School, Crossgar.

As a Foundation Governor at Cedar Integrated Primary School I welcome the opportunity to comment on the contents of the Shared Education Bill.

Shared education can give children the opportunity to learn from and with those who come from different backgrounds. Unfortunately this Bill does not set out a vision or framework to show how shared education can progress a shared future for Northern Ireland.

The short four-clause Bill has encapsulated the definition of shared education into a few brief lines. There have been a number of definitions of shared education from different organisations and the department itself over the past number of years which have been more inclusive and robust than the one proposed to be enshrined in legislation.

Integrated education is the highest form of sharing; integrated schools educate our young people side by side every day, they experience and learn to celebrate difference. In "Sharing Works- a Policy for Shared Education" it says, 'integrated education, which has already embraced a culture of diversity, is at the upper end of that continuum. Indeed, by supporting Shared Education, it is envisaged that a proportion of schools may move along the continuum to a more fully integrated model.' Yet there is no mention of integrated education or how this progress can be achieved in the Bill.

The integrated education movement would like to see the inclusion of a new clause or amendments putting a duty on the Education Department or Education Authority to help schools involved in sharing projects explore the possibility of moving up the continuum. Putting this responsibility on those who will have a power to encourage and facilitate shared education creates a robust mechanism to ensure that any school who wishes to explore integration as an option will be fully supported in doing so. The lack of responsibility and clear sign-posting at present is impeding schools in exploring models of integration.

As a Governor of an Integrated School I would like to see this important Bill shaped to ensure that Shared Education works to the maximum advantage of Northern Ireland's children and young people. We are confident that the vast majority of the population wants a truly shared future, and we deserve legislation which genuinely moves us forward to achieve that.

Yours sincerely,

Gerard Curry

Foundation Governor

## **To whom it may concern**

I am writing with regard to the proposed Shared Education Bill, and I would like to raise a number of issues.

I would like to highlight that there is no mention of 'Integrated Education' in the shared education Bill. Integrated education is surely the highest form of 'Shared Education' that is operating in Northern Ireland at nursery, primary and post-primary schools. It forms a part of the education sector that has been operating successfully for over 30 years. With over 60 integrated schools operating successfully in Northern Ireland, with other schools in the process of transforming, this sector surely this growing sector needs to be recognised in the Shared Education Bill.

If the provision were available in terms of schools, it is on record from surveys conducted, that a high percentage of the population of Northern Ireland would choose education, where children are educated together. Integrated schools are operating 'shared education' on a daily basis in schools, with pupils of all faiths and none, studying, learning and playing together side by side in harmony.

There is also no mention in the bill of a level of progression in the process of shared education - ie moving onwards from shared to integrated education.

Also, in Section 2 of the bill, subsection 2, NICIE (the Northern Ireland Council for Integrated Education) has been omitted. NICIE are not only working directly with integrated schools already in existence, but also with those schools who are in the process of transforming into integrated schools.

The bill has stated that the bodies listed in subsection (2) may encourage and facilitate shared education. The fact that NICIE, the major facilitator of an education that is 'shared by all' in integrated schools, is not listed amongst these bodies is surely a glaring omission that has to be rectified.

The education of our children is surely one of the most important areas that the Assembly should be focussing on. Our children are the future of Northern Ireland and therefore, the basis for change in Northern Ireland must start at the beginning of a child's journey into education. Is it not better for children to be in a classroom and a school, starting their educational journey side by side with children from all faiths and none, rather than a 'them' and 'us culture that currently exists?

Thank you in advance for reading my views.

Yours sincerely

Karen Chambers

Parent Governor

Cedar Integrated Primary School, Crossgar

As Principal of Cedar Integrated Primary School I welcome the opportunity to comment on the contents of the Shared Education Bill.

Shared education can give children the opportunity to learn from and with those who come from different backgrounds. Unfortunately this Bill does not set out a vision or framework to show how shared education can progress a shared future for Northern Ireland.

The short four-clause Bill has encapsulated the definition of shared education into a few brief lines. There have been a number of definitions of shared education from different organisations and the department itself over the past number of years, which have been more inclusive and robust than the one purposed to be enshrined in legislation.

Integrated education is the highest form of sharing; integrated schools educate our young people side by side every day, they experience and learn to celebrate difference. Cedar IPS has grown from strength to strength and is now celebrating 20 years of educating children from all backgrounds together. In "Sharing Works- a Policy for Shared Education" it says, 'integrated education, which has already embraced a culture of diversity, is at the upper end of that continuum. Indeed, by supporting Shared Education, it is envisaged that a proportion of schools may move along the continuum to a more fully integrated model.' Yet there is no mention of integrated education or how this progress can be achieved in the Bill.

The integrated education movement would like to see the inclusion of a new clause or amendments putting a duty on the Education Department or Education Authority to help schools involved in sharing projects explore the possibility of moving up the continuum. Putting this responsibility on those who will have a power to encourage and facilitate shared education creates a robust mechanism to ensure that any school who wishes to explore integration as an option will be fully supported in doing so. The lack of responsibility and clear sign-posting at present is impeding schools in exploring models of integration.

As a primary school principal I see this important Bill shaped to ensure that Shared Education works to the maximum advantage of Northern Ireland's children and young people. I am confident that the vast majority of parents want a truly shared future, and our children deserve legislation which genuinely moves us forward to achieve that.

Yours faithfully

Hilary Crichton  
Acting Principal  
Cedar IPS.

Committee for Education  
The Committee Clerk,  
Room 375, Parliament Buildings,  
Ballymiscaw, Stormont,  
Belfast, BT4 3XX.

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26<sup>th</sup> November 2015

### **Written submission on the Shared Education Bill**

Thank you for your invitation to submit evidence to the Education Committee in relation to the Shared Education Bill.

The Community Relations Council (CRC) is not directly involved in educational provision yet we have a critical interest in this policy area and have recently made a number of submissions in relation to enhancing and increasing shared education. Education, both formal and informal, can act as a critical player in developing, supporting and achieving reconciliation in our conflict transformation process. This will require a systematic approach to support the embedding and mainstreaming of good relations across and within educational structures, policies, practices and procedures; as well as requiring a common commitment to enhance and maximise opportunities for meeting, sharing and collaborating on a cross-community basis both at a policy and a structural level.

Furthermore the Executive Strategy 'Together: Building a United Community' shared aim for children and young people is '*to continue to improve attitudes amongst our young people and to build a community where they can play a full and active role in building good relations*'<sup>1</sup>.

It is within this context that CRC makes the following comments.

### **PEACEBUILDING AND RECONCILIATION**

The Explanatory and Financial Memorandum to the Bill does not reference the language of peacebuilding or reconciliation. The language of 'traditional divides' and 'reconciliation' are mentioned in the text of the Shared Education Policy document, hence it would be useful if the Committee sought clarification as to why specific reference to these issues are not in the memorandum. This insertion would have been especially important given that our society continues to be negatively affected by sectarianism and segregation.

### **SHARED EDUCATION**

- **Clause 1, section 2 (a).**

In terms of the current definition CRC has the following comments to make.

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<sup>1</sup> 'Together: Building a United Community' Strategy; NI Executive; 2013;4.

The current definition focuses on the education together of ‘those of different religious belief, including reasonable number of both Protestant and Roman Catholic children or young people’’. The key focus for CRC is supporting cross-community engagement and sustainable relationship building within and between communities that have been affected by the conflict. Our work concentrates on Section 75 (2) categories - religion, political and race.

CRC recognises the development of this Bill in the context of a society that continues to emerge from conflict, as well as a society that continues to become increasingly diverse. Whilst all Section 75 categories are of critical importance, the perseverance of the legacy of the conflict needs to be dealt with. Therefore CRC maintains it remains important to place a focus on the educational interaction of those from different backgrounds i.e. religious belief, political opinion, and racial group.

In addition to the above, CRC asks that further consideration is given to how those who identify as ‘no religious background’ or ‘no religion stated’ will be included. The 2011 Census reported that 1 in 10 of the population stated they had ‘No religion’ (3% point increase from 2001-2011)<sup>2</sup>, and 81% of those in this category were born in Northern Ireland<sup>3</sup>. It is important children and young people, who do not identify with a religious belief, are not excluded and have equal opportunities to be beneficiaries of Shared Education.

CRC asks that consideration be given to the term ‘reasonable’. It would be useful to provide some detail/policy guidance as to what is considered reasonable i.e. entry thresholds and/or progression to a specific percentage?

- **Clause 1, section 2 (b).**

Whilst the ‘significant’ element has been removed from the draft Bill it would still be useful to consider what information will be used to determine socio-economic deprivation – both within the formal and informal school sector.

## **POWER TO ENCOURAGE AND FACILITATE SHARED EDUCATION**

- **Clause 2, section 1.**

CRC’s response to the draft Education Bill (Committee stage) recommended placing a duty on the Department of Education to promote shared education. CRC is still of the opinion that a duty is stronger and communicates an ‘obligation’.

- **Clause 2, section 2.**

CRC’s submission to the Department’s consultation on the draft Shared Education Bill had sought clarification as to why the Transferor Representatives’ Council (TRC)<sup>4</sup> (renamed - Controlled Schools Support Council) and the Northern Ireland Council for Integrated Education (NICIE) are not named in the Bill. This clarification is still required. It would be helpful if the Committee could consider this in its deliberations.

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<sup>2</sup> <http://www.ninis2.nisra.gov.uk/public/census2011analysis/noreligion/index.aspx>

<sup>3</sup> <http://www.ninis2.nisra.gov.uk/public/census2011analysis/religion/index.aspx>

**TIMESCALE**

Given the short timescale for responses, CRC has not been able to give detailed consideration to the draft Bill. This submission reflects initial views from the Board. Closer examination is required.

**EQUALITY & HUMAN RIGHTS**

It is important the final Bill is compliant with Equality and Human Rights Legislation. It would be useful if the Committee sought advice/comment from relevant experts.

**Conclusion**

CRC looks forward to continuing this important discussion with the Committee. If you need clarification please contact Gemma Attwood, Policy Development Officer at the following email [gattwood@nicrc.org.uk](mailto:gattwood@nicrc.org.uk)

## Response to the Education Committee on the Draft Shared Education Bill

November 2015

### Contact Details:

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**The Corrymeela Community is pleased to respond to the Draft Shared Education Bill Consultation.**

**We would welcome the opportunity to share our experience directly with the Committee.**

**In writing this response we recognise that there may be elements contained within it that are more relevant to the ‘Sharing Works: A Policy for Shared Education’ document. We do feel however that our responses could strengthen the proposed legislation.**

### **1.0 History of our involvement with youth work and schools work that promotes an openness to difference and reconciliation.**

**The Corrymeela Community, founded in 1965, as a cross community reconciliation organisation, has continuously initiated diverse Schools Community Relations Programmes since 1966, using a mixture of its own charitably donated resources as well as support from a variety of philanthropic, public and peace funding sources.**

**Within the Membership of this voluntary organisation we have many educational practitioners associated with Mutual Understanding, Shared Education and Integrated Education.**

**This includes:**

- Higher Education Lecturing Staff who have been involved in the professional formation of teachers, educational managers, Boards of Governors and Principals; and**
- School principals, senior school staff and experienced teachers active in the promotion of mutual understanding, citizenship, shared and integrated approaches.**

**Additionally there are now many youth workers, in full time and voluntary community relations practice, who developed their interest in this work through volunteering or being engaged with reconciliation practice at our residential centre over the past 50 years.**

### **2.0 The Context**

**Formal and informal (youth work) education in an ethnic frontier society, such as ours, can readily become a contested theme for people from all traditions.**

**How different people and traditions view education needs more widely understood by us all**

if we are to really focus on how we build a system centred on:

- the personal, social, intellectual and spiritual development of our children and young people;
- enabling them to embrace a shared future together, with diverse others;
- engaging parents and carers, from all backgrounds and traditions, as partners in this enterprise;
- support professional teaching staff, youth workers, support staff, management and Boards of Governors work to the fullest possibilities offered to us through the current and exciting Northern Ireland Curriculum.

**In view of the different educational providers and the current structures that exist in Northern Ireland, it is important that all initiatives that seek to promote an openness to difference, mixing, sharing or integration are welcomed and supported.**

It is also important that all educational work is subjected to quality challenges around the extent to which they are explicit about working to reconstruct this society as one characterised by mutual respect and a willingness to share a common life together- between children, young people and adults-in this society.

We welcome all contributions that moderately, or fully, promote sharing and integration and we are working to promote such a supportive culture around our schools.

Schools and the youth service have a central role in assisting us become a shared, mutually respectful and united society. This goal is a task for adults to drive forward.

**COMMENTS:**

**3.0 Under the Explanatory and Financial Memorandum accompanying the proposed Bill:**

*Para 4: a broader education policy framework designed to improve educational outcomes for young people and tackle the significant tail of educational under-achievement.*

This proposal would be strengthened if it was explicitly linked to a statement about the need to build a reconciled society based on mutual respect. We believe this approach will make a significant contribution to tackling under achievement. At present, it ignores the history of antagonism and fear that has characterised this political frontier society (Wright, 1987) and

that has skewed and often limited the widest opportunities being available to many children and young people through degrees of separation (Jenvey, 1973).

The recent and very welcome political agreements have now committed all political parties and civil society to move away from this state of affairs and the Shared Education approach should be conceptualised with this wider vision.

We suggest that the initial introduction to the Shared Education Bill places it within a wider continuum of 'integrated-mixed - shared education' approaches and that the underachievement challenge is situated within this wider framework. It may be helpful to comment on how this legislation interacts with the duty of the Department to encourage and facilitate the development of integrated education as per the 1989 Education Reform Order (NI). Likewise, in what way is this Bill supporting the promotion of integrated education as per the Belfast Agreement.

#### **4.0 There should be an explicit commitment of all strands to promote ease with difference.**

Adult educators, both in schools and youth service provision, should be committed to promote new relationships and understandings between themselves and the children and young people they work with.

In other societies trust building and poverty reduction are inter-connected strands of activity (Morrissey & Gaffikin, 2010) and they work best as interdependent approaches. Yes but they emphasise the socio economic and do not preface all with the need for new relationships

Addressing under achievement is best addressed from a broader strategy where our children and young people learn to live together with different others and where the energy, imagination and creativity that is released when people work without fear, antagonism and distrust raises motivation levels and levels of attainment.

The 1998 Belfast Agreement was a major political agreement to address the fractures and divisions in this society.

The subsequent agreements and the most recent of the 17<sup>th</sup> November 2015, recommits the British and Irish Governments to:

*“maximising for citizens the political cohesion of our society, political inclusivity and participative democracy; and the achievement of a comprehensive peace”*

This initiative should be explicitly linked to and preface the proposed legislation on Shared Education.

**If Shared Education is a new strand to the development of educational approaches referred to as ‘integrated education’ (See the Good Friday Agreement 1998) and ‘mixed education’ approaches then this should be stated as one element in a continuum or raft of approaches, not either assumed or left unsaid.**

Given the longevity of the historical strands of our educational system to which Integrated and Irish medium approaches are more recent additions, the new Shared Education thrust should also raise the need for developing school and youth service organisational cultures that are open to different others, that include or acknowledge different others in their governance, working cultures and organisational practices.

A Shared Education approach would give greater benefits if there was a governance culture, an organisational and an adult and youth worker / teacher culture that was promoted and eventually repeated, patterned and structured (Senge) in the daily working practices of the institutions.

If adult society embraces the challenge of sharing and creates organisational and relational cultures ‘of sharing’ our children and young people are more likely to move effortlessly into these safer spaces.

## **5.0 COMMENTARY ON CLAUSES**

**In the proposed legislation, Clause 1 provides a common definition of shared education.**

**We question this.**

Historically shared education has been, at the very least, a way of mitigating and managing the worst effects of a segregated education system in terms of religion and class. At best the concept could offer a radical vision of change and transformation. We would agree with the Ministerial Advisory Group’s conclusions that shared education needs to provide a framework for transforming our education system.

This should not be just another policy initiative but primarily provide a framework for creating a world-class education system for Northern Ireland.

**Shared education is one additional strand of an 'integrated-mixed -shared' continuum of practice and it should primarily and explicitly state that it is committed to children, young people, teachers, youth workers and their governance committees building a societal culture that prepares them to play a full and active role in building and sustaining an open, inclusive and confident society.**

#### **Clause 2: Power to encourage and facilitate shared education**

*Clause 2 confers on the listed bodies (the Department of Education; the Council for Catholic Maintained Schools; the Youth Council for Northern Ireland; and the Northern Ireland Council for the Curriculum, Examinations) a power to encourage and facilitate shared education.*

**The current framing of Clause 2 proposes a narrower raft of agencies being seen as promoters and appears to exclude the very community and voluntary sector providers that have been essential to keeping a vision of a reconciled society afloat.**

**It is our view that this clause is too narrow and will limit the development of a wide range of approaches essential to this initiative.**

Since 1969 the (previously Ministry of) Department of Education has supported Mutual Understanding work. However this work has primarily been funded by local charitable organisations, the externally offered Peace Funds and International Philanthropy and, often alone, was developed and maintained by voluntary and community providers. Such partnerships have been essential to the maintenance of this important work.

It is to be regretted if this is happening by oversight, or worse, if it is now the deliberate policy of the Department to cut off the most valuable, often internationally best informed practice, that many voluntary and community organisations have brought to this work since 1966. This voluntary and community practice has been informed by Human Rights Principles and UN Principles on the Rights of the Child, something the Department states in many of its documents.

**We urge the Department to reconsider this omission.**

#### **6.0 In Conclusion:**

It would be a measure of the maturity of the political system if a robust relationship involving the statutory providers of education, along with the voluntary, community and critical philanthropic organisations was envisaged. Good public policy will come from our legislators through open and robust engagements with the full diversity of providers. It is also important that the Integrated and Irish Medium sectors are involved in this as well.

We repeat how important it is that we all urgently promote diverse manners of structural and relational work that builds a more open, shared, and future oriented inclusive society based on mutual respect and, eventually trust between diverse people.

To support this visionary task, the promotion of shared, mixed and integrated educational structures are important, as they will bring quality experiences of being at ease with different others to staff, parents, carers, children and young people, as members of these enterprises.

They will also develop a societal culture of respect and mutual understanding-a space in which we can then more earnestly turn to address issues of underachievement and isolation that many young people experience in this society.

#### **References:**

Gaffikin, F. & Morrissey, M. (2010). *Community cohesion and social inclusion: Unravelling a complex relationship*. Urban Studies.

Jenvey, S. (1973) *To Be Called Stupid-A Study of a Community Relations Initiative in Four Belfast Schools (1970-73)*, The Schools Community relations Project, QUB Institute of Education.

Senge, P., et al. (2000). *Schools that learn*, Nicholas Brealey Publishing.

Tyrell, J. (1995) *The Quaker Peace Education Project 1988-1994: Developing Untried Strategies*, University of Ulster, Coleraine, ISBN 1 85923 007 5, 122pp

Tyrrell, J., Hartop, B. & Farrell, S. (1998) *Schools: Lessons from the Agreement*, 22 Fordham Int'l L.J. 1680. At FILE:  
[/main/production/doc/data/journals/ir.lawnet.fordham.edu/ilj/assets/ir\\_citation.inc](/main/production/doc/data/journals/ir.lawnet.fordham.edu/ilj/assets/ir_citation.inc)

Wright, F. (1987) *Northern Ireland: A Comparative Analysis*, Dublin; London: Gill and Macmillan

## **Shared Education Bill - CCMS written submission to the Committee for Education**

CCMS notes the introduction of the Shared Education Bill to the Assembly on Monday 2 November 2015 and welcomes the opportunity to comment on the proposed Shared Education Bill.

### **Background**

CCMS and the schools for which it is the managing authority have been involved in what can be identified as Shared Education Developments from around 2006 onward. This began with a series of pilot initiatives in 'shared education'. Among these could be noted the Queen's University Sharing in Education project, Fermanagh Sharing in Education (SELF) project, the PEE Project in the former NEELB and between 2011 and 2013 through which over twenty projects funded through the International Fund for Ireland Sharing in Education Programme.

Currently this area of work is showing exponential growth and activity, including through the OFMDFM / EA Delivering Social Change programme in Shared Education funded partly through Atlantic Philanthropies, the DE Shared Campuses Programme, the issuing of a DE circular on Jointly Managed Church Schools in June of 2015 and work which has been independently undertaken by partnerships of pro-active schools. The Catholic sector has many examples of schools proactively engaged in shared learning and collaborative delivery of the curriculum between sectors, particularly as a result of active participation within Area Learning Communities in the post-primary phase.

CCMS schools have been involved in all of those initiatives and much has been learned. Appendix One below gives some high level statistical information on the level of involvement of CCMS schools.

One of the key pieces of learning common to this wide variety of approaches has been that the best quality and most meaningful work has come about from being initiated at local level.

Work has also been guided in recent years by the establishment of a Ministerial Working Group on 'Shared Education' and most recently the release by DE in September 2015 of "Sharing Works A policy for Shared Education". This policy also recognizes the origins of Shared Education as arising from the realities and challenges of conflict and a divided society.

It would be fair to say at this stage, that this legislation is being brought forward at a time when 'Shared Education' has become an established aspect of the overall profile of local education and indeed is likely to both remain so and to grow significantly.

This has implications for CCMS as a statutory educational body and indeed for Catholic Maintained schools individually which are likely to be involved to varying degrees.

CCMS notes within the Bill, Shared Education 1 (2) the duty of the Education Authority to encourage, facilitate and promote shared education. While the duty to promote is aligned to the policy referred to above, CCMS notes that the duty is not qualified in any way. At a time of restricted resources it may be necessary to consider some qualification of the duty to promote in alignment with a) the effective and efficient use of resources and b) the impact on other schools who due to location or community circumstances are less well placed to develop the delivery of Shared Educational initiatives. For example a significant percentage of CCMS schools are not in a position to bid into the Shared Educational Campuses programme due to their geographical location. The priority at all times should be on raising standards and the provision of high quality, sustainable and viable opportunities for young people that lead to better educational and societal outcomes.

CCMS notes the definition within the bill of the meaning of Shared Education and welcomes the move to provide such a definition. For some time CCMS has been proposing that there is a need for discussions about concepts such as integrating and sharing in education so that a shared understanding can be developed on the precise meaning of those terms. The inclusion within the Bill of such a definition now provides a firm framework within which Managing Authorities and schools can further develop the delivery of Shared Education.

While supporting the definition as set out in 1.(2) (a) CCMS also supports the widening of the definition to include the educating together of “those who are experiencing significant socio-economic deprivation and those who are not”. There are occasions when schools will not have the opportunity to share with a school from another sector because of location and the definition as set out in 1. (2) (b) will allow for opportunities for schools, either across sectors or within sectors, to share so that they can provide better opportunities for children. A further category might over time have to be considered for specific reference and that is those people coming to live in Northern Ireland from other countries and cultures.

CCMS also notes and welcomes that Shared Education is “secured by the working together of two or more relevant providers”. This ensures that schools can participate fully in Shared Education without any risk or concern to their current status as a school and this will facilitate a greater level of participation in this area.

CCMS also welcomes the definition of providers as set out in 3 (a) and (b) as this ensures that all schools across all phases and sectors can participate and engage in shared education.

**Power to encourage and facilitate shared education:**

CCMS note this part of the bill and welcomes the inclusion of CCMS as one of the bodies for whom this power is to be assigned.

While CCMS holds the view that Shared Education initiatives should arise in the first instance from a local level and should not be a top-down driven initiative, the naming of CCMS as one of the bodies with the power to encourage and facilitate Shared Education ensures that the Council can play a pro-active leadership role in the development of Shared Education from a statutory basis in legislation.

However it is essential that CCMS as a named body under the proposed legislation is given the parity of authority and recognition to exercise this power.

**Conclusion:**

The progression of Shared Education thus far has been a healthy organic growth which will, with support, continue to develop in a sustainable way. Shared Education is quickly becoming a key feature of our education system built on local partnerships.

While the proposed Bill can provide a firm legislative basis for the further development and embedding of Shared Education in our education system and within schools at a local level it will be important to ensure that the existence of legislation to facilitate and encourage Shared Education does not compromise the natural embedding of Shared Education through grass roots ownership.

**Appendix One: Examples of Involvement of CCMS and CCMS schools in Shared Education Initiatives to date.**

|  |   |
|--|---|
| <p>Phase one of DE supported Shared Education Projects i.e. Queen’s University Shared Education Project, Fermanagh SELF Project, NEELB Primary Educating and Enriching (PIEE) Project<br/>(c. 2006-2013)</p> | <p>50% of schools involved were CCMS schools</p>  |
| <p>Phase two of DE supported Shared Education Projects i.e. 19 Projects Funded through the International Fund for Ireland Sharing in Education Programme<br/>(c.2011-2013)</p>                               | <p>50% of schools involved were CCMS schools</p>  |
| <p>DE Shared Campuses Programme i.e. Phase one involving Lisanelly, Moy, Ballycastle and Limavady<br/>Phase two pending and expressions of interest received<br/>(c. 2013-present)</p>                       | <p>50% of schools involved are CCMS schools</p>   |
| <p>OFMDFM Delivering Social Change Sharing in Education Programme, managed by EA i.e. Cohorts One and two in situ while a third cohort is presently being facilitated<br/>(c. 2014-present)</p>              | <p>50% of schools involved are CCMS schools (EA can provide definitive detailed list of schools involved; initial target was 700 schools to be involved by the end of 2015)</p> |
| <p>Jointly managed Church Schools (as of DE Circular 2015)</p>   | <p>CCMS are already active in identifying where potentialities may lie and are keen to play a role in facilitating this very recent development</p>                             |

Cranmore Integrated Primary School welcomes the opportunity to comment on the contents of the proposed Shared Education Bill.

### **Introduction and Background**

Cranmore Integrated Primary School was established in 1993 as an all-ability integrated primary school. The school initially opened with 37 pupils and 3 teaching staff in rented accommodation off the Lisburn Road, Belfast. In 2015 Cranmore IPS has grown to 208 pupils and a staff of 30 people both teaching and non-teaching.

We currently operate a Pre-school facility which provides 24 PEAG funded places.

### **Shared Education and Integrated Education**

We welcome any school working in partnership with others to improve the educational outcomes and standards for pupils and do so in the context of promoting better community relations. However we contend that shared education and integrated education are not the same thing. Integrated education is a 'standalone concept' as acknowledged by Judge Treacey and there is a statutory duty on the Department to encourage and facilitate the development of integrated education. It is therefore disappointing that the proposed Shared Education Bill makes no reference in any sense to the integrated model or indeed the excellent work carried out by integrated schools in healing division and promoting sharing as the norm.

### **Clause 1**

It was made clear by the Department in 'Sharing Works – a Policy for Shared Education' that integrated education is at the upper end of the continuum and that schools could if they wished move along this continuum to higher levels of co-operation and sharing.

The definition given in Clause 1 is very weak and needs to be more robust. We believe that 'relevant providers' can and should include two or more integrated schools collaborating. The argument for cross sector support is not relevant to the Controlled Integrated or Grant Maintained Integrated Schools as these schools already have a mix of pupils of different religious belief or political beliefs and those who are experiencing significant socio-economic deprivation and those who are not.'

We are also concerned that some bodies in their submissions to date are using the concept of shared education as an argument to curtail the development of integrated education and are advocating that the statutory duty to encourage integrated education (Article 64) should be ditched. The Bill must acknowledge the decades of work pioneered by integrated schools to ensure that sharing is addressed and promoted in every way. This linkage to integrated education will enhance and support the future development of sharing.

Cranmore IPS proposes that a statement should be added to Article 2 stating that, 'Shared Education recognises that integrated education is an important and well tested model of sharing.'

### **Clause 2**

We are disappointed that there is no reference to integrated education and how it has a role to play in encouraging shared education and demonstrating good practice in promoting a genuine shared future. We would also welcome a duty on the Department of Education and Education Authority to assist

those schools who are willing to move further along the continuum and in doing so become formally constituted Integrated Schools.

We note that the terminology in this bill, ‘places a power on the Department and its arm’s length bodies to encourage and facilitate shared education.’ In the interests of fairness, equality and parity of esteem we request the Department to give a similar ‘power’ also in relation to the concept of integrated education. This will allow the Department to fulfil the statutory duty as laid down in legislation equally it will allow integrated education to develop and expand to meet the demand which currently is exceptionally high.

In the last year applications for enrolment to Cranmore IPS and Pre-school were as follows:

|                | Places | Applications | % Oversubscribed |
|----------------|--------|--------------|------------------|
| Primary School | 30     | 43           | 43%              |
| Pre-school     | 24     | 43           | 79%              |

### **Clause 3**

We recognise the importance of the Education Authority being given ‘a duty’ to facilitate and encourage shared education. However, again in the interests of fairness, equality and parity of esteem we believe the Education Authority should include the growth and development of integrated education in all Area Based Planning. This should also include a mechanism of support to increase the number of integrated schools with statutory nursery provision as opposed to voluntary pre-school playgroups.

### **Clause 4**

No comment

### **Conclusion**

In Cranmore we are currently facilitating a sharing programme with Oakwood IPS and Malone Integrated College. This is a wonderful project which has involved whole staff training (engaging over 130 teaching and non-teaching staff). It is also bringing together 90 pupils from protestant, catholic and other background in sharing and collaborating at a deeper level.

It is hugely disappointing that this programme does not meet the current criteria for Shared education funding. The simple fact is that Controlled and Maintained schools in our area are unwilling to work alongside us as they perceive Cranmore to be a threat to future enrolments.

**We urge the Education committee and the Northern Ireland Assembly to change the current criteria to allow 2 or more integrated schools to be able to have their collaborative work recognised as shared education.**

**We also request formal recognition of the exceptional work of integrated schools.**

To the Committee Clerk re Shared Education Bill

Whilst I appreciate that bringing children of different backgrounds together is a positive thing, I do not see how Shared Education is adequately tackling the problem of segregated education which is one of the issues at the heart of our society's problems.

Hasn't this been tried before in various forms? At the age of 47 I can remember various schemes from my youth (and afterwards) which involved cross-community cooperation with other schools. We are no further forward now.

Our children need to form meaningful relationships with others in order to move our society forward and I don't see how this can happen through short-term projects with neighbouring schools, which is all that the Shared Education bill will lead to. That's fine if this is the beginning of something, but this strikes me as your end solution, which it most definitely is not!

Active promotion of integration, the expansion of integrated schools, schools being encouraged and permitted to transform, the Education Committee taking on board advice from the integration lobby, training of teachers in facilitation.....there are countless ways the money would be better spent.

On a side note....

My school is applying for funding from the shared education budget and the applications process is like a circus performance!!!

Hoping that you see sense and spend the money in a way that teachers would like it to be spent!

Fiona Darrah



# DRUMRAGH INTEGRATED COLLEGE

Principal: Mr. Nigel Frith BA, MA, NPQH

*Excellence For Everyone*

---

19<sup>th</sup> November 2015

## **Evidence in Relation to the Shared Education Bill**

The vision for both shared education and integrated education includes the transformation of young people's values so that they actively support the growth of a peaceful and tolerant society, both now and in the future. Whether the route to this is through integrated or shared education, a vital success criterion is the **quality** of this transformation. The Shared Education Bill should specify this, that it is not the existence of either shared or integrated education that is the central factor, but rather the quality and impact of it. By way of metaphor, having a car in the driveway is fine, but if it does not work it is pointless. Shared and integrated education must both work, in order to have value; otherwise this becomes a tick-box exercise and at worst a smoke-screen in place of the change we really need to see, both in our schools and in our communities. The Bill should address this essential question of quality and impact, not just the mere existence of 'education together' as is quoted in it presently.

This short Bill has reduced the definition of shared education into a few brief lines. In this instance, less is not more. Surely with all the work involved in drafting and passing a Bill, more needs to be said to make sure that shared education fulfils its goals.

Integrated education is the 'Rolls-Royce' of the shared education range. Based on the concept that maximum contact encourages maximum impact, a central quality of integrated schools is that they educate students side by side, every day; so barriers are removed and mutual respect takes their place. They also do this thoughtfully and strategically. In 'Sharing Works - a Policy for Shared Education' we read, 'integrated education, which has already embraced a culture of diversity, is at the upper end of that continuum. Indeed, by supporting Shared Education, it is envisaged that a proportion of schools may move along the continuum to a more fully integrated model.' Surely therefore this progression should be presented in the Bill. The integrated education movement would like to see the inclusion of a new clause or amendments putting a duty on the Education Department or Education Authority to help schools involved in shared education to explore the possibility and value of moving up the continuum. Putting this responsibility on those who will have a power to encourage and facilitate shared education creates a robust mechanism to ensure that any school who wishes to explore integration as an option will be fully supported in doing so.

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Before closing, the following statements have been written recently by members of our Sixth Form; you may find them both informative and inspiring as they capture the vision before us today.

Integrated education is:

- 'A way to put our past behind us and move towards a fully integrated society whilst still keeping our own identity. A way for all people to live in harmony with each other and not get defensive if the topic of religion or race etc comes up. To give everyone the ability to talk and to listen to others without feeling threatened. A way of not denying people their rights but to be respectful and mindful of others. A society where every minority or majority is considered equal. A society where we can live together without leaving each other. Becoming more rounded individuals. Sharing experiences, the scars of our past, mourning, recognising events together; pain is never segregated, why should we be when we recover from it?'
- 'An opportunity to learn in a place where differences are respected and embraced by those around you. Prepares you for the real world where you will have to work and respect people who don't share your viewpoint. The solution to segregation in Northern Ireland.'
- 'The opportunity to be able to mix with different cultures, backgrounds and beliefs on a daily basis without really paying attention to the exterior of the person. Also it gives the individual the chance to truly be themselves without any judgement passed on them. Integrated education is the starting point for teaching young people to be accepting of these different cultures and be able to treat them with respect.'

Finally, since there is a clear and urgent vision for both integrated and shared education, these two routes to educational and social transformation should be presented and resourced **equally**. Every community should be offered the possibility of either or both, as possible ways forward. And the status quo of a largely segregated education system should not be allowed as an option. Polls are too easily dismissed; they give voice to the majority of the population who want a truly shared future. This Bill represents an historic moment; Northern Ireland deserves legislation which genuinely helps us to fulfil this vision.

I would welcome the opportunity to meet with the Education Committee on this important matter, along with colleagues from APTIS (The Association of Principal Teachers in Integrated Schools).

Many thanks for taking the time to consider this brief response.

Yours faithfully,



Nigel Frith  
Principal

# School Inspection in a Polycentric Context

The Case of Northern Ireland

Dr. Martin Brown, Professor Gerard McNamara, Professor Joe O'Hara  
(EQI) Centre for Evaluation, Quality and Inspection



Centre for Evaluation,  
Quality & Inspection



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(EQI) Centre for Evaluation, Quality and Inspection is a multidisciplinary research group based at the School of Education Studies, DCU. It brings together evaluators, policy analysts, and economists and explores the thematic areas of School Evaluation and Inspection and Culturally Responsive Evaluation and Assessment (CREA). It also hosts the Irish Evaluation Network (IEN) – the national database for Evaluators working on the island of Ireland.

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# **School Inspection in a Polycentric Context**

## **The Case of Northern Ireland**

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# **EQI**

Centre for Evaluation,  
Quality & Inspection



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## ABBREVIATIONS

|               |  |
|---------------|--|
| <b>AA</b>     | Associate Assessor                                       |
| <b>ALC</b>    | Area Learning Communities                                |
| <b>AQE</b>    | Association for Quality Education                        |
| <b>BELB</b>   | Belfast Education and Library Board                      |
| <b>BOM</b>    | Board of Management                                      |
| <b>C2K</b>    | Classroom 2000   |
| <b>CCMS</b>   | Catholic Council for Maintained Schools                  |
| <b>CPD</b>    | Continuous Professional Development                      |
| <b>CUREE</b>  | Centre for the Use of Research and Evidence in Education |
| <b>DEL</b>    | Department for Employment and Learning                   |
| <b>DENI</b>   | Department of Education (Northern Ireland)               |
| <b>DI</b>     | District Inspector                                       |
| <b>ELB</b>    | Education and Library Board                              |
| <b>ETI</b>    | Education and Training Inspectorate (Northern Ireland)   |
| <b>FSM</b>    | Free School Meals  |
| <b>GCE</b>    | General Certificate in Education                         |
| <b>HMI</b>    | Her Majesty's Inspectorate                               |
| <b>HOD</b>    | Head of Department                                       |
| <b>NI</b>     | Northern Ireland   |
| <b>OECD</b>   | Organisation for Economic Cooperation and Development    |
| <b>OFSTED</b> | Office for Standards in Education                        |
| <b>PISA</b>   | Programme for International Student Assessment           |
| <b>PRSD</b>   | Performance Review and Staff Development                 |
| <b>QA</b>     | Quality Assurance  |
| <b>RI</b>     | Reporting Inspector                                      |
| <b>SAER</b>   | Summary of Annual Examination Results                    |
| <b>SSID</b>   | Secondary School Information Disk                        |
| <b>SICI</b>   | Standing International Conference of Inspectorates       |
| <b>WBPB</b>   | West Belfast Partnership Board                           |

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# Executive Summary

## EXECUTIVE SUMMARY

This report presents the results of case study research into area-based or polycentric inspection of schools and related institutions in West Belfast, Northern Ireland. The case study is one of four in the partner countries, England, the Netherlands, Bulgaria and Ireland involved in a European Union funded research project entitled Polycentric School Inspections.

Recently, influenced by the notion that schools may not be able to improve further when working in isolation, the idea of linking schools and other stakeholders in networks has become influential. However, for networks to achieve their potential there clearly has to be mechanisms for cooperation, knowledge exchange and evaluation. One proposed mechanism, which has received little or no attention in the research literature, is through inspecting networks as a whole, or what is described in this research as polycentric inspection. The theoretical proposition is that polycentric inspection might act as an enabling agent or catalyst to effective networking.

West Belfast was chosen as the Irish case study for this research because it has a flourishing education network under the West Belfast Area Partnership and the Education and Training Inspectorate (ETI) of Northern Ireland has conducted area-based inspections of this network as a whole. West Belfast therefore presented a perfect opportunity to study the working of a geographically based educational network and the impact that area-based or polycentric inspection has had on the development of the network.

A number of interesting findings emerge from this research. Firstly there is probably a case to be made to distinguish between area-based and polycentric inspections. Inspectorates of education can usefully conduct thematic area-based inspections on matters such as, for example, the effectiveness of pupil transfer from one level of school to the next, even in the absence of a formal network. However it is hard to envisage that this kind of inspection would lead to improvement unless there is an ongoing linkage between the different actors, overseen continually by the Inspectorate. In other words polycentric inspection, as opposed to area-based inspection, probably implies the existence and nurturing of a vibrant and active network.

Linked to the above finding is the importance of the network involving all of the relevant stakeholders in the process. As originally envisaged area-based inspection was more concentrated on education and training institutions but a major impact of the polycentric inspection process has been the development of a much wider network. Since the ultimate purpose of networking and polycentric inspection is to generate solutions to cross-sectoral problems that individual institutions cannot possibly solve on their own, this is of particular importance.

A third important outcome refers to relationships and trust being built up both within the network and between the network and the Inspectorate.

It was stressed time and time again that the major success of the process, by far, was the gradual growth of trust and collaboration between the network member organisations. It is clear that the network and polycentric inspection act as a kind of catalyst or glue that has led to greater cohesion, communication and cooperation between the different partners.

The centrality of regular contact with and follow-up by the Inspectorate was emphasised by all parties. This is perceived as vital in growing the network and, as it becomes more mature, in helping it to focus on using available data including statistics to examine issues around teaching and learning and teacher professional development.

An important question of course is whether it can be shown that activities such as polycentric inspection of networks which improve cooperation and provide professional development opportunities for teachers do, in fact, lead to the most important outcome of all, improved student performance. It is always hard to establish such related effects in educational research but the respondents were quite clear that improving results in recent years in GCSE and A-level examinations in the area could be attributed, to some extent at least, to the work of the partnership and related inspection activities.

In terms of impact on the work of the network as a whole there was strong agreement that inspection and particularly the ongoing engagement of the Inspectorate with the network was vital in driving forward the improvement agenda. A key theme that emerges here is that the gradual change of ownership, as it were, from the Inspectorate to the network, is very important. In this context it was widely noted by respondents that the Northern Ireland Inspectorate places great emphasis on self-evaluation and in response the network and the individual schools within it have sought to develop self-evaluation capacity. The appropriate role of external inspection then becomes the quality assurance of the self-evaluation and data generation processes within a network.

Finally, an important aspect to be considered is the extent to which what appears to be a very successful and beneficial networking and inspection process in West Belfast could be replicated in other contexts both in Northern Ireland and further afield. This is a rather difficult question to answer. As indicated above there is probably a role in every jurisdiction for area-based inspections examining the boundaries between institutions to try to solve problems around student progression, transfer and so on. However the process in West Belfast goes well beyond that. There, community development partnership structures, which exist independently of the Inspectorate, are central to polycentric inspection being an iterative process in which the Inspectorate is an agent of change, constantly interacting with the network. In summary it seems that the involvement, in a very structured way, of multiple stakeholders is a core requirement in ensuring that polycentric inspection will have a significant impact on the quality of education provided in an area.



# Chapter 1

## Introduction and Background

## INTRODUCTION AND BACKGROUND

### 1.1 Introduction

In many countries including England, Northern Ireland and the Netherlands, school inspection has been in existence since the mid-19<sup>th</sup> century. In the case of Northern Ireland, for example, ‘the present Inspectorate is in direct unbroken descent from the Inspectorate established in 1832 by The Commissioners of National Education in Ireland’ (Education and Training Inspectorate, 2012). The role and influence of inspection has waxed and waned over the years but in recent decades has returned to the centre of efforts to ensure improvement, standards and accountability in education. Under the influence of international bodies such as the Organisation for Economic Development (OECD) and the Standing International Conference of Inspectorates (SICI), school inspection has become a key driver in the attempt to improve the quality of provision across the continuum of education.

Barber et al. in McKinsey (2010) sparked a debate in several European countries by suggesting that school improvement had plateaued. They argue that the education systems in many countries are ‘good’ but fail to improve to ‘great’ as schools are not aiming for higher levels of student achievement and fail to innovate in their teaching and learning. In a similar vein the Chief Inspector of the Education and Training Inspectorate (ETI), Northern Ireland, argues that, although a significant number of education providers have been evaluated as ‘good’, the system as a whole ‘has unacceptable variations and persistent shortcomings, which need to be addressed urgently if we are to improve our provision and outcomes from average to world-class’ (ETI 2014: 4). One potential mechanism that has begun to emerge to make this final but difficult leap from average to world class may be through the process of polycentric inspection that inspectorates in England, Northern Ireland and, more recently, the Netherlands, have begun to experiment with.

This report summarises research conducted as part of an EU funded Erasmus+ project, which set out to evaluate the potential of polycentric inspection and collaborative self-evaluation. It describes a case study analysis of inspection in Northern Ireland with a particular emphasis on polycentric inspection (or area inspection as it is also known). The project draws on the knowledge and experience of ETI and the members of a networked school alliance in order to analyse the implementation of polycentric school inspection as it operates in practice in Northern Ireland.

The first stage of the report offers an analysis of the rise of networking in education and defines how this development has informed the authors’ conception of polycentric inspection as it applies to educational networks. Leading on from this, the literature relating to the education and school inspection system of Northern Ireland is examined. Using case study as a method the third stage moves from analysis of documents to semi-structured interviews with inspectors and members of a polycentric network of schools in an Area Learning Community of Northern Ireland (West Belfast). Finally, the fourth stage of the report builds on the previous three stages to reach an overall interpretation of polycentric inspection as it has developed in Northern Ireland and an assessment of potential in other contexts.

### 1.2 The rise of networking and polycentric inspection in education

The concept and possible impact of educational networks is now of considerable interest. As Chapman and Hadfield (2010: 310) observe, 'the sheer plasticity of the term network means that it has been applied to a wide range of social and technological phenomena'. Diaz-Gibson et al. (2013: 180) in reference to Daly (2010) note that 'the idea of networks in support of educational improvement, while still in its infancy, is gaining momentum in education'. Feyes and Devos (2014: 3) are of the view that 'it is a growing trend among politicians and governors to use terms such as *network*, *partnership* and *collaboration*. In the public and non-profit sector, collaboration is no longer simply an option, it has become the new orthodoxy'.

There are many suggested benefits to being part of an educational network which include, but are not limited to, improved learning, the efficient use of resources, increased innovation capacity and system-wide improvement. (See, for example: Chapman, 2008; Chapman and Hadfield, 2010; Glazer and Peurach, 2013; Hands, 2010; Muijs et al., 2011). There is also an abundance of literature relating to the requirements for effective and sustainable networks including concepts such as network goal consensus (see Provan and Kenis, 2008), purpose and identity (see Chapman and Hadfield, 2010; Provan and Kenis, 2008), reciprocity (see Mooleanaar, 2010), and trust (see Daly and Finigan, 2012; Chapman and Hadfield, 2009). There is also a growing body of literature whose purpose is to describe the impact of networking on pupil attainment (see, for example CUREE, 2005; Sammons et al., 2007). However, although Hertting and Verdung (2012: 29) are of the view that 'evaluation and network governance are both among the top 10 trendy concepts in public policy', in comparison to single school inspections there is very little, if any, work relating to the impact or potential impact of inspection on networks of schools.

Research on the effects of school inspection has primarily focused on individual schools (see, for example Gustafsson et al., 2015; Brown et al., 2014; Brown, 2013; Dederling and Muller, 2013; Ehren et al., 2013; McNamara and O'Hara, 2012 ; Witziers et al., 2003; Hallinger & Heck, 1996; Leithwood, Jantzi & Steinbach, 1999). Interestingly in the context of this work, much of the research suggests that schools improve more through the indirect effects of inspection (accepting feedback, setting expectations and improving school self-evaluation capacity) as opposed to the direct effects of command and control accountability mechanisms.

As noted above, there is little in the literature concerning inspection and school networks probably for the following reasons:

- It is only recently, as the limitations of narrow, single school based approaches to improvement have become clear, that there has been a significant shift towards the notion of improvement through networks (see, for example Muijs, Ainscow and West, 2010). As Jackson and Timperely (2007: 45) put it, '...the school as a unit has become too small-scale and too isolated to provide rich professional learning for its adult members in a knowledge rich and networked world. A new unit of meaning, belonging and engagement – the network – is required'.
- It is more difficult to isolate 'the causal effect of network structure' (Siciliano, 2012: 2) in comparison to single school outcomes.

## INTRODUCTION AND BACKGROUND

- While the idea of networking is well established in other areas such as business and psychology (See Burt et al., 2013), Muijs et al. (2010: 6) make the following observation on the rise of networking in education in comparison to other fields: 'Of course while networking has recently come to the fore in education, the concept is long established in other fields, with strong roots in social science, psychology, and business studies...'
- Because of the altruistic and collaborative nature of networks, there may be a reluctance to study them from a network governance perspective. As argued by Provan and Kenis (2008: 230), 'there seems to be some reluctance among many who study networks to discuss formal mechanisms of control. A common assumption is that, since networks are collaborative arrangements, governance, which implies hierarchy and control, is inappropriate. On the other hand, Lima (2010: 17) suggests that 'there are no studies of the failure rate of networks, either in education or in any other sector and yet, there is constant drive to establish school to school networking becoming an integral part of educational practice'.

The last statement above is an important point in the context of this research. As Lima (2010: 2) observes:

*There is nothing inherently positive or negative about a network: it can be flexible and organic, or rigid and bureaucratic; it can be liberating and empowering, or stifling and inhibiting; it can be democratic, but it may also be dominated by particular interests. What actually occurs in concrete educational networks is something for researchers to determine.*

Of course there are different and often overlapping network structures and processes. The density of interactions in educational networks is likely to involve, to a significant degree, *serendipitous* interactions among group members, that is, 'networks evolve haphazardly from the interactions of individual actors, without guidance from any central network agent' (Lima, 2010: 11). However, to realise the potential of the network, some researchers suggest that there is a need to shift towards a different mode of networking referred to as *goal directed*, that is, '...All relations between network members are structured in order to achieve network-level goals; an administrative entity plans and coordinates the activities of the network as a whole' (ibid.: 12). Of note, however, is the reality that it is not possible for networks to reside in an exclusive realm of serendipitous or goal directed interactions. 'Serendipitous interactions, of course, occur within goal-directed networks, resulting in coevolutionary trajectories that may prove advantageous or detrimental to network outcomes' (Provan and Kenis, 2008: 231). Nonetheless, for the shift towards a more efficient goal directed network to occur, networks need to be effectively led and to be open to guidance from other stakeholders who are not directly involved in the day to day operations. One proposed solution to achieving a balance between serendipitous and goal directed network activities in the case of schools and other educational stakeholders is through the process of polycentric inspection. In essence, the process of inspection becomes the catalyst enabling and energising network activity.

The underlying theory of polycentric inspection is that, when schools reach a certain quality threshold, they can achieve further improvement not as a result of pressure from external inspection but by joint learning between networks of schools, communities and the inspectorate. This represents a major conceptual shift in that, for inspection of networks to work in practice, there may need to be a redefinition of accountability and improvement from an evaluation perspective. That means, 'at the level of the network as a whole, evaluation focuses on joint learning among all participating agencies and organizations of the network, not primarily the learning of each individual agency or organization' (Herrting and Verdung, 2012: 37). Such evaluation is horizontally driven, not by virtue of traditional hierarchical command and control processes, but rather through that of reciprocal relationships and joint evaluation activities between inspectorates and the various constituent actors within the network. Typically, polycentric inspection is implemented by stakeholders outside of the day to day operations of the network and involves some or all of the following activities:

- coordinating visits to all schools and stakeholders in the network;
- examining the quality of collaboration between schools;
- taking into account the perspective on school quality from the schools and the various stakeholders;
- quality assuring the network's collaborative self-evaluation of recommendations from previous polycentric inspections;
- providing feedback to stakeholders on elements of best practice in other schools and networks;
- facilitating collective agreement for a shared agenda for change within the network.

For the purposes of this project the working definition of polycentric inspection is as follows:

*School inspections from a polycentric perspective are external evaluations of schools together with their interdependent networks of stakeholders in order to provide feedback, disseminate good practice and, ultimately, to agree upon a shared agenda for change within the network.*

The next section of the report provides a description of the education and school inspection system of Northern Ireland with a particular focus on polycentric inspection, or area inspection as it is also referred to.



# **Chapter 2**

## The Northern Ireland Education System

## THE NORTHERN IRELAND EDUCATION SYSTEM

### 2.1 Introduction

This chapter provides a brief overview of the Northern Ireland education system including system structure and school types, some relevant data, and an account of the growth and role of 'Area Learning Communities', school networks and area-based or polycentric inspection.

### 2.2 Northern Ireland in context

**At a system level:** the Department of Education (DENI) is responsible for the implementation of Northern Ireland's education policy at pre-school, primary, post-primary and special education level, the Department for Employment and Learning (DEL) is responsible for policy at further education level and the Education and Training Inspectorate (ETI) on behalf of the DENI and DEL evaluates the quality of teaching, learning, and teacher education across all phases of education.

**At a local level:** administration of education and youth services was devolved to five regional Education and Library Boards (ELB) in accordance with the *Education and Libraries (NI) Order (1986)* (Table 1). However, from 1<sup>st</sup> of April 2015, the newly established Education Authority took over the roles and responsibilities of the Education and Library Boards in Northern Ireland.

**Table 1:** Geographical boundaries of Educational Regions

| Region        | Area   |
|---------------|--|
| Belfast       |  |
| North Eastern | Antrim, Ballymena, Ballymoney, Carrickfergus, Coleraine, Larne, Magherafelt, Moyle, Newtownabbey |
| South Eastern | Ards, Castlereagh, Down, Lisburn and North Down  |
| Southern      | Armagh, Banbridge, Cookstown, Craigavon, Dungannon and South Tyrone, Newry and Mourne            |
| Western       | Derry, Fermanagh, Limavady, Omagh, Strabane  |

Northern Ireland's growing population was estimated in mid-2013 to be approximately 1,829,725 which is a significant increase on the mid-2001 estimate of 1,688,838<sup>1</sup>. This population increase has occurred against a backdrop of rising income inequality where, according to Shewbridge et al. (2014: 14), 'since 1975, income inequality among working-age persons has risen faster in the United Kingdom than in any other OECD country'. Indeed, as of September – December 2014, 5.8% (49,064) of the population of Northern Ireland were claiming unemployment related benefits with significantly higher levels of unemployment concentrated in urban areas<sup>2</sup> (Appendix 1).

<sup>1</sup> Comparative population estimates for the period 2001 to 2013 can be accessed at the following: <http://www.nisra.gov.uk/demography/default.asp17.htm>

<sup>2</sup> Northern Ireland Statistics research: <http://www.ninis2.nisra.gov.uk/public/Theme.aspx>

Moreover, analysis of Northern Ireland’s statistics research database reveals that, if one uses free school meals entitlement<sup>3</sup> as a proxy for social problems, deprivation for school going children at primary and post-primary level is significantly concentrated within urban areas (Tables 2 and 3).

These high figures are largely similar to data on social deprivation in other areas of the United Kingdom. The OECD (2014: 14) concludes that ‘compared internationally, the United Kingdom has a high level of regional economic inequality, and urban deprivation is an identified challenge’.

**Table 2:** Measure of social deprivation for primary school pupils within each Library Board region (2013–2014). Data accessed from Northern Ireland Statistics and Research Agency.

|                  | <b>Number of pupils</b> | <b>Number of pupils entitled to free school meals</b> | <b>% of pupils entitled to free school meals</b> |
|------------------|-------------------------|---|--|
| Northern Ireland | 171,550                 | 53,195  | 31%  |
| Belfast          | 23,390                  | 11,280  | 48%  |
| North East       | 39,035                  | 9,570   | 25%  |
| South East       | 37,625                  | 9,310   | 25%  |
| Southern         | 41,680                  | 11,790  | 28%  |
| Western          | 29,590                  | 11,200  | 38%  |

**Table 3:** Measure of social deprivation for post-primary school pupils within each Library Board region (2013–2014). Data accessed from Northern Ireland Statistics and Research Agency.

|                  | <b>Number of pupils</b> | <b>Number of pupils entitled to free school meals</b> | <b>% of pupils entitled to free school meals</b> |
|------------------|-------------------------|---|--|
| Northern Ireland | 143,975                 | 26,650  | 19%  |
| Belfast          | 19,305                  | 5,620   | 29%  |
| North East       | 32,995                  | 4,540   | 14%  |
| South East       | 31,900                  | 4,320   | 14%  |
| Southern         | 33,295                  | 5,960   | 18%  |
| Western          | 25,965                  | 6,195   | 24%  |

Remarkably, when the outcomes from international comparative standard evaluations such as PIRLS and TIMSS (2011) are analysed, Northern Ireland compares favourably with most countries at primary level education, even against a backdrop of fiscal correction, coupled with these high levels of social deprivation.

<sup>3</sup> Free school meals entitlement is an official measure of deprivation within the education statistics of Northern Ireland.

## THE NORTHERN IRELAND EDUCATION SYSTEM

In fact, according to Sturman et al. (2012) on behalf of the National Foundation for Educational Research (NFER)<sup>4</sup>, in terms of **reading attainment** (PIRLS), the average central point of the PIRLS scale was 500 whereas the average scale score in Northern Ireland for year 6 pupils was 558. This significantly higher score ranked Northern Ireland 5th among participating countries for reading. In terms of **mathematical attainment** (TIMSS), the average central point of the TIMSS scale was 500 whereas the average scale score in Northern Ireland for year 6 pupils was 562. This significantly higher score ranked Northern Ireland as 6th for mathematical attainment among participating countries. On the other hand, however, although PIRLS and TIMSS reading and mathematics scores are significantly higher than most countries at primary level, TIMSS 2011 average scale score for **science attainment** in Northern Ireland was 517 (slightly above the average central point on the TIMSS scale), ranking Northern Ireland as 21<sup>st</sup> among participating countries. One might assume that because Science is not a discrete subject at this level results would be lower. However, Sturman et al. (2012: 6) note that:

*Although the curriculum in Northern Ireland does not include science as a discrete subject, it is covered as part of 'The World Around Us'. A comparison was made between the key stage 2 curriculum in Northern Ireland and the TIMSS Assessment Framework for science. It showed that all of the TIMSS science topics are in the Northern Ireland curriculum and almost two thirds of Northern Ireland's pupils had been taught these topics before or during the TIMSS assessment (a similar proportion to the average internationally).*

At post-primary level the picture is less satisfactory. Analysis of PISA 2012 results by Wheeler et al. (2013) found that, in terms of **mathematical literacy**, Northern Ireland's pupils achieved a mean score of 487 which is significantly lower than the OECD mean of 494. Moreover, the number of countries with mean scores significantly higher than Northern Ireland increased from 18 to 20 in 2009 and to 25 in 2012. However, Wheeler et al. (2013: 15) also state that 'this increase is due in part to the high performance of countries participating for the first time, such as Shanghai-China and Singapore in 2009 and Vietnam in 2012, but it is also due to improved performance in other countries'. At a local level, variation in **mathematical literacy** scores may also be attributed to social deprivation where '17 per cent of the variance in mathematics scores can be explained by socio-economic background, which is slightly higher than the OECD average of 15 per cent' (ibid.: 34). This suggests that socio-economic background has a larger effect on mathematical attainment in Northern Ireland than in other OECD countries. In terms of **science performance** Northern Ireland's performance (507) was not significantly different from the OECD average (501) in PISA 2012. However, '...Northern Ireland tends to have a greater proportion of high achievers and a lower proportion of low achievers than the OECD average' (ibid.: 24).

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<sup>4</sup> The National Foundation for Educational Research (NFER) administered TIMSS, PIRLS (2011) and PISA 2012 survey in the UK.

In terms of **reading performance**, in PISA 2012 Northern Ireland's performance (498) was not significantly different from the OECD average (496). Of concern however is that 'Northern Ireland had a relatively large difference between the score points of the lowest scoring pupils and the highest scoring pupils compared with many other countries (ibid., 2013: 56).

Nonetheless, if one uses the results from TIMSS and PIRLS (2011) and PISA (2012) as a proxy to determine the quality of education provided in schools internationally at primary level, Northern Ireland is significantly above average for English and Mathematics attainment and slightly above average for Science attainment for children aged 9–10. At post-primary level, however, Northern Ireland's **mathematical literacy** scores are significantly lower than the OECD average and not significantly different to the OECD average in reading and Science

### 2.3 School types

There are different types of schools in Northern Ireland that are run by various management committees (Table 4). Controlled schools are managed by a Board of Governors and the employing authority is one of the five Education and Library Boards. Maintained schools are also managed by a Board of Governors. However, the employing authority is the Council for Catholic Maintained Schools (CCMS). Finally, a Board of Governors manages Voluntary grammar and integrated schools.

| <b>Table 4: Number of Nursery/schools in Northern Ireland by phase-type (2013–2014)</b><br>Data accessed from Department of Education (Northern Ireland). |                                   |            |
|---|-----------------------------------|------------|
| <b>Voluntary and Private Pre-School Education Centres</b>   |                                   |            |
| <b>Nursery Schools</b>  |                                   |            |
| Controlled  |                                   | 64         |
| Catholic Maintained   |                                   | 32         |
|   | <b>Total</b>                      | <b>96</b>  |
| <b>Primary Schools</b>  |                                   |            |
| Controlled  |                                   | 370        |
| Catholic Maintained   |                                   | 384        |
| Other Maintained  | Irish Medium                      | 25         |
|   | Other                             | 4          |
| Controlled Integrated   |                                   | 19         |
| Grant Maintained Integrated   |                                   | 23         |
|   | <b>Total</b>                      | <b>825</b> |
| Grammar school preparatory departments  |                                   | 14         |
|   | <b>Total</b>                      | <b>839</b> |
| <b>Secondary (non-grammar) schools</b>  |                                   |            |
| Controlled  |                                   | 53         |
| Catholic Maintained   |                                   | 68         |
| Other Maintained  | Irish Medium                      | 1          |
| Controlled Integrated   |                                   | 5          |
| Grant Maintained Integrated   |                                   | 15         |
|   | <b>Total</b>                      | <b>142</b> |
| <b>Grammar Schools</b>  |                                   |            |
| Controlled  |                                   | 17         |
| Voluntary   | Schools under Catholic management | 29         |
|   | Schools under other management    | 22         |
|   | <b>Total</b>                      | <b>68</b>  |
| <b>Special Schools</b>  | <b>Total</b>                      | 40         |
| <b>Hospital Schools</b>   | <b>Total</b>                      | 1          |
| <b>Independent Schools</b>  | <b>Total</b>                      | 15         |

**2.4 Educational progression in Northern Ireland**

It is compulsory for all children in Northern Ireland up to the age of 16 to attend a mainstream or alternative education provider. Children aged between 4 and 11 attend primary school and from 11 onwards transfer to post-primary schools (Table 5).

| <b>Table 5: Compulsory Education in Northern Ireland</b> |              |              |            |   |
|--|--------------|--------------|------------|---|
| <b>School years</b>                                      | <b>Stage</b> | <b>Years</b> | <b>Age</b> | <b>Assessment</b>                                 |
| Primary  | Foundation   | 1 and 2      | 4–6        |   |
|  | Key Stage 1  | 3 and 4      | 6–8        | Teacher Assessment                                |
|  | Key Stage 2  | 5–7          | 8–11       | Teacher Assessment                                |
| Post-Primary   | Key Stage 3  | 8–10         | 11–14      | Teacher Assessment                                |
|  | Key Stage 4  | 11–12        | 14–16      | General Certificate of Secondary Education (GCSE) |

All schools are required to follow the Northern Ireland curriculum and, for the most part, curriculum requirements and terminal examinations at each key stage are governed by the Council for Curriculum, Examination and Assessment (CCEA).

In terms of progression to post-primary schools, up to 2008 transfer was based on the 11-PLUS examination which was used to evaluate whether or not students could attend selective grammar schools. This type of selective progression is controversial in many countries. Research (Sutton Trust, 2005) suggests that the majority of 11-year-old students who gain entry to secondary education in England based on their 11-PLUS score are not among those affected by social deprivation: ‘children from better-off homes are more likely to pass a selection test at 11 and thus gain a place at a grammar school’ (Sutton Trust, 2005: 8). Moreover, OECD (2012) states that ‘early student selection has a negative impact on students assigned to lower tracks and exacerbates inequities, without raising average performance. Early student selection should be deferred to upper secondary education while reinforcing comprehensive schooling’ (OECD, 2012: 10). In order to encourage a more equitable society, academic selection in the form of the 11-PLUS examination was discontinued in 2008. However, there was strong opposition to this policy and, as a result, a significant number of Grammar schools decided to continue with unofficial academic selection for 10 and 11 year old children. Bringing academic selection into further disarray, attempts to create an unofficial 11-PLUS transfer examination could not be agreed among the various school bodies resulting in two unofficial 11-PLUS examinations, namely, AQE exams which are mainly used by state schools and GL Assessment exams that are by and large used by Catholic schools. As a result, students can sit either one or both examinations.

Illustrating the importance placed on academic selection in Northern Ireland, more than 60% of year 7 students sat either or both examinations in order to gain entry to a selective grammar school for the academic year 2015–2016. A total of 7,285 pupils sat this year’s AQE exam – the exam body’s highest number of entrants since the unofficial tests began. The number sitting this year’s GL Assessment also increased to 7,255 (British Broadcasting Corporation, 2015).

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On entering post-primary education (Key Stage 3), students study a broad curriculum that must include the following areas of learning and associated subject strands: Language and Literacy, Mathematics and Numeracy, Modern Languages, The Arts, Environment and Society, Science and Technology, Learning for Life and Work, Physical Education, and Religious Education. At Key stage 4 students decide which subjects to specialise in with many electing to study between 8 and 11 subjects for GCSE certification. Subsequently there is also a non-compulsory 2 school years for children aged between 16 and 18 who wish to sit GCE advanced/AS and A2 level subjects and/or more vocational subjects. On average, students choose between 3 or 4 subjects, the results of which for the most part determine entry into higher education.

### 2.5 Networked Schools in Northern Ireland

Of particular relevance to this research is the establishment of 'Area Learning Communities' (ALC) that consist of clusters of mainstream post-primary schools (including special schools with post-primary pupils) and further education colleges. At present there are 30 ALCs in Northern Ireland, defined by DENI as follows: 'ALCs are voluntary coalitions of schools which can be a useful forum for planning and collaboration to meet the needs of pupils in an area and for focusing on quality and sharing good practice' (DENI, 2010: 4). ALCs work together to provide a broad and balanced curriculum and to deliver on the requirements of the 'Entitlement Framework'<sup>5</sup>. The Entitlement Framework requires schools to provide pupils with access to a minimum number of courses at Key Stage 4 (24 courses) and a minimum number of courses at post-16 (27 courses). To reach these targets, Article 21 of the Education Order 2006 enables schools to secure course provision for students at other institutions within the ALC.

An earlier study by Brown (2013) analysing the capacity requirements for school evaluation in Ireland and Northern Ireland found a very positive response to the role of the ALC. Respondents felt that the required resources were not so much of a procedural nature, i.e. evaluative tools and frameworks, but rather there was a need for shared knowledge among schools. This was a need an ALC was in a position to meet. One principal, in reference to his own ALC, put it like this: 'without treading on anybody's toes, we are beginning to think yes, we've evaluated this, and there is something really good going on, and the kids really like this. How can we make the lessons learned from this more widely known and explicit for all staff of both schools?' (ibid.: 123).

The potential for shared evaluation knowledge was also highlighted by another principal who referred to it as potentially becoming, 'like a carousel of best practice' (ibid.: 123).

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<sup>5</sup> Circular 2007/20 The Education (2006 Order) (Commencement No. 2) Order (Northern Ireland) 2007 179 outlines the statutory requirements for schools.

Indeed, another principal stated that this repository of evaluative knowledge could also be used as ‘a bank of expertise out there that you could tap into easily and readily. Everyone can buy into or extract from it as and when they need it and, again, get at the cutting edge of innovation in terms of teaching and learning’ (ibid: 123).

On the other hand, although there are many benefits to supporting organisational learning through a process of networking among schools, asking schools to move from a traditional culture of competition to a culture of cooperation has many potential difficulties. In particular, as indicated by one inspector participant in Brown (2013: 124):

*You’re really asking schools don’t forget here to move from a culture of competition to a culture of cooperation. My own view of it is that you don’t move from competition to cooperation. You have to evolve a new construct, which is competitive collaboration or collaborative competition. You use competition, but you want to be more cooperative and collaborative. At the same time, you don’t want to replace competition with collaboration alone because competition is quite healthy in terms of standards. Parents still view schools in a competitive way; they look at one as better than the other.*

A study by Pedder and MacBeath (2008) on England’s *Learning How to Learn Project* found that there were considerable gaps between teachers’ practice on the one hand and values on the other. In this regard, where attempts were made by schools to use networking as a means of improving organisational learning, ‘schools typically seemed to struggle in developing ways of supporting networking as a means of developing expertise with staff at other schools’ (Pedder and MacBeath 2008: 221). Similarly, in the case of Northern Ireland, a Department of Education (2009a) publication titled *Together Towards Entitlement* also provides a plausible explanation as to why schools are unwilling to engage in collaborative networking:

*All the evidence indicates that, as long as competition between schools for pupils and resources continues to be the predominant policy, it will remain very difficult for them to develop a strong agreed vision for all the young people in their areas and for others to persuade them to collaborate so that the interests of all these young people can be fully and effectively served (DENI, 2009a: 9).*

Nonetheless, an inspector participant (Brown, 2013) strongly expressed the view that networking among schools does lead to improvement and should be looked upon more favourably as a means of improving organisational effectiveness:

*People talk, I think personally, rather glibly about moving from competition to cooperation. I actually do think it’s a new construct. And where part of it is... and completely to answer your question...part of that is actually sharing practice effectively and it’s not so much that you share a practice in a way you handle a pass the package round, but you help each other solve problems, which is really what organisation is about in terms of improvement (Brown 2013: 124).*

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In many ways, the inspector participants' perspective on cooperative competition, where schools help each other solve problems through mutual collaboration, is in line with MacBeath's assertion that 'networking implies a collegial relationship, founded on voluntarism and initiative. It is built on reciprocity and a measure of trust.

The ties that bind are conditional not on authority but on mutual gain, give and take, learning and helping others learn' (MacBeath, 2006: .15).

Having already established the Area Learning Communities initiative, Northern Ireland may be ideally positioned to realise the potential of having a repository of evaluative knowledge that can be shared among and between schools. As one principal put it:

*Now the other thing in Northern Ireland is the new Area Learning Communities. That has huge dynamic potential. It will mean that instead of us focusing on our own institution, we'll start looking at the education of the child within the broader region (Brown, 2013: 123).*

This of course raises the question of how evaluative knowledge can be generated and shared among the network partners. In the case of individual schools and colleges this is a task led by the inspectorate. Can this role be expanded in the form of polycentric inspection across a network as a whole? The next section begins to focus on that key research question.

# **Chapter 3**

## Inspection in Northern Ireland

## INSPECTION IN NORTHERN IRELAND

### 3.1 Overview of inspection in Northern Ireland

Inspection in Northern Ireland has primarily evolved from the Education Act of 1832. The present system of inspection is managed by the Education and Training Inspectorate (ETI) whose responsibility is detailed in the Education Reform (Northern Ireland) Order 1989 (Article Number 30). The act states that ‘the purpose of inspection is to promote the highest possible standards of learning, teaching and achievement throughout the education, training and youth sectors’ (ETI, 2012: 2).

However, in the case of Northern Ireland, there is also a clear responsibility placed on schools to carry out their own internal evaluations. According to Brown (2013: 142):

*Educational evaluation is no longer merely considered an external monitoring process or top-down externally devised legitimate dictate of examining, sanctioning or rewarding...rather, educational evaluation is widely viewed as an allogamy of external evaluation carried out by the inspectorate in parallel with internal evaluation carried out by a school, the dual purpose of which is to serve both the accountability agenda on the one hand and the school improvement agenda on the other.*

School self-evaluation is acknowledged by the ETI as an essential element in continuous school improvement, and various official documents, including *Together Towards Improvement: a process for self-evaluation*<sup>6</sup> (2010), *Evaluating Schools* (1998), *Compendium of Case Studies by Schools who piloted Together Towards Improvement* (2003), and *The Reflective Teacher* (2006a), have been developed to augment a culture of self-evaluation in schools. According to the ETI, ‘using these materials many organisations are now undertaking rigorous self-evaluation of their provision, in order to improve the experiences of the pupils and the standards they attain’ (ETI, 2006: i). Moreover, the ETI sees its role in relation to school self-evaluation as not only that of a clearing house producing a set of tools to assist with the process but rather, in conjunction with the five regional Education and Library Boards, ‘to work with all involved to promote the development of self-evaluation’ (ETI, 2003: ii).

### 3.2 Stakeholders involved in inspection

Inspections are conducted by inspectors employed by the ETI and their work is guided by the ETI’s *Charter for Inspection* (2015). A reporting inspector leads the evaluation team and is responsible for drafting the final evaluation report as well as informing the school and board of governors of the results of the evaluation. The reporting inspector is normally assisted by two or more inspectors and an ‘associate assessor’. Most inspectors also act as District Inspectors and are responsible for a number of schools within a geographical area.

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<sup>6</sup> <http://www.etini.gov.uk/index/together-towards-improvement/together-towards-improvement-primary.htm>

The OECD, commenting on the District Inspector role (2007: 26) suggests that it ‘facilitates close links and provides a good communication channel between the schools and the Department’. District Inspectors also play a key role in creating the conditions required for school inspection and school self-evaluation to mutually and beneficially coexist. Indeed, in many ways, District Inspectors exemplify the belief that school self-evaluation and school inspection can benefit each other. Although District Inspectors also form part of the inspection team during the course of inspections and follow-up inspections, they are also involved in a series of district visits. The district visits complement more centrally-programmed inspections, according to the ETI (2008a: 8), and they provide ‘a valuable opportunity for the District Inspector and staff of the organisations involved to engage professionally, outside the context of the formal inspection programme’. Moreover, District Inspectors embody the terms of co-existence at a conceptual, communication (see Nevo 2002) and influential level (see Brown 2013). To be effective in this role, a District Inspector needs to:

*Develop productive and purposeful working relationships with the leaders and other staff of the organisations in the district...develop his/her knowledge and understanding of the organisations, through direct observation of practice, and through dialogue with the leader of the organisation and other staff, while always taking cognisance of the organisation’s view of itself. (ibid. 2008a: 8)*

Associate assessors are also included in the school inspection process. Associate assessors are normally school principals or deputy principals who have experience and/or training in a particular sector of education, such as that resulting from working in socially deprived communities, and who have generally received ETI evaluation training similar to inspectors employed by the ETI directly. According to the ETI, having associate assessors in the evaluation process can be beneficial to both the ETI and the organisation to which the associate assessor is attached. The ETI can benefit from having an associate assessor on the team through the increased awareness of local issues, and consequently, the role, it is suggested, ‘contributes to the improvement of the inspection process’ (ETI, 2008b: 3). The associate assessor can benefit ‘by developing the use of the self-evaluation process in their own organisations, in relation to learning and teaching/training’ (ETI, 2008b: 3). As confirmed by an inspector participant in Brown (2013: 141), ‘the evaluations of the associate assessor’s role reinforce the contention that they regard this as extremely beneficial in terms of their own practice and experience. We also regard it as a very good system, a check on our processes’.

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### 3.3 Frequency of inspections

Up to 2010, the frequency of full inspections of schools was 'once in seven years' (SICI, 2008: 11). However, more recently, in line with the changing face of school inspection in other countries such as England, Ireland and the Netherlands, the ETI has developed a proportionate, risk-based model of inspection to be phased in over a six year period from 2010. As described in Eurydice (2015: 176):

*All schools will have a formal inspection activity at least once in a three-year period, but the length and nature of the inspection activity varies according to assessment of risk. This involves using information from performance indicators, such as the percentage of pupils achieving the target levels for attainment in assessments and national tests; risk factors, such as the length of time since the previous inspection; and ongoing monitoring of school by district inspectors.*

### 3.4 Types of inspection

Inspection conducted by the ETI, whose mission statement is 'Promoting Improvement', utilises a number of inspection modes across the different phases/sectors of the education system of Northern Ireland. Although different inspection frameworks exist, in most cases inspection is focused on individual schools. As stated in ETI (2014: 1), 'the work of ETI focuses mostly on the inspection of, and reporting on, the overall effectiveness of single organisations such as schools, colleges, training and other providers'.

#### 3.4.1 Inspection of individual schools

Inspections of individual schools focus primarily on leadership and management at all levels, the provision for pastoral care and child protection, overall educational provision, and the school's self-evaluation process which, according to the ETI, reinforces 'the importance of strong and effective governance and leadership within schools in helping to maintain and improve standards' (DENI, 2009b: 2).

The framework and quality indicators that guide inspectorate judgements are stated in *Together towards improvement, a process for improvement* (ETI, 2010a). The framework focuses on three distinct areas of educational provision (leadership and management, quality of provision for learning and quality of achievements and standards). Within these areas, the following questions are asked:

- How effective are leadership and management in raising achievement and supporting learners?
- How effective is teaching, learning and assessment?
- How well do the learning experiences, programmes and activities meet the needs of the learners and the wider community?
- How well are learners cared for, guided and supported?
- How well do learners develop and achieve?

This externally devised framework also serves the purpose of explicitly stating to the school community the requirements and standards needed for effective educational provision within each school. This structure aligns with that outlined in Eurydice (2015: 8): ‘to support their work, evaluators rely on a centrally set framework which establishes in a structured and uniform way not only the focal points of external evaluation but also the standards defining a “good” school’.

During the course of the inspection, inspectors meet with the principal, senior management, teachers, parents and students. To identify the views of all the members of the school community, parents and teachers are also asked to complete a confidential questionnaire (with the option of completing the questionnaire online). This asks their views of the leadership, teaching and learning in the school. The school is also asked to provide the inspector with quantitative and qualitative data (with assistance from support officers and data collected from the C2K.net website) and other information relating to the school. In acknowledgement of the importance that the inspectorate places on school self-evaluation, the school is also asked to detail any school self-evaluations it has conducted. When the inspection is complete, the reporting inspector communicates the findings to the school community and produces an inspection report detailing the results, including the quality of school leadership, the school’s arrangements for pastoral care and child protection, and the quality of teaching and learning. Similarly to other jurisdictions including England and Wales, ‘the initial school response to the report is limited to factual errors while the overall judgement cannot be discussed’ (Eurydice, 2015: 30).

Following the site based inspection, an overall judgement is made along a quality continuum (Unsatisfactory, Inadequate, Satisfactory, Good, Very Good, and Outstanding) and the final product of the inspection is the publication of an inspection report detailing the main strengths and areas in need of improvement within the school. The final report also provides a detailed account of examination results and compares the school to contextually relevant national averages and includes other statistical data relating to school attendance and the destinations of students that have left the school. This data is used to describe the strengths (and necessary improvements) of the school in the final report.

### **3.4.2** *Follow-up inspections*

In the event that certain areas of improvement are deemed necessary, the school is asked to complete an action plan addressing the highlighted areas within 30 working days of receipt of the report and ‘this action plan will be the basis for discussions during the follow-up process’ (ETI, 2009: 3). In the period between the inspection and follow-up inspection, ‘the reporting inspector will maintain contact with the organisation to monitor progress’ (ibid., 2009: 3). The district inspector also plays a significant role in monitoring and supporting the improvement actions during the follow-up inspection cycle.

As stated by an inspector participant in Brown (2013: 179):

*The district inspector's visit is a monitoring check that it's happening, so when the follow-up inspection takes place, the district inspector is not going in cold 12 months or 18 months a year. The district inspector is going in knowing that progress is being made or not, and therefore...I would say, all of these reasons why in 85, 87% of cases, we see improvement.*

According to the ETI, 'the District Inspector's function is that of monitoring and reporting on the progress of the organisation in addressing the issues identified, with particular reference to improvements in learning and teaching, standards achieved, quality of leadership, and the effectiveness of external support' (ETI, 2012: 4). The follow-up inspection normally takes place 12 to 24 months after the inspection. The key requirement of the follow-up inspection is a self-evaluation report of the required improvements. As stated by the ETI (2009: 3), 'organisations will be required to write their own follow-up self-evaluation report and have it quality assured by the District Inspector'. In the event that the follow-up inspection still shows areas in need of improvement, another follow-up inspection is scheduled and conducted. Follow-up on recommendations from previous inspections is a key task for the ETI; not only is compliance to recommendations expected from all schools, but support is also provided to ensure that the required improvement actions are taking place. As an inspector participant in Brown (2013: 179) describes:

*What happens then is that the advisory service within the education library boards has a role to play and to step in. They attend the report feedbacks, and they hear the findings, and they then step in for schools that have low levels of performance on inspection, and they work with the principal and the senior leaders to address whatever's faulty (inadequate) in the school development, or the action plan, or the evaluation, or the staff development, or whatever it is. Their action then is taking place.*

In the majority of cases, follow-up inspections coupled with a school's self-evaluation have led to improvement. Indeed, an analysis of follow-up inspections conducted by the ETI (2014) found that '137 organisations had follow-up inspections (FUIs). Some of these FUIs will have been in schools that entered the Formal Intervention Process (FIP). In the period between DENI launching *Every School A Good School* in 2009 and 30 June 2014 (based on inspection reports published), 45 schools entered FIP, 29 exited (5 closed) and 11 remain in the process' (ETI, 2014: 30). Indeed Brown, in reference to the system of school inspection and school self-evaluation in Northern Ireland notes, 'although tensions inevitably arise; looking forward, schools in Northern Ireland now appear to be in the process of asking the question: "How do we as practitioner researchers improve the quality of education not only in our schools but also in our communities?"' (Brown, 2011: 99). The above description of inspection procedures refers to single school inspection but the emergence of area learning communities has now given rise to a new mode of inspection, area-based or polycentric inspections.

### 3.4.3 Area Inspections

Area-based inspections as developed in Northern Ireland evaluate and report on the quality of provision including the quality of support services in a geographical area, across a number of phases and are, to a significant extent, based on the capacity of organisations to carry out their own evaluations. There are two main types of area inspections. Area youth inspections inspect support services provided in a Library Board region, in the youth sector. However, in terms of inspecting the collective quality of educational provision in schools and other organisations, ‘full area inspections’ evaluate a particular aspect of education across different stages of schooling in a geographical area.

#### 3.4.3.1 Full Area inspections

In Northern Ireland, full area inspections have been in existence since 2005, with the last full area inspection carried out in 2009. Full area inspections focus on a particular aspect of education across different stages in a geographical area. As stated by ETI (2005), ‘the aim of all inspections is to promote improvement, the purpose of the area inspection is to assess the relevance, appropriateness, adequacy and effectiveness of the provision of education and training within a given geographical area, in preparing 14–19 year old learners to progress to further education, training or employment’ (ETI, 2005: 2).

The importance placed by the ETI on education organisations in an area working collaboratively to provide a quality education is evidenced in the Chief Inspector’s Report (2008–2010):

*It is important that all organisations who work for the benefit of learners continue to explore ways of working together to provide effective transitions and a more coherent experience for all learners. The area-based evaluations of transitions within two distinct areas..., highlight the importance of effective and well-informed self-evaluation and of making more connections through working with a range of stakeholders to raise standards and to achieve better outcomes for learners. The importance of strategic planning cannot be underestimated. A shared approach to developing a curriculum which will serve the needs of learners and provide them with individual learning pathways which are broad, balanced and coherent is crucial (ETI, 2010b: 25).*

The focus of full area inspections varies. However, in more recent area inspections (ETI, 2010c, ETI, 2010d), the focus of the inspection related to strategic planning for education and training within the area, the quality of learning for young people and the effectiveness of the transition arrangements for young people within and across the various sectors (Appendix 1). In the course of these inspections, a decision was made by the ETI to visit a representative sample of education providers within the area. Various documents such as student attendance, student performance in external examinations, and the results of previous inspections were also used in preparation for the area inspection.

## INSPECTION IN NORTHERN IRELAND

The ETI also requested that each organisation would complete a self-evaluation report on the strengths and weaknesses in their own organisation prior to the inspection taking place.

During the course of the inspection, a number of inspectors with specialist knowledge in a particular aspect of education form part of an area inspection team. Each inspector evaluates a representative sample of education providers relating to their own specialism. For example, in the case of the area-based inspection of Ballymena (ETI, 2010c), inspectors with specialist knowledge of pre-school centres, primary schools, post-primary schools, alternative education providers, special schools and further education and youth settings formed part of the inspection team. As with individual school inspections in Northern Ireland, the evidence used to form judgements on the quality of education provided in these organisations consists of, but is not limited to, lesson observations, analysis of each organisation's self-evaluation report, interviews with students, parents, teachers, members of the middle and senior management team and members of Boards of Governors of each organisation inspected. Evidence is also gathered from a range of other organisations in the area such as the Education and Library Board who are asked to provide their own evaluation on the theme being inspected.

Interviews also take place with a range of other relevant organisations in the area such as the Curriculum Advisory Support Service, the Department for Employment and Learning and, in the case of West Belfast, the West Belfast Partnership Board.

When the inspection is complete, two types of inspection report are provided to the community.

### **3.4.3.2** *Individual organisation inspection report*

As with the inspection of individual schools, all organisations evaluated are provided with a report detailing the quality of educational provision relating to the focus of the inspection in their own organisation. The inspection report normally takes the form of a short document detailing strengths and areas for improvement within each individual organisation. Unlike single unit inspections, the report does not contain statistical information relating to areas such as attendance and performance in external examinations. Finally, the following statement is provided at the end of each individual organisation report in order to heighten awareness relating to the overall inspection findings: 'the overall composite report for the area-based inspection raises some important recurring areas for improvement. While these are not applicable in all the individual organisations, they are nevertheless important to address across the area' (ETI, 2009: 30).

### 3.4.3.3 *Composite Area inspection report*

Having gathered all of the required evidence from individual organisations the composite inspection report provides, in great detail, overall inspection findings relating to the themes inspected. Also, in line with individual institutional inspections, an overall judgement is made detailing the main strengths and areas in need of improvement. Inspection judgements fall within a quality continuum ranging from unsatisfactory to outstanding (Unsatisfactory, Inadequate, Satisfactory, Good, Very Good, and Outstanding). A set of quantitative terms is also used to describe the extent to which an organisation is achieving its objectives, namely, Almost/nearly (more than 90%), Most (75%–90%), A majority (50%–74%), A significant minority (30%–49%), A minority (10%–29%), Very few/a small number (less than 10%). The report also contains quantitative comparative data on areas such as Key Stage Assessment Results for the area in comparison to the Northern Ireland averages and the percentage of school leavers entering employment or higher or further education in the area. The report is divided into two distinct sections.

Part one (Summary) of the report is divided into different sub-sections. The first section (Introduction) provides a description of the area-based inspection model. The second section (Context) provides a description of the area in which the inspection took place. This section provides contextual data on the area, including the number of children taking up the free school meals entitlement and the percentage of the population claiming benefits. The third section (Evaluation) provides a description of the focus of the evaluation and the types of evidence that was gathered to inform overall inspection judgements. The fourth section (Summary of main findings) provides a summary of the strengths and areas for improvement for the area under focus. Oral feedback on the report is also provided to each organisation that is inspected.

Part two (Conclusion and key priorities for development) of the report is also divided into different sections. The first section (Conclusion) provides an overall judgement on the quality of education provided in the area together with a statement detailing identified strengths and aspects for improvement. Furthermore, in line with other follow-up inspections, this section also states that (as is the case with the Ballymena (ETI, 2010c) and West Belfast (ETI, 2010d) area inspections) that ‘the Education and Training Inspectorate will monitor and report publicly on the progress made in addressing these areas for improvement’. (ETI 2010: 7; ETI 2010d: 9). The second section of the report (Key priorities for development) details the work needed to tackle the areas for improvement. However, in order to eliminate confusion relating to the responsibilities of area members in attaining these goals, this section provides a detailed description on the specific roles and responsibilities of each member to reach the identified targets for improvement. For example, ETI (2010c, 2010d) explicitly lists the roles and responsibilities of the Department of Education and the Department for Employment and Learning, educational stakeholders (Education and Library Boards) and organisations (primary schools, post-primary schools, special schools, further education colleges, training organisations, alternative education providers and the youth service) in realising the terms of improvement outlined in the report.

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Oral feedback on the report is provided in a public forum to all organisations, stakeholders and interested individuals within the area.

The impact and future potential of this model of area-based or polycentric inspection is the main focus of this research and will comprise the remainder of this report. Firstly however a brief description of the research methodology employed is presented.

# **Chapter 4**

## Research Methodology

## POLYCENTRIC INSPECTION EXPLORED

### 4.1 Introduction

The purpose of this study was to look at the impact of polycentric inspection on quality and innovation and to examine the potential of this approach to drive improvement. The methodology used in the research was a triangulated case study strategy (Tellis, 1997: 2) since the work was not so much concerned with gathering data about large system level issues but rather ‘understanding the complex interplay between a given phenomenon and its broader context’ (Iorio, 2004: 60). In line with Stake (1994: 236), the study was concerned more with ‘individual cases, not by the methods of inquiry used’. The theoretical framework of the research was not the generalisation of polycentric inspection to all populations but rather the generalisation of theoretical propositions. The overarching theoretical proposition is that polycentric inspection can contribute to improving schools. To test this assumption, it was decided to undertake a case study of an area in Northern Ireland that had taken part in an area-based inspection some years previously. The area chosen was West Belfast, urban and with a high level of social problems.

### 4.2 Data collection

In order to gain as complete a picture as possible of the impact of polycentric inspection on the network, the researchers collected data by interviewing the inspector who led the team and who is also the District Inspector for the area, the chief executive officer of the CCMS, the education manager for the West Belfast Partnership Board, and a Belfast Education and Library Board (BELB) Curriculum Advisory Support Service officer (CASS). A focus group interview was conducted with members of the West Belfast ALC. A cross case analysis of area and youth inspections since 2005 was made including analyses of specific documents including the inspection report on West Belfast and the West Belfast Partnership Board’s<sup>7</sup> response to that inspection. Finally data sets provided by the Northern Ireland Statistics and Research Agency, the Department of Education and the West Belfast ALC, including data relating to terminal examination results, free school meals entitlement, the number of individuals claiming benefits and the destinations of students following GCE and A Level education, were analysed.

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<sup>7</sup> West Belfast Partnership Board manages two new education initiatives: the West Belfast Community Project and the Community Education Initiative Programme – which together comprise the WBPB Education Initiatives. Both were funded by the Department of Education until March 2015, and became operational in January 2014 (following a planning period at the end of 2013). The core aim of the work is to raise attainment levels across the education spectrum for children and young people experiencing disadvantage, poverty, exclusion and social emotional behavioural difficulties. (West Belfast Partnership Board, 2014, p.3).

### 4.3 Selection of participants

'The idea behind qualitative research is to purposefully select participants or sites (or documents or visual material) that will best help the researcher understand the problem and the research question' (Creswell, 2008: 81). The selection of participants for this study was based on a purposeful sampling strategy: 'the purpose of purposeful sampling is to select information-rich cases whose study will illuminate the questions under study' (Patton, 2002: 46). It was seen as essential to interview key leading members of the network who might have varying perspectives on area-based inspection policy and practice. Therefore, it was decided to interview the chief executive of the CCMS, a Belfast Education and Library Board Curriculum Advisory Support Service officer and leading members of the ALC who form the core component parts of the network. Patton suggests that, 'the purpose of a stratified purposeful sample is to capture major variations rather than to identify a common core, although the latter may also emerge in the analysis (Patton, 2002: 240). The selection of inspectors was not based on a purposeful sampling strategy, but rather consisted of interviewing the lead inspector who carried out the area inspection and who is also the District Inspector for the area. From a research ethics perspective it should be noted that, as the interview data is reported using clear identifiers, the District Inspector is DI. An earlier version of this report was circulated and any amendments requested have been incorporated.

The next chapter details the data that emerged in the course of the research.



# **Chapter 5**

## **Polycentric Inspection Explored**

## POLYCENTRIC INSPECTION EXPLORED

### 5.1 Polycentric inspection in focus – The case of West Belfast

West Belfast has a population of approximately 93,000 residents<sup>8</sup>. It has one of the highest levels of people claiming unemployment benefit in Northern Ireland (Appendix 2). Moreover, West Belfast 'has the highest proportion of people (76%) living in the most deprived 'Super Output Areas' of Northern Ireland and it ranks first on the Northern Ireland Multiple Deprivation Measure<sup>9</sup> (WBP, 2014: 6). There are 17,339 children living in West Belfast who attend one of the 10 post-primary or 30 primary schools in the area (Appendix 3). A significant number of pupils in the area are also entitled to free school meals. The average number of pupils entitled to free school meals is approximately 35% at post-primary level and 60% at primary level.

However and very interestingly in the context of this research, despite these significant challenges, since the first area inspection (ETI, 2010d), there has been a significant increase in the percentage of students at GCSE and A level achieving 5 or more at grades A\* to C (Tables 6 and 7).

**Table 6: WB ALC GCSE Performance 2009/10 to 2013/14.**

Source: West-Belfast ALC

| GCSE   | 2010 | 2011 | 2012 | 2013 | 2014 | 2014 School figures |
|--|------|------|------|------|------|---------------------|
| Number of pupils in Y12  | 893  | 775  | 840  | 894  | 878  | 839                 |
| Number of eligible pupils (for SAER)                             | 827  | 734  | 780  | 826  |      | 789                 |
| % of ineligible pupils   | 7.4  | 5.3  | 7.1  | 7.6  |      | 6.0                 |
| % receiving 5 or more at grades A*–C                             | 79.2 | 80.8 | 84.5 | 85.7 |      | 91.1                |
| % receiving 5 or more at grades A*–C including English and Maths | 52.4 | 49.0 | 49.1 | 50.7 |      | 61.3                |
| % receiving 6 or more at grades A*–C including English and Maths | 60.0 | 63.6 | 69.5 | 70.5 |      | 79.7                |
| % receiving 7 or more at grades A*–C including English and Maths | 50.7 | 46.5 | 47.7 | 48.7 |      | 59.3                |
| % A*–C in English (Year 12 census)                               | 60.7 | 62.8 | 58.7 | 61.4 |      | 77.2                |
| % A*–C in English (Exam outcomes)                                | 67.9 | 67.1 | 63.2 | 67.0 |      |                     |
| % A*–C in Maths (Year 12 census)                                 | 54.1 | 51.0 | 51.9 | 52.7 |      | 65.4                |
| % A*–C in Maths (Exam outcomes)                                  | 59.4 | 54.8 | 55.4 | 57.5 |      |                     |

<sup>8</sup> [http://www.westbelfast-](http://www.westbelfast-partnership.com/uploads/documents/belfast_west_constituency_profile_2013.pdf)

[partnership.com/uploads/documents/belfast\\_west\\_constituency\\_profile\\_2013.pdf](http://www.westbelfast-partnership.com/uploads/documents/belfast_west_constituency_profile_2013.pdf)

<sup>9</sup> Super Output Areas (SOA) are used within the Noble Measures of Multiple Deprivation (MMD) to enable comparative analysis of small areas across Northern Ireland. The final rank given to an individual SOA is based upon several indicative domains including: income, health, employment, education, environment, services and crime/disorder (ETI 2010d, p. 2).

**Table 7: WBALC A Level Performance 2009/10 to 2013/14.**

Source: West-Belfast ALC

| A Level                              | 2010 | 2011 | 2012 | 2013 | 2014 | 2014 School figures |
|--------------------------------------|------|------|------|------|------|---------------------|
| Number of pupils in Y14              | 697  | 666  | 793  | 710  | 783  | 801                 |
| Number of eligible pupils (for SAER) | 560  | 536  | 564  | 573  |      | 632                 |
| % of ineligible pupils               | 19.7 | 19.5 | 28.9 | 19.3 |      | 21.1                |
| % receiving 2 or more at grades A*–C | 92.3 | 89.9 | 93.3 | 91.1 |      | 94.0                |
| % receiving 3 or more at grades A*–C | 50.2 | 51.1 | 55.0 | 58.1 |      | 66.8                |

As always in educational research making direct casual links is problematic but the above figures are, nonetheless, of considerable interest. The next section tests assumptions relating to polycentric inspection as it applies in practice by providing a narrative analysis of the findings from the qualitative interviews and focus group part of the study. For clarity, each participant has an identifier attached to the unit of analysis. For example, when referring to the code ALC1, the first letter identifies the participant as a member of the ALC, and the number after the letter indicates each member of the network.

## 5.2 Defining the network to inspect

### 5.2.1 Who is part of the inspected network?

According to the inspector participant (DI) and as stated in (ETI, 2010d: 1), all education providers in the area, including nursery, pre-school and alternative education providers form part of the inspected network:

*The inspected network is the network of establishments of West Belfast. That's not just school, that's from the cradle to the grave. So the West Belfast area-based inspection spans from nursery right through to FE, training providers and even into community groups. It was unique in that sense, it inspected everything basically. So essentially, the area-based inspection lit the fire for social Networking in the community.*

### 5.2.2 Who decides that these actors are part of the inspected network?

The inspectorate chooses a random sample of education providers in the area to form part of the area inspection: 'the inspectorate decided who would be inspected so we looked at the geographical boundaries of West Belfast and we selected a sample of different types of institutions and inspected them which is a cost effective way of doing inspections and all of the inspected organizations are listed in the report' (ETI, 2010d: 11). Organisations are not chosen using a risk based model but rather, 'they are chosen randomly across the area network' (DI).

## POLYCENTRIC INSPECTION EXPLORED

The process is outlined in detail by the DI:

*We sent letters to all of the organisations in the area saying that the area is going to be inspected, we then let the sample know and then we explained the whole process to them. "Here's the framework, here's what we're going to inspect, here's what the report is going to report on." Different areas will have different areas inspected but in this case it was transition.*

An important first achievement of this polycentric inspection was that the final report suggested that one of the areas for improvement was to 'align the strategic and operational plans of organisations and their key partners within the area' (ETI, 2010d: 5). As a result, the network has expanded considerably from the time of the initial inspection and now includes key stakeholders of the individual schools. As described by an interview participant from the West Belfast Partnership Board (WBPB):

*We saw that there was a gap from primary schools, nursery schools to come together, a gap for after schools to come together and the practitioners group to drive everything forward. We would have the ALC, BELB, the CCMS, DENI, and ETI as well. So we let it evolve. So it's a bottom up approach. It's not us saying that you have to be in this network. It's us saying, this is what we're hoping to do because people have bought into it. So the WBPB is where all of these networks meet.*

### **5.2.3** *How are these actors (stakeholders, other service providers) involved in the network? What is their role?*

According to the DI, there is a considerable number of stakeholders involved in the network, all with specific roles:

*There are a whole lot of actors involved in the network. The West Belfast Partnership Board and the ALC are key players. As the network has rolled on in the last few years [after the area-based inspection took place] a lot of other organisations have come in. It has grown organically nearly but all of them are involved in either providing education directly or supporting education.*

An example given by WBPB of the various stakeholders involved in the network is as follows: 'it's a bottom up stakeholder led approach. For example, activities outside of school hours often aren't inspected by ETI but they often are by other agencies such as social services' (WBPB).

Indeed, according to CCMS, the involvement of multiple stakeholders is a core requirement in ensuring that area-based evaluation and planning will have any significant impact on the quality of education provided in an area.

## POLYCENTRIC INSPECTION EXPLORED

This key point is stressed by CCMS:

*The concept of stakeholders is very important here. Particularly when we are dealing with areas of multiple social disadvantage because schools cannot educate children alone and that's more obvious in areas of social deprivation. So the stakeholders have to be the schools and those who provide for the schools and by that I mean preschool settings, Sure Start<sup>10</sup>, etc. It also has to involve those for whom the schools produce so further education, employers need to be part of it and training organisations in between there.*

### **5.2.4** *Are there other stakeholders who are/could be involved in the inspections, perhaps on a more ad hoc basis?*

From the time of the first area-based inspection, there was common agreement among those interviewed that there was a need to involve more stakeholders in the network. According to the Belfast Education and Library Board Curriculum Advisory Support Service officer (BELB-CASS), 'at that time, the time of the inspection, the ALC had not got to the stage that it is at now'.

In terms of those organisations being included on an ad hoc basis, BELB-CASS explains, 'the other parts of the Network [Area Learning Community] are statute based. However, there is another sector out there and that is the community sector and the WBPB is community based but overlaps with the statutory network in terms of provision of teaching and learning'.

When asked if the two (statutory and non-statutory) could be inspected together, BELB-CASS stated, 'that's starting to happen and the arena where that is taking place is the Area Learning Community. Let's say that there's an initiative in the ALC and they think, let's see how the partnership board can be part of this and vice versa. What the ETI are trying to do is to keep that partnership going'. Indeed, as the network has matured, the DI takes the view that almost all organisations are included in the network:

*If you asked me that question a number of years ago, I would have said yes, we have to bring in more community groups. At this point in time, no, not really. We have the community groups, we have the CASS, we have the schools, we have the ALC, we have the partnership board, and we have community groups. Over a period of time, they have been drawn in on an ad hoc basis but they are formally in.*

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<sup>10</sup> Sure Start is a government led initiative aimed at giving every child the best possible start in life and which offers a broad range of services focusing on Family Health, Early Years Care and Education and Improved Well Being Programmes to children aged four and under.

## POLYCENTRIC INSPECTION EXPLORED

It was also suggested by the DI that for those stakeholders who are drawn in on an ad hoc basis:

*There is a clear understanding that after a period of time you need to say that this is what we've done and this is the evidence of the impact of what we've done on the ground. Now the 'first-hand evidence' that a community group produces would be different to the evidence that a school produces. And the role of the inspectorate is that the inspectorate can quality assure all of this.*

### 5.3 Defining polycentric inspection

#### 5.3.1 *Polycentric inspection is about multiple actors sharing responsibility for education, and having a role in the steering, governance and evaluation of schools. What does this look like in your country?*

According to BELB-CASS, the concept of polycentric inspections came from other jurisdictions:

*The way I understand it is, in America they used to have or they still do, schools would define themselves as professional learning communities and what they would look at is how collectively they could do that in terms of one school, and from that it came off as an area-based approach to education. From that we started to see in England what were called the National Learning Networks, primarily in the primary sector and I think that that impacted over here and there is an imperative in terms of finance and budgets being cut or shared services to take place right across schools but it's the same process in other organisations like health, etc.*

As previously stated, inspection in Northern Ireland is centered on single institution inspections. On the other hand the DI points out, 'we have also been doing, we call them area-based inspections. We have had a number of those but this area is the only one that has been followed up in that sense. So what we have is mostly single unit inspections. We have had a number of polycentric inspections [Appendix 1] over a period of time'.

In terms of the need for follow-up inspection, the inspector participant explained that, 'normally in a single institution inspection you would have follow-up inspections if there were issues' (DI). However, there wasn't a formal follow-up comparable to the framework for follow-up that is used in single unit inspections. Rather, as explained by the DI, 'the inspector does not say, "This is what you've got to do". It's [follow-up area inspection] an evaluative role, listening to what they are doing and looking at the evidence of the effectiveness of what they are doing in terms of outcomes and giving ongoing evaluation and making suggestions for change and evaluating again' (DI).

The DI continued:

*I keep saying again to you. You have to have a follow-up. First of all to say at a strategic level that there is improvement. That's important from a governmental point of view. It must also be part of the improvement agenda for the network as well. It drives the improvement process but it's the way that the follow-up is carried out in an area inspection. That's the important bit.*

The importance placed on follow-up inspections being a key element of a polycentric inspection framework was also affirmed by CCMS when referring to transition arrangements among various sectors.

As stated by CCMS:

*One of the areas that I know was followed up on was transition. Transition is a key area even with selection it's a key area because we have to work on this principle because of the background of these children. So that relationship between the schools that they are going into and the schools that they have come from is very important.*

### 5.3.2 What is the role of the Inspectorate in this polycentric context?

The traditional role of the inspectorate is to carry out an evaluation of a certain element of practice in one school. In the context of polycentric inspection, the DI took the view that the role of the inspectorate is to act as a critical facilitator/friend. According to the DI, 'friend is a word that can sometimes be mis-interpreted. The role of the inspectorate is to be part of the change process and I think we need to change this notion that the inspectorate can't do that because if the inspectorate don't get involved in that, often you don't get change. There is a dual role there'. This perspective on the role of the inspectorate resonated with an interview participant from the Area Learning Community who stated that, 'I think that long gone should be the days where an inspector comes in and just goes out and I think that [name of District Inspector] has broken that mould' (ALC1).

In terms of the area-based inspection that was carried out in 2009 (ETI, 2010d), the DI states:

*We visited, it must have been about 45 institutions. Every one of those institutions also had a single case report. There was a dual purpose to this 'Strengths and areas for development'...The starting point was to quality assure first hand evidence that the institution provided to us. Even by asking for that, that actually started the process five years ago. That's inspection as part of the change process... Think of the actual efficiency savings there. We didn't follow the individual institutions up which is interesting. In my view, we should have.*

## POLYCENTRIC INSPECTION EXPLORED

When asked if any improvements could have been made to the area-based inspection process, the DI stated that, 'if that was being done again, the way I would do it is that the District Inspector for those schools would follow them up. There was quite a number of schools inspected and I wasn't the District inspector for all of those schools. I wrote the report because I was the Area Board coordinator. There's no reason why the District Inspector for post-primary couldn't follow-up those schools. A very cost effective way of doing follow-up'.

### 5.3.3 *Are polycentric inspections in your country only about inspections of networks of schools (and what does this look like)?*

Polycentric inspections in Northern Ireland include more than networks of schools as referenced in ETI 2010c, 2010d. Furthermore, as stated by the DI, 'I wouldn't define polycentric inspections as just being about schools. It's about whatever you decide it is to be about. It's whatever needs to be inspected for whatever reason'. Indeed, in terms of the area-based inspection (ETI, 2010d), BELB-CASS affirmed that 'they [The ETI] also looked outside of mainstream providers by looking at for example *Alternative Education Providers*' (BELB-CASS). The overarching logic to including other organisations in the area-based inspection is provided by WBP who states: 'In the last polycentric inspection you would have had inspection of full service community networks as well. No it's not only about schools and I think that what we are trying to do here is that the schools and community are interlinked' (WBP).

### 5.3.4 *Is there also an element of sharing inspection responsibilities (and what does this look like)?*

Given the scale and number of institutions that were inspected during the course of the area-based inspection, a number of inspectors from ETI, with expertise in a particular aspect of education, were engaged to carry it out. The DI describes the process:

*We had over 15 inspectors on it. It was done over a week and it was quite a commitment of inspectorate time. We had somebody going to nursery, we had somebody going into primary and post-primary. It was quite an exercise to manage. However, I still maintain that it was cost effective... As long as you follow it up.*

Following the area-based inspection, the District Inspector quality assured the network's self-evaluation of areas for improvement arising out of the inspection:

*I think the aspect of all of this is to get the organisations to follow it up and the inspectorate to quality assure first hand evidence. This is still a work in progress and essentially what the inspectorate does is, they quality assure first hand evidence. The West Belfast partnership board are managing the production of that evidence. That's the essence of all of this... If it was just an external body coming back in three years to rubber stamp it, they [the network] don't feel part of the network. They have been involved in the change process themselves (DI).*

### 5.3.5 What are the most profound differences of this way of working with traditional inspections of individual schools?

When asked about the most profound difference between single school and area-based inspections, there was widespread agreement among the respondents.

According to BELB-CASS, 'the biggest difference is the potential for change and to start to see that the solution for deficiencies in a system are not going to be solved in one particular way or by one particular institution... The potential is for more creative ways of tackling the problems that emerge'.

This perspective is endorsed by the DI who also explains that, on the one hand, 'there are still goals to be met. You still have the backdrop of the findings from the area-based inspection that people are working to and produce evidence of change in those things. In a sense there is a similarity there'. On the other hand, however, one of the most significant differences according to the DI is that polycentric inspection involves multiple stakeholders who collectively own the process, 'in other words there has been an inspection, here are the strengths, here are the areas for improvement, here is the first hand evidence that the network members are collectively producing and then we are quality assuring along their own self-evaluations. The organisations own the process. That's the most profound difference'. Indeed, it appears that ownership of the process is not only essential to the sustainability of the network but also to the sustainability of polycentric inspection in general. ALC2 provides an amusing yet realistic description of the difference between polycentric inspection and single unit inspections:

*In some jurisdictions if there is a really bad inspection, the powers that be would be able to put the school on special measures or, eventually, suggest that the school is closed down. Now I can't imagine if we had a really bad area inspection, which we didn't, that the inspectorate would have put West Belfast on special measures or close West Belfast down; so ownership and an agreed agenda for change is essential.*

## POLYCENTRIC INSPECTION EXPLORED

Relationships and trust are key:

*The key issue if we peel everything away is relationships and trust. In that context the schools have left something aside which is part of the culture of education which is school against school. Our view of area planning and evaluation is: Instead of talking about building schools or closing schools, the other way of looking at it is to ensure that we're accessing the full range of the curriculum open to everyone. So that's area planning and evaluation. How do you do it? You do it through a network of schools (CCMS).*

### 5.4 Inspection framework

#### 5.4.1 What does the framework for inspections of networks/clusters of schools look like?

The framework for polycentric inspections as detailed in DES (2010c, 2010d) is similar to that of single unit inspections in that quality indicators and areas for improvement form part of the framework. However, as the DI outlines, 'the framework in itself is just like an inspection framework but it is more wide ranging than for a school'. In this regard, where single unit inspections evaluate, for example, the quality of teaching and learning, in the case of area-based inspections, although the quality of teaching and learning is evaluated, an overarching theme for the inspection is followed. As previously stated, in the case of ETI (2010d), the overarching theme for the area inspection was that of transition arrangements within the area.

#### 5.4.2 How do you decide if the network is effective or ineffective (e.g. what are norm indicators, criteria for assessing effectiveness)?

When interview participants were asked to give their opinion on how to decide if the network is effective or ineffective, responses varied. However, there was a degree of commonality on how to judge effectiveness that related specifically to quantitative data arising from terminal examinations, analysis of minutes from meetings, and the level of consultation reported among the network members. In terms of data arising from terminal examinations, BELB-CASS recognised the limitations of using one single method of analysis to determine the effectiveness of the network: 'Who is to say that the results wouldn't have been the same if there wasn't an area-based inspection?' On the other hand, however, BELB-CASS also accepted the usefulness of using data arising from terminal examinations: 'Well the stats are a massive indicator. It's very useful to get the rough data and to have a polycentric approach if you like in terms of an area... Results could be one of the indicators yes'.

## POLYCENTRIC INSPECTION EXPLORED

An alternative perspective (and also highlighting the need for success criteria in all modes of evaluation) is provided by the DI who argues that:

*I'm not deciding if the network is effective because that implies that I'm deciding if those people are effective. We are deciding if the impact of what they are doing is meeting the success criteria that we have set out in order to... Are the educational outcomes, are the GCSE up?... We are not deciding on people if they are effective or ineffective. We are deciding on the outcomes. We are looking at first hand evidence and saying that the first hand evidence is showing that the quality indicators that we have set up for this area-based inspection are being met or not being met and that's what inspectors do. I make no apology for that and we say, yes it's up to the mark or not up to the mark. You have indicators and you have criteria and those are communicated in advance.*

Finally, according to WBPB, one of the key indicators to determine the effectiveness of a network relates to transparency and the quality of the network's own self-evaluation:

*Our whole thing is that everything has to be open and transparent. There are no back doors. We also do a massive amount of evaluation and if we see if something isn't working we look at why it isn't working. Do we need to do it in a different way? Do we need to do something different? The ideas come from working in partnership with other people so we don't decide anything, the Self-Evaluation and the data decides the effectiveness.*

### **5.4.3** *To what extent do schools/actors in the network have a role in informing the inspection framework, or in bringing in topics for inspection?*

In accordance with all inspection frameworks devised by the ETI such as *Together Towards Improvement* (ETI, 2010), the DI confirms that, 'I certainly could see that organisations should have a role. Organisations do have a role in informing our inspection framework. We have an inspection framework, we put it out for consultation, we get feedback and we do it like any other inspection'. On the other hand, when deciding what aspect of educational provision needs to be inspected in the area, the DI adds, 'for the West Belfast area-based inspection, we set up the criteria, looking at aspects of transition and because we were looking at the effectiveness of transition that brought in everything'. He continued:

*They should have a role in informing the framework for area-based inspection but the inspectorate will have a governmental agenda as well. There always has to be give and take but there is a bottom line as well... You still have criteria that you need to inspect. There is no reason why, as this develops that a school can't ask for a QA inspection. You could have a model where the area would say, we would like an area inspection on a particular area because we've been working on this. The inspectorate could then say, yes that's worth doing can you give us evidence on outcomes that we need to know about and the government need to know about? (DI)*

## POLYCENTRIC INSPECTION EXPLORED

### 5.5 Evaluation process/inspection visit

#### 5.5.1 *To what extent does the framework take into account/build on school/network self-evaluation and peer review?*

Self-evaluation is at the core of the area-based inspection framework and has also been central to all follow-up inspections in West Belfast. The DI describes the importance of self-evaluation in the following terms:

*Self-evaluation is built into the framework. The original area-based inspection framework was predicated on self-evaluation and if you read the West Belfast inspection report it says that. We wrote the letter out to all organisations and we said that we are looking at transition and could you please give us an evaluation of where you are at? We asked them to do a quality audit and we said that we are going to quality assure it. Essentially what we did was that we quality assured the evidence that they gave us.*

Moreover, given the capacity for many schools in West Belfast to carry out their own evaluations, BELB-CASS states that:

*If you have a polycentric approach to inspection and you've got the individual school data but you've collectively got the data... If you've got good self-evaluation within schools themselves, you've got all of the material that you need so that the inspectorate can then put most of their focus on the area-based part.*

Indeed, as confirmed by WBPB, 'it's all built around peer review. It's our whole ethos... It's pointless if you don't measure impact because people don't have a voice'.

#### 5.5.2 *How are the schools/other actors (and potentially other stakeholders) involved in setting the agenda for inspection visits, in generating and collecting and interpreting evaluation data and in making judgements based on data?*

Schools/other actors (and potentially other stakeholders) were not involved in setting the agenda for the initial area inspection. Indeed, from a cross case analysis of area inspections (ETI 2010c, 2010d; ETI, 2006b; ETI, 2005), it would seem that the agenda for area inspections was focussed on system level priorities at the time of the inspection taking place (Appendix 1). On the other hand, however, because follow-up and collaborative self-evaluation are part of the inspection framework, the DI suggests that, in the case of West Belfast, 'they certainly were setting the agenda to a greater or lesser extent where organizations were producing evidence of improvement. What the inspectorate were very clear about was the first hand evidence that they were going to be producing: lesson observations, looking at books, data, etc.'. The DI also reaffirmed that 'the follow-up is predicated on first hand evidence. However, I want to emphasise that this is very complicated and some schools are very good at it and some are not. That's just the complicated network that we are working with'.

### 5.5.3 *How are assessments communicated and to whom?*

In keeping with the framework for area-based inspections, each inspected organisation is provided with a summary inspection report and collectively the area is also provided with an area-based inspection report (ETI, 2010c, 2010d; ETI, 2006b; ETI, 2005). Indeed, as with the majority of ETI inspections, all of these reports are publically available on the ETI website. In addition, as the DI points out:

*Not only did we provide feedback to one institution, we also provided feedback to all of the different providers. What I did as area-based inspector was that I reported to all of the providers in St. Mary's College, there were people from the department there as well. So the WBPB, the ALC was also there amongst a whole other group of people. The WBPB, prompted by CCMS decided that they were going to respond and that started the ball rolling actually.*

### 5.5.4 *How is ownership of findings created or enforced?*

According to BELB-CASS, there was no need for ownership of the findings to be enforced as 'it [The Area Inspection] was always based around self-evaluation any way. So they [the network] automatically have ownership so with [that] model if you like, you don't need an enforcement'. The DI elaborates:

*It's certainly not enforced. That doesn't work. Of course at times you have to say that something isn't working. To answer your question it's through trust. Of course I'm coming in as an Inspector but I'm coming in to give advice as well. The point is, the advice has to work. You don't get a second chance at this. Essentially what you're seeing is what is working elsewhere... There's a lot of rigour to it as well. You also have to have communication on what the first hand evidence is saying.*

### 5.5.5 *How/who decides on how to act on inspection findings and how is/should this be communicated to/with the Inspectorate?*

In the case of West Belfast, the network, with the support of the District Inspector, the Belfast Education and Library Board, the Area Learning Community and the West Belfast Partnership Board decided to act on inspection findings. Moreover, although not a requirement of area inspections, the West Belfast Partnership Board decided to formally respond to the area-based inspection report (West Belfast Partnership Board, 2012).

The thinking behind this course of action is explained by WBPB: 'Well, the West Belfast Partnership Board took it upon themselves to respond to the findings and from this there was the education and training forum that was set up and we looked at the three different sections that were highlighted in the report as needing room for improvement. That naturally evolved into what we have now'.

## POLYCENTRIC INSPECTION EXPLORED

The DI also provides clarity on who acts on the inspection findings:

*The network decides to act on the inspection findings but they are judged based on the quality of first hand evidence that they are producing. First hand evidence doesn't lie. As long you stick with first hand evidence that gives it the rigour. The inspectorate is part of the process and you're quality assuring what first hand evidence is saying and the first hand evidence is being produced by the stakeholders. That is their responsibility that they are producing for their own benefit and that is why it is working.*

In the case of West Belfast, it appears that the collective network decided to act on inspection findings using their own collaborative self-evaluation reports which were subsequently quality assured by the District Inspector.

Moreover, as indicated by ALC2, 'I also think that and it's not just because [name of DI] has been such an advocate of the work that we do. We also have a role to inform the inspectorate that this is the model of inspection, the role of the DI that we think could work in other areas'. This perspective is similar to that of ALC3 who is equally clear about the key role of the lead inspector: 'I'm not sure without the ETI and the District Inspector that we would have gotten as far as we had gotten in any shape or form because the District Inspector has moulded and put in shape and direction for how we have taken ownership of the findings'.

### **5.6 Embedding inspection in the regulatory context and creating clarity around formal responsibilities and roles.**

#### **5.6.1 Who is responsible for which part of the evaluation and improvement process (standard-setting, design and implementation of inspection measures, collecting and analysing findings, making judgements and deciding on actions)?**

In the case of West Belfast, the DI states that, because evaluation is a continuous process within the network, various members of the network are responsible for the evaluation and improvement process within different stages of the evaluation cycle:

*The ETI are actively involved and play a key role in both the evaluation and improvement process, not just the evaluation process. The organisation is responsible for the evaluation and improvement process. There is no division here but to be frank, the inspectorate are closely involved with the improvement process as well. You cannot just sit back from it and say, we are doing the inspection. If there is not an improvement following an inspection there is no point in having an inspection.*

DI continues:

*In all of this, the inspectorate have a statutory responsibility and they are responsible for evaluating the quality indicators. In this process we are quality assuring the school's self-evaluation from first hand evidence and if it's not good first hand evidence we will say that it's not good first hand evidence and if there's no evidence of improvement, we'll say that there's no evidence of improvement.*

**5.6.2** *To what extent are these responsibilities set in legislation or otherwise regulated or negotiated?*

The DI is clear on this question: 'under the education act it is the responsibility of the inspectorate to evaluate provision and outcomes set out in legislation. This is quite clear in legislation'.

**5.6.3** *What is the regulatory/legislative context of the framework? Does it support inspections or the forming of networks? How? Does it support involvement of schools/actors in the network or other stakeholders to decide on the standards in the framework?*

According to the DI, because school accountability and inspection is engrained in Northern Ireland legislation, 'all we need to say is that we have a blend of inspections and then you say that to meet the department's priorities, we're going to carry out an inspection and it's set up within this framework and I think that from the evidence in West Belfast, it's worked'.

**5.7 Potential (mechanisms and contexts of) effects and side effects**

**5.7.1** *What are the benefits and pitfalls of polycentric inspections, e.g. of inspecting networks of schools, and of sharing inspection responsibilities with (networks of) schools?*

In terms of the benefits, the DI believes that, 'the benefits are that you get buy in and you get people signing up. You get people feeling part of the process. The most important thing is that you get improvement in outcomes as we can see from, for example, the GCSE and A level results [Tables 5 and 6]'. Another benefit of polycentric inspection as stated by CCMS is that of greater cohesion and communication among schools: 'What the area-based inspection has done is that it has created a communication and a respect and therefore people are not afraid of each other. They do not feel that they have to defend their turf to the same extent that they used to'. CCMS continues, 'one of the things I mention to principals is interdependence over independence and it comes back to ALCs and the potential of ALCs not just to provide access to the curriculum but to create a forum for professional competence and how it can be developed and exchanged'.

## POLYCENTRIC INSPECTION EXPLORED

A number of potential pitfalls were also suggested. For example, because of the complexity of networks in comparison to single unit inspections, the credibility of polycentric inspection could, according to the DI, be brought into question if it was not as rigorous as a single unit inspection. The DI is clear that:

*The major pitfall would be that the area-based inspection model would not have rigour but if they concentrated on first hand evidence. In other words, does the first hand evidence show that there is improvement in these areas? Then you avoid the pitfalls. You focus on outcomes rather than output all the way through the follow-up process and that gives it the rigor.*

BELB-CASS also believed that for area inspections to work in practice, it would be an essential requirement to understand the context of the area:

*The pitfalls are that the context of the community have to be understood because if you try and apply the approach in West Belfast with that in another area you are on a high end to nothing.*

Nonetheless, CCMS was clear in the belief that there would be no reason why the overarching framework for polycentric inspection which was used in West Belfast could not be implemented in all areas of Northern Ireland.

*The concept of polycentric inspection, if it can work in West Belfast it can be amended for any other area of Northern Ireland. If you've solved the big problem you have the potential to make it manageable in other places with slightly different emphases. It could also be modified to be used in a cross community way which is something that education has the potential to deliver because there is now a much greater focus which we buy into; a shared education.*

### **5.7.2** *What are ways to improve these types of inspections and what changes to these inspection models are planned/needed?*

According to the DI, all systems require a blend of inspections whose overarching objective is the same and including single unit and area inspections. Moreover, and as with all modes of inspection, they must have credibility and rigour and have self-evaluation embedded throughout the evaluation cycle:

*You need to have an inspection system where you have a blend of single unit inspections and area-based inspections that fit together in all sorts of ways. They fit together in philosophy, they fit together in rigour, and they fit together in terms of outcomes and also, self-evaluation is at the heart of all of this. I don't mean enforced self-evaluation because that doesn't work.*

BELB-CASS also points out that, while there is a considerable amount of single school and system level data available, there is, in addition, a need for area-based data. BELB-CASS argues, 'the system itself needs to provide data on an area-based level. Now the mechanisms need to start looking at the area as being the unit'.

Another issue relating to the effectiveness of polycentric inspection concerns greater investment in community cohesion:

*I feel that we do need to invest in creating community cohesion and that brings us back to polycentric inspection because in WB if we are getting additionality, it's because we have more partners involved and we have more facilities to develop those partnerships. If there's resources required to develop those partnerships in other communities then let's put that resource in. So it should not be just a measure through e.g. Free School meals. It should be a capability assessment (CCMS).*

**5.7.3** *What is the impact of these type of inspections on individual schools, the network and potentially other stakeholders? How do you know? What's the evidence of impact?*

There were varying perspectives on the evidence of impact in West Belfast, including 'increased collaboration, integrated responses and collective responsibility. You see a child being a bit happier going to school and within their community, you see their attendance improving. You also see the involvement of families' (WBPB). BELB-CASS adds, 'with polycentric inspection there is less of a threat of becoming institutionalised. Hearing things from a different perspective is never really a bad thing and it gets you to reflect and re-articulate how it is done in your own environment'.

In terms of first hand evidence as a measure of impact, the DI argues that:

*You know by first hand evidence. We also know that this is messy. When you do an inspection across an area, you also need to see the big picture. You might get some aspect going down in one bit and another aspect going down in another. You need to focus on the big picture and just having confidence. The inspection evidence on individual schools shows that it is happening as well. That's where you need both. The individual inspections then become a check on the area-based inspection.*

## POLYCENTRIC INSPECTION EXPLORED

BELB-CASS also states that another form of evidence is the analysis of minutes from meetings:

*When you look at the minutes of meetings and you see the issues that people are talking about and you see that these are principals of competing schools. Over the past few years there have been falling population enrolments so you can have the tensions and yet if you look at the evidence in the minutes and you see that they're looking at everything from this issue, to finance, etc. well obviously this is evidence that something good is happening.*

However, BELB-CASS also pointed out that 'we're at a very early stage and it's almost at prototype level. If you look at school based inspection, it has been going on for decades but I think that if you have this running and it matures and it's a regular feature, then we'll see things that we can't visualise now coming as a result of it'. ALC3 agrees:

*I think that there is a lot of innovation here to make a real difference and I have to say that my only focus is West Belfast. Maybe all of the pieces of the jigsaw are on this table and I think that there is enough creativity and innovation to try and put that picture together for West Belfast... We are on a plateau, West Belfast is on a plateau, and we can have a major effect on the next generation. We have begun the process here.*

According to CCMS, another issue relating to the impact of polycentric inspection that needs be taken into account is the extent to which the process informs policy and practice:

*We need to see our system in a slightly different way and I think for polycentric inspection to have an impact, it has got to be inspecting against a policy backdrop which is different from the one that we have now while at the same time I think that it [research into previous area inspections] can pick up what has been done through these inspections, not just in West Belfast but elsewhere and seeing the extent to which those feed back into policy.*

### 5.7.4 What elements/aspects of polycentric inspections have an impact?

Participants agreed that various elements of polycentric inspection have an impact and the key arguments made were:

*Schools don't teach children, teachers do and I think what the area inspection has done is that it has improved policies at school level. They have seen other things that they can be doing, they have made education more porous in that the school is no longer a building surrounded by a high wall. There may still be a wall there but there are many gates in it and some of those gates are wide open (CCMS).*

*I think it does raise to a certain degree the level of professional language in schools particularly around self evaluation and planning and it forces schools to reflect. Now it is pressurised and it is stressful but it forces schools to periodically reflect on what they're doing and where they want to go (DI).*

*What is unique is that because the network focuses on teaching and learning this is what has made the difference in my opinion and we've moved away from the shadow of area-based planning which was always a very large elephant in the room. That has now dissolved as it's the area-based focus and things that matter to us (ALC4).*

*The building up of very positive relationships where traditionally we would have been working out of silos in our own school. I keep on going back to the point that it's our community and they're our pupils and we need to start looking at it from that perspective (ALC5).*

**5.7.5** *How do they have an impact? What are the mechanisms of change? On which types of networks do you expect to have the most impact and why?*

All participants believed that the network had an impact because of the way that it was set up. According to WBPB:

*Because of the way we are set up. Our strategic committee has the chairs of all of the ALCS so they are interconnected anyway. All of the chairs of the respective networks go onto the strategic steering committee. So you would have [NAME] who chairs the primary ALC, [NAME] chairs the nursery, [NAME] chairs the post-primary and [NAME] who chairs the afterschool would go onto that too.*

On the other hand, however, WBPB was also of the view that because the post-primary ALC is funded and is the only ALC that has a legislative basis under the entitlement framework, the post-primary ALC would naturally be more sustainable in comparison to the nursery and primary networks. In other words, the three networks need to be supported. Indeed, according to WBPB, 'this is what we would be hoping for moving forward'.

**5.7.6** *What are potential unintended consequences of polycentric inspections/inspections of networks?*

There were many unintended consequences of polycentric inspections as described by members. According to ALC4, 'I see it as the beginning of a process of looking at our pupils as opposed to our individual school and I think that that's a process that's long overdue and it will also begin the debate around what a school effectively is'. Indeed, according to the DI, one significant unintended consequence is that of 'knocking down the barriers between individual institutions. When you do single unit inspections and that is all that you do, you could essentially be reinforcing schools into working by themselves.

## POLYCENTRIC INSPECTION EXPLORED

By doing a polycentric inspection the message you are sending is that you need to talk to each other because we are inspecting across an area. That's the unintended good consequence of polycentric inspection'. The DI goes on:

*There is nothing wrong with competition. However, we now have schools, heads of departments getting together. It's hard enough in an individual school to put a group of teachers together where they are now bringing along first hand evidence and showing each school their first hand evidence. That's an unintended positive consequence. It's getting organizations to co-operate with each other and that is a major unintended positive consequence.*

BELB-CASS concurs: 'I think at this stage it can only be positive...With polycentric inspection, you yourself would start to look for improvement because you don't want to let the team down. So I don't think that there are any negative unintended consequences'.

Finally, the DI also believed that one of the potentially negative unintended consequences of polycentric inspection is that there would be a tendency to have a single model of inspection when, in fact, 'you have to have a blend of inspections. You can't have a regulatory framework of inspections based purely on polycentric inspections. You need a blend of the two but it does pose questions for policy makers'. The DI goes on to suggest that if this were to happen, there would be an over reliance on polycentric inspections that would impinge on the individual responsibility of all schools: 'one of the potential negative consequences is that there is an over reliance on polycentric inspection result findings as opposed to individual responsibility for the single based inspection findings. You need both'. CCMS offers a similar view: 'what I felt was that people could draw on the area inspection and say that "we are part of this". However, if they have gotten an inspection that identifies an area as being weak, there is a point of saying, yes you are benefitting from the bigger picture here but when we get down to it you've also got work to do here, so we need a combination of both'.

# **Chapter 6**

## Discussion and Conclusion

## DISCUSSION AND CONCLUSION

### 6.1 Introduction

This report presents the results of case study research into area-based or polycentric inspection of schools and related institutions in West Belfast, Northern Ireland. The case study is one of four in the partner countries, England, the Netherlands, Bulgaria and Ireland involved in a European Union funded research project entitled Polycentric School Inspections. The project partners have conducted previous research into differing approaches to school inspection in each country. This previous research established beyond doubt the value of school inspection as a mechanism for both accountability and improvement in education. Equally however the research also indicated the limits of the potential of individual or single school inspection. In essence individual schools working alone can solve certain problems and improve performance but where improvement might best be achieved by cooperation with other schools or other types of institutions such as training agencies, employers, social services and so on, the capacity to effect change becomes limited. In part for these reasons the idea of linking schools and other stakeholders in networks has become influential. However, for networks to achieve their potential, there clearly has to be mechanisms for cooperation, knowledge exchange and evaluation. One proposed mechanism, which has received little or no attention in the research literature, is through inspecting networks as a whole, or what is described in this research as polycentric inspection. The theoretical proposition is that polycentric inspection might act as an enabling agent or catalyst to effective networking.

West Belfast was chosen as the Irish case study for this research because it has a flourishing education network under the West Belfast Area Partnership and the Inspectorate of Northern Ireland has conducted area-based inspections of this network as a whole. West Belfast therefore presented a perfect opportunity to study the working of a geographically based educational network and the impact that area-based or polycentric inspection has had on the development of the network. This report begins with a literature review on educational networks and then describes education in Northern Ireland including the school inspection system and the educational network in West Belfast. The research involved an analysis of available quantitative data but primarily concentrated on in-depth interviews with key players including the District Inspector for the area and the leading figures involved in the network.

### 6.2 Research outcomes

A number of interesting findings emerge from this research. Firstly, there is probably a case to be made to distinguish between area-based and polycentric inspections. Inspectorates of education can usefully conduct thematic area-based inspections such as, for example, on the effectiveness of pupil transfer from one level of school to the next, even in the absence of a formal network. However it is hard to envisage this kind of inspection would lead to improvement unless there is an ongoing linkage between the different actors, overseen continually by the Inspectorate. In other words polycentric inspection, as opposed to area-based inspection, probably implies the existence and nurturing of a vibrant and active network. This point emerges strongly from the research. There was widespread agreement among the research participants that, while it is appropriate for the Inspectorate to inspect the network and set goals to be achieved, nothing concrete will happen unless the network takes ownership of the process and sets in train and continually evaluates the necessary improvement strategies. In the case of West Belfast, there was no requirement on the network to respond to the area-based inspection report but it was decided to do so and, in conjunction with the District Inspector, to strengthen self-evaluation capacity and monitor goals and outcomes on a continuous basis. All of this is only conceivable in the context of a well-structured and funded network.

Related to the above finding is the question of the importance of the network involving all of the relevant stakeholders in the process. As originally envisaged area-based inspection was more focused on education and training institutions. It is pointed out by the key respondents in this research that a major impact of the polycentric inspection process has been the development of a much wider network. Without this growth the possibility for involving non-education based actors such as social services, community groups, employers and so on would be lost. Since the ultimate purpose of networking and polycentric inspection is to generate solutions to cross-sectoral problems that individual institutions cannot possibly solve on their own, this is of particular importance.

All of the respondents without exception stressed the importance of relationships and trust being built up both within the network and between the network and the Inspectorate. Within the network it was stressed time and again that the major success of the process by far was the gradual reduction in competition and indeed suspicion among the different players. In an area of falling enrolments there might have been a tendency to competitive tensions. It is clear that the work of the network and particularly polycentric inspection is a kind of catalyst or glue which has led to greater cohesion, communication and cooperation between the different institutions.

## DISCUSSION AND CONCLUSION

This in turn, it is suggested, has improved a whole range of important areas for learners including access to a wider curriculum and greater ease of transfer and progression.

It has also led to significant developments for teachers in creating what amounts to a professional forum for the exchange of ideas, materials and experience. This outcome is contrasted in the research with traditional single unit inspections which, while very valuable in many ways tend, it is suggested, to encourage schools into working by themselves, reinforcing rather than breaking down barriers.

Regular contact with and follow-up by the Inspectorate was emphasised by all parties. More traditional modes of inspection with long gaps between inspection events were contrasted by respondents with the process of polycentric inspection. This approach was perceived as growing the network and, as it becomes more mature, helping it to focus on using available data including statistics to examine issues around teaching and learning and teacher professional development. In this way, it was suggested, boundaries between the Inspectorate and the schools are broken down and a shared agenda, constantly revisited, can emerge.

As was already suggested, an important question is whether it can be shown that activities such as polycentric inspection of networks which improve cooperation and provide professional development opportunities for teachers do, in fact, lead to the most important outcome of all, improved student performance. While it is always difficult to establish such related effects in educational research, most of the respondents stated that improving results in recent years in GCSE and A-level examinations in West Belfast could be attributed, to some extent at least, to the work of the partnership and related inspection activities.

In terms of impact on the work of the network as a whole there was strong agreement that inspection and particularly the ongoing engagement of the Inspectorate with the network was vital in driving forward the improvement agenda. A key theme that emerged is that the gradual change of ownership from the Inspectorate to the network is very important. Respondents noted that the Northern Ireland Inspectorate places great emphasis on self-evaluation and in response the network and the individual schools within it have sought to develop self-evaluation capacity. The appropriate role of external inspection then becomes the quality assurance of the self-evaluation and data generation processes within a network.

Finally, an important aspect to be considered is the extent to which what appears to be a very successful and beneficial networking and inspection process in West Belfast could be replicated in other contexts both in Northern Ireland and further afield. This is a rather difficult question to answer. As indicated above there is probably a role in every jurisdiction for area-based inspections examining the boundaries between institutions to try to solve problems around student progression, transfer and so on.

However the process in West Belfast goes well beyond that. There, community development partnership structures, which exist independently of the Inspectorate, are central to polycentric inspection being an iterative process in which the Inspectorate is an agent of change, constantly interacting with the network. In summary it seems that the involvement, in a very structured way, of multiple stakeholders is a core requirement in ensuring that polycentric inspection will have a significant impact on the quality of education provided in an area.



# Bibliography

## BIBLIOGRAPHY

Barber, M., Chijioke, C., & Mourshed, M. 2010. *Education: How the world's most improved school systems keep getting better*. London: McKinsey & Company.

Brown, M. 2013. *Deconstructing Evaluation in Education: The Case of Ireland*. PhD thesis, Dublin City University.

Brown, M. 2011. The interplay between evaluation and school development planning and improvement. *Educational Studies Association of Ireland 36<sup>th</sup> Annual Conference, 14<sup>th</sup>–16<sup>th</sup> April 2011*. Church of Ireland College of Education, Dublin.

Brown, M., O'Brien, S., McNamara, G. and O'Hara, J. 2014. Tracing the changing face of School Evaluation in the Republic of Ireland. *11th Biennial Conference of the European Evaluation Society, 1<sup>st</sup>–3<sup>rd</sup> October 2014*. Dublin.

British Broadcasting Corporation. 2015. Transfer tests: Thousands of NI children receive results. British Broadcasting Corporation [Online], 31 January. Available from: <http://www.bbc.com/news/uk-northern-ireland-31068725> [Accessed 01 February 2015].

Burt, R. S., Kilduff, M., & Tasselli, S. 2013. Social network analysis: Foundations and frontiers on advantage. *Annual review of psychology*, (64), pp. 527–547.

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

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

Chapman, C, and Hadfield, M. 2009. *Leading school-based networks*. London: Routledge.

Creswell, J. W. 2008. *Research design: qualitative, quantitative, and mixed methods approaches* (3<sup>rd</sup> ed.). [Kindle Edition 1.10.1]. Thousand Oakes: SAGE.

Centre for the Use of Research and Evidence in Education (CUREE). 2005. *Systematic research review: the impact of networks on pupils, practitioners, organisations and the communities they serve*. Nottingham: National College for School Leadership.

Daly, A., and Finnigan, K. 2012. Exploring the space between: Social networks, trust, and urban school district leaders. *Journal of School Leadership*, 22(3), pp. 493–530.

Dederig, K., and Muller, S. 2011. School Improvement through Inspections? First Empirical Insights from Germany. *Journal of Educational Change*, 12(3), pp. 301–322.

Lima, J.A. 2010. Thinking more deeply about networks in education. *Journal of Educational Change*, 11(1), pp. 1–21.

Department of Education. 2010. *Delivering the Entitlement Framework by 2013: Guidance for Schools on the Next Phase of Implementation*. Bangor: Department of Education Northern Ireland.

Department of Education Northern Ireland. 2009a. *Together Towards Entitlement: Delivering the Entitlement Framework through Area-based Planning*. Bangor: Department of Education Northern Ireland.

- Department of Education Northern Ireland. 2009b. *Every school a good school. a policy for school improvement*. Bangor: Department of Education Northern Ireland.
- Díaz-Gibson, J., Civiés-Zaragoza, M. and Guàrdia-Olmos, J. 2014. Strengthening education through collaborative networks: leading the cultural change. *School Leadership & Management*, 34 (2), pp. 179–200.
- Education and Libraries (Northern Ireland Order). 1986. No. 594 (N.I. 3). Belfast: Her Majesty's Stationery Office.
- Education and Training Inspectorate. 2015. *A Charter for Inspection*. Bangor: Department of Education Northern Ireland.
- Education and Training Inspectorate. 2014. *Chief Inspector's Report 2012–2014*. Bangor: Department of Education Northern Ireland.
- Education and Training Inspectorate. 2012. *Promoting improvement in the interests of all learners: a charter for inspection*. Bangor: Department of Education Northern Ireland.
- Education and Training Inspectorate. 2010a. *Together towards improvement, a process for improvement*. Bangor: Department of Education Northern Ireland.
- Education and Training Inspectorate. 2010b. *Chief Inspector's Report*. Bangor: Department of Education Northern Ireland.
- Education and Training Inspectorate. 2010c. *An Evaluation of the Quality of: Strategic Planning; Learning; and Transition Arrangements for Education and Training in the BALLYMENA AREA*. Bangor: Department of Education Northern Ireland.
- Education and Training Inspectorate. 2010d. *An Evaluation of the Quality of: Strategic Planning; Learning; and Transition Arrangements for Education and Training in the WEST BELFAST AREA*. Bangor: Department of Education Northern Ireland.
- Education and Training Inspectorate. 2010e. *Inspections and improvement: follow-up inspections*. Bangor: Department of Education Northern Ireland.
- Education and Training Inspectorate. 2009. *Education and Training Inspectorate Area-Based Inspection: West Belfast Area Project. March 2009*. Bangor: Department of Education Northern Ireland.

## BIBLIOGRAPHY

Education and Training Inspectorate. 2008a. *The education and training inspectorate, roles and responsibilities (area board co-ordinator, area of study co-ordinator, district inspector, inspector assessor)*. Bangor: Department of Education Northern Ireland.

Education and Training Inspectorate. 2008b. *The role of the associate inspector in inspections*. Bangor: Department of Education Northern Ireland.

Education and Training Inspectorate. 2006a. *The reflective teacher*. Bangor: Department of Education Northern Ireland.

Education and Training Inspectorate. 2006b. *Provision within the schools, including special schools, FE and training sectors and the youth Service in the Ballymena Area*. Bangor: Department of Education Northern Ireland.

Education and Training Inspectorate. 2005. *Report of A Pilot Area Inspection within the Greater Newry Area*. Bangor: Department of Education Northern Ireland.

Education and Training Inspectorate. 2003. *Together towards improvement, a process for improvement*. Bangor: Department of Education Northern Ireland.

Ehren, M., Altrichter, G., McNamara, G. and O'Hara, J. (2013). Impact of Schools Inspections on Improvement of Schools – Describing Assumptions on Casual Mechanisms in Six European Countries'. *Educational Assessment, Evaluation and Accountability*, 25 (1), pp.3–43.

European Commission. 2015. *Assuring Quality in Education: Policies and Approaches to School Evaluation in Europe*. Eurydice: Brussels.

Feyes, E., and Devos, G., 2014. What comes out of incentivized collaboration: A qualitative analysis of eight Flemish school networks. *Educational Management Administration & Leadership*, pp. 1–17.

Glazer, J. and Peurach, D. 2013. School Improvement Networks as a Strategy for Large-Scale Education Reform The Role of Educational Environments. *Educational Policy*, 27(4), pp. 676–710.

Gustafsson, J-E., Ehren, M.C.M., Conyngham, G., McNamara, G., Altrichter, H., O'Hara, J. 2015. From Inspection to Quality: Ways in which school inspection influences change in schools.. *STUDIES IN EDUCATIONAL EVALUATION*, 47,, pp47-57-.

Hallinger, P., & Heck, R. (1996). Reassessing the principal's role in school effectiveness: A review of empirical research, 1980–1995. *Educational Administration Quarterly*, 32(1), pp. 5–44.

Hands, C. 2010. Why collaborate? The differing reasons for secondary school educators' establishment of school-community partnerships. *School effectiveness and school improvement*, 21(2), pp. 189–207.

Hertting, N., and Vedung, E. 2012. Purposes and criteria in network governance evaluation: How far does standard evaluation vocabulary takes us? *Evaluation*, 18(1), pp. 27–46.

- Iorio, S. 2004. *Qualitative research in journalism: taking it to the streets*. London: Lawrence Erlbaum Associates.
- Jackson, D. & Temperley, J. 2007. From professional learning community to networked learning community IN: L. Stoll & K. S. Louis (eds.), *Professional learning communities: Divergence, depth and dilemmas*. Maidenhead: Open University Press.
- Leithwood, K., Jantzi, D., and Steinbach, R. (1999). *Changing Leadership for Changing Times*. Buckingham: Open University Press.
- Moolenaar, N. 2010. Ties with potential. Nature, antecedents, and consequences of social networks in school teams. PhD thesis, University of Amsterdam.
- Muijs, D., West, M., and Ainscow, M. 2010. Why network? Theoretical perspectives on networking. *School Effectiveness and School Improvement*, 21(1), pp. 5–26.
- Muijs, D., Chapman, C., Ainscow, M., and West, M., 2011. *Networking and collaboration in education*. Dordrecht: Springer.
- MacBeath, J. 2006. *School inspection and self-evaluation: working with the new relationship*. London: Taylor and Francis.
- McNamara, G. and O’Hara, J. 2012. From Looking at Our Schools (LAOS) to Whole School Evaluation-Management, Leadership and Learning (WSE-MLL): the evolution of inspection in Irish schools over the past decade. *Educational Assessment, Evaluation And Accountability*, (24), pp. 79–97.
- Nevo, D. 2002. Dialogue evaluation: combining internal and external evaluation IN: Nevo, D. (ed.) *School-based evaluation: an international perspective (advances in program evaluation*, 8, Bingley: Emerald Group Publishing Limited, pp.3-16.
- OECD. 2012. *Equity and quality in education: supporting disadvantaged students and schools*. Paris: OECD Publishing.
- OECD. 2007. *Improving school leadership. Country background report for Northern Ireland* [Online]. Available from: <http://www.oecd.org/dataoecd/29/59/38752145.pdf> [Accessed 15 September 2014].
- Patton, M. 2002. *Qualitative research & evaluation methods* (3<sup>rd</sup> ed.). California: SAGE.
- Pedder, D. and MacBeath, J. 2008. Organisational learning approaches to school leadership and management: teachers’ values and perceptions of practice. *School Effectiveness and School Improvement*, (19), pp. 207–224.
- Provan, K. and Kenis, P. 2008. Modes of network governance: Structure, management, and effectiveness. *Journal of public administration research and theory*, 18(2), pp. 229–252.
- Provan, K. and Lemaire, R. 2012. Core concepts and key ideas for understanding public sector organizational networks: Using research to inform scholarship and practice. *Public Administration Review*, 72 (5), pp. 638–648.

## BIBLIOGRAPHY

Sammons, P., Mujtaba, T., Earl, L., and Gu, Q. 2007. Participation in network learning community programmes and standards of pupil achievement: does it make a difference? *School Leadership and Management*, 27(3), pp. 213–238.

Shewbridge, C., Hulshof, M., Nusche, D. and Staehr, L. 2014. *OECD Reviews of Evaluation and Assessment in Education: Northern Ireland, United Kingdom*. Paris: OECD Publishing.

SICI. 2008. *Inspectorate profile Northern Ireland* [Online]. Available from: [http://www.siciinspectrates.org/web/guest/bluebook?p\\_p\\_id=NewBlueBook\\_WAR\\_siciportlet&p\\_p\\_lifecycle=1&p\\_p\\_state=normal&p\\_p\\_mode=view&p\\_p\\_col\\_id=column2&p\\_p\\_col\\_count=1&\\_NewBlueBook\\_WAR\\_siciportlet\\_action=%2FviewArticle&\\_NewBlueBook\\_WAR\\_siciportlet\\_articleId=26625](http://www.siciinspectrates.org/web/guest/bluebook?p_p_id=NewBlueBook_WAR_siciportlet&p_p_lifecycle=1&p_p_state=normal&p_p_mode=view&p_p_col_id=column2&p_p_col_count=1&_NewBlueBook_WAR_siciportlet_action=%2FviewArticle&_NewBlueBook_WAR_siciportlet_articleId=26625) [Accessed on 25 May 2012].

Siciliano, M. 2012. Networks and performance in public organizations: theory, models, and measurement. PhD thesis, University of Pittsburgh.

Stake, R. 1994. Identification of the case. IN: N. Denzin and Y. Lincoln, (eds.) *Handbook of qualitative research*. Thousand Oaks: Sage. pp. 236–247.

Sturman, L., Twist, L., Burge, B., Sizmur, J., Bartlett, S., Cook, R., Lynn, L. and Weaving, H. 2012. *PIRLS and TIMSS 2011 in Northern Ireland: Reading, Mathematics and Science*. Slough: NFER.

Sutton Trust. 2005. *Rates of eligibility for free school meals at the top state schools*. London: Sutton Trust.

Tellis, W. 1997. Application of a case study methodology [online]. *The qualitative report*, 3(3), pp. 1–17. Available from: <http://www.socialresearchmethods.net/kb/intreval.php> [Accessed 12 December 2014].

Vygotsky, L.S. (1978) *Mind and Society: The development of higher psychological processes*. Cambridge: Harvard University Press.

West Belfast Partnership Board. 2014. *West Belfast Partnership Board education initiatives status report*. Belfast: West Belfast Partnership Board.

West Belfast Partnership Board. 2012. *West Belfast Partnership Board Education and Training Forum 2011–2012 Outcome Report*. Belfast: West Belfast Partnership Board.

Wheater, R., Ager, R., Burge, B. and Sizmur, J. 2013. *Student Achievement in Northern Ireland: Results in Mathematics, Science, and Reading Among 15-Year-Olds from the OECD PISA 2012 Study (OECD Programme for International Student Assessment)*. Slough: NFER

Witziers, B., Bosker, R. and Krüger, M. 2003. Educational Leadership and Student Achievement: The Elusive Search for an Association. *Educational Administration Quarterly*, 39 (1), pp. 398–425.

# Appendices

## BIBLIOGRAPHY

| Full Area Inspections across Different Phases (2005–2009) |                       |            |  |   |
|---|-----------------------|------------|--|---|
| Area  | Date of Inspection    | Phase      | Focus  | Number and type of institutions inspected   |
| Greater Newry   | January – March 2005  | Secondary  | <ul style="list-style-type: none"> <li>the strategic planning for 14–19 education;</li> <li>the range and adequacy of the provision;</li> <li>the key skills of the pupils and students, including the wider key skills; the quality of careers education and guidance.</li> </ul>   | Four schools and an institute.  |
| Coleraine   | January – April 2006  | Secondary  | <ul style="list-style-type: none"> <li>strategic planning for 14–19 education;</li> <li>range and adequacy of the provision;</li> <li>achievements of the learners;</li> <li>key skills of the pupils and students, including the wider key skills; quality of careers education and guidance; effectiveness of the communication with organisations from or to which the pupils progress;</li> <li>quality of leadership in the organisations;</li> <li>effectiveness of the quality assurance procedures.</li> </ul> | Six schools, elements of the Coleraine youth service, a training organisation and the Institute.  |
| Ballymena   | February – March 2009 | All phases | <ul style="list-style-type: none"> <li>strategic planning for education and training within the area;</li> <li>the quality of learning for young people within the area; and the effectiveness of the transition arrangements for young people within and across the various sectors.</li> </ul>   | Five pre-school centres, four primary schools, three post-primary schools, the AEP, a special school, a training organisation, the local further education college and three youth settings.  |
| West Belfast  | March – April 2009    | All phases | <ul style="list-style-type: none"> <li>strategic planning for education and training within the area;</li> <li>the quality of learning for young people within the area; and the effectiveness of the transition arrangements for young people within and across the various sectors</li> </ul>  | Three pre-school centres, five primary schools, four post-primary schools, Alternative Education Provision (AEP) in two centres, a special school, a training organisation, the Belfast Metropolitan College, and four youth settings |

| Number of people claiming unemployment benefit (December 2014). Data accessed from Northern Ireland Statistics and research agency. |               |                      |
|---|---------------|----------------------|
| Area  | Number        | % of total (rounded) |
| Belfast East  | 2,482         | 5%                   |
| Belfast North   | 4,504         | 9%                   |
| Belfast South   | 2,590         | 5%                   |
| Belfast West  | 4,225         | 9%                   |
| East Antrim   | 1,781         | 4%                   |
| East Londonderry  | 2,800         | 6%                   |
| Fermanagh and South Tyrone  | 2,385         | 5%                   |
| Foyle   | 5,353         | 11%                  |
| Lagan Valley  | 1,756         | 4%                   |
| Mid Ulster  | 1,927         | 4%                   |
| Newry and Armagh  | 2,993         | 6%                   |
| North Antrim  | 2,478         | 5%                   |
| North Down  | 1,722         | 4%                   |
| South Antrim  | 1,608         | 3%                   |
| South Down  | 2,511         | 5%                   |
| Strangford  | 2,043         | 4%                   |
| Upper Bann  | 2,949         | 6%                   |
| West Tyrone   | 2,957         | 6%                   |
| <b>Total</b>  | <b>49,064</b> |                      |

**Appendix 3: Number of Pupils and Free School Meals Entitlement In West Belfast (2013-2014)**

| <b>Number of pupils and Free School Meals Entitlement in West Belfast (Post-Primary).<br/>Data accessed from Northern Ireland Statistics and research agency.</b> |                         |   |  |
|---|-------------------------|---|--|
| <b>School Name</b>  | <b>Number of Pupils</b> | <b>Number of Pupils entitled to Free School Meals</b> | <b>% of Pupils entitled to Free School Meals</b> |
| St Louise's Comprehensive College   | 1516                    | 563   | 37.1   |
| St Rose's Dominican College   | 352                     | 183   | 52.0   |
| Christian Brothers' School  | 490                     | 236   | 48.2   |
| St Genevieve's High School  | 1078                    | 409   | 37.9   |
| De La Salle College   | 1093                    | 345   | 31.6   |
| Corpus Christi College  | 413                     | 247   | 59.8   |
| Coláiste Feirste  | 564                     | 225   | 39.9   |
| St Mary's Christian Brothers' Grammar School  | 1,208                   | 267   | 22.1   |
| St Dominic's High School  | 1,022                   | 149   | 14.6   |
| St Colm's High School   | 566                     | 314   | 55.5   |

**Appendix 3: Number of Pupils and Free School Meals Entitlement In West Belfast (2013-2014)**

| <b>Number of pupils and Free School Meals Entitlement in West Belfast (Primary): 2013–2014. Data accessed from Northern Ireland Statistics and research agency.</b> |                         |   |  |
|---|-------------------------|---|--|
| <b>School Name</b>  | <b>Number of Pupils</b> | <b>Number of pupils entitled to Free school meals</b> | <b>% of pupils entitled to Free school meals</b> |
| Forth River Primary School  | 209                     | 86  | 41.1%  |
| Springfield Primary School  | 142                     | 79  | 55.6%  |
| Springhill Primary School   | 174                     | 82  | 47.1%  |
| Blackmountain Primary School  | 153                     | 108   | 70.6%  |
| Malvern Primary School  | 112                     | 87  | 77.7%  |
| Harmony Primary School  | 224                     | 156   | 69.6%  |
| St Mary’s Primary School  | 134                     | 108   | 80.6%  |
| St Kevin’s Primary School   | 528                     | 349   | 66.1%  |
| Holy Child Primary School   | 531                     | 239   | 45.0%  |
| St Teresa’s Primary School  | 442                     | 199   | 45.0%  |
| St Oliver Plunkett Primary School   | 614                     | 362   | 59.0%  |
| St Peter’s Primary School   | 275                     | 224   | 81.5%  |
| St Joseph’s Primary School  | 200                     | 137   | 68.5%  |
| Holy Trinity Primary School   | 654                     | 453   | 69.3%  |
| St Paul’s Primary School  | 299                     | 226   | 75.6%  |
| St Clare’s Primary School   | 460                     | 312   | 67.8%  |
| St John the Baptist Primary School  | 406                     | 176   | 43.3%  |
| John Paul II Primary School   | 260                     | 230   | 88.5%  |
| Bunscoil Phobal Feirste   | 294                     | 107   | 36.4%  |
| Gaelscoil Na bhFal  | 187                     | 103   | 55.1%  |
| Bunscoil An tSléibhe Dhuibh   | 179                     | 105   | 58.7%  |
| Gaelscoil na Mona   | 94                      | 73  | 77.7%  |
| Gaelscoil an Lonnain  | 49                      | 44  | 89.8%  |
| St Luke’s Primary School  | 208                     | 157   | 75.5%  |
| St Mark’s Primary School  | 381                     | 241   | 63.3%  |
| The Good Shepherd Primary School  | 314                     | 230   | 73.2%  |
| St Kieran’s Primary School  | 371                     | 311   | 83.8%  |
| Our Lady Queen of Peace Primary School  | 404                     | 71  | 17.6%  |
| Christ the Redeemer Primary School  | 624                     | 307   | 49.2%  |
| Scoil na Fuiseoige  | 115                     | 71  | 61.7%  |

**Appendix 4:** Number of Pupils and Free School Meals Entitlement In Northern Ireland (2013-2014)

| <b>Number of pupils and Free School Meals Entitlement in Northern Ireland (Primary: 2013–2014). Data accessed from Northern Ireland Statistics and research agency.</b> |            |
|---|------------|
| <b>Area</b>   | <b>All</b> |
| Northern Ireland  | 53,195     |
| Belfast East  | 2,365      |
| Belfast North   | 4,860      |
| Belfast South   | 2,165      |
| Belfast West  | 5,655      |
| East Antrim   | 1,790      |
| East Londonderry  | 2,755      |
| Fermanagh and South Tyrone  | 2,805      |
| Foyle   | 4,880      |
| Lagan Valley  | 1,860      |
| Mid Ulster  | 2,820      |
| Newry and Armagh  | 3,680      |
| North Antrim  | 2,525      |
| North Down  | 1,560      |
| South Antrim  | 2,005      |
| South Down  | 2,965      |
| Strangford  | 1,750      |
| Upper Bann  | 3,525      |
| West Tyrone   | 3,170      |



Area Learning Communities in West Belfast are an excellent example of how partnerships of schools and community services can provide the conditions in which people can learn from each other, can jointly find ways to effectively develop and implement solutions to local problems and build the capacity to respond to changing circumstances.

The EU-funded study on ‘polycentric inspections of networks of schools’ analyses how inspection can develop effective methods of ‘polycentric inspections’ that are fit for a more localized and decentralized context of networks of schools.

The case study in West Belfast provides examples of how ‘polycentric inspections’ can work in practice. A well organised network supported and guided by inspection can bring together a range of educational stakeholders and the wider community, not just schools, to drive improvement. This research project on ‘polycentric inspections of networks of schools’ captures the impact of this approach on sharing resources, curriculum development, teacher professional development and network capacity building. It is clear that this approach can generate solutions to problems which could not have been tackled by any one organisation acting alone.

**Dr. Melanie C.M. Ehren**  
**Institute of Education**  
**University College London**

**Dr. Patrick Shevlin**  
**Education and Training Inspectorate (ETI)**  
**Northern Ireland**



Centre for Evaluation,  
Quality & Inspection

**Duneane Primary School**

166 Church Road  
Toomebridge  
BT41 3RD

Tel: 02879650854

Principal: Mrs Donna Winters



**Moneynick Primary School**

104 Moneynick Road  
Randalstown  
BT41 3HS

Tel: 02879650331

Principal: Mrs Emer Hughes

**Moneynick Primary and Duneane Primary working together in Shared Education**

18 November 2015

To whom it may concern,

We the principals of Duneane and Moneynick Primary Schools would like to add our support to the Shared Education Bill. We are delighted that Shared Education is currently in the spotlight and endorse the content of *Sharing Works: A Policy for Shared Education*.

In light of the current problems being experienced by the Shared Education Signature Project (SESP) we have one reservation which requires clarification -i.e. submission of KS Levels.

On page 20 & 21 of *Sharing Works: A Policy for Shared Education* we note that those involved in Shared Education would be required to 'report annually on progress being made' with CCEA being the particular stakeholder mentioned. As a sharing partnership we are already under scrutiny from ETI and are fully aware of the need to see progression within the partnership. We are more than willing to share standardised data held within our schools as a form of monitoring progress, however as the current assessment arrangements stand many schools would find it prohibitive to be tied into submission of KS Levels. We feel that the work of Shared Education would be undermined if this was the case.

We hope that this is a useful submission for the committee to discuss.

Yours sincerely,

*Emer Hughes & Donna Winters*

**SUBMISSION FROM EDUCATION AUTHORITY**

**IN RELATION TO**

**SHARED EDUCATION BILL**

## **COMMENTS ON THE SHARED EDUCATION BILL FROM THE EDUCATION AUTHORITY**

### **Clause 1**

The Education Authority (EA) welcomes the reference to those of different religious belief, and, while recognising that the main religions in Northern Ireland are Protestant and Catholic, believes that this reference is inclusive and allows for the changing nature of the Northern Ireland community that includes significant numbers of newcomers of various faiths and individuals of no faith.

While acknowledging, in principle, the potential benefits of the reference to sharing between those who are experiencing socio-economic deprivation and those who are not EA believes that the practical operation of this aspect of the clause is likely to be complex. Many individual schools contain a mix of such children and young people and therefore the process of partnering schools having been defined as mainly containing children and young people experiencing socio-economic deprivation or not could lead to a risk of labeling and potential stigmatisation of certain schools.

The clause could be supported by guidance to contain a definition of schools experiencing socio-economic deprivation using an indicator, for example, percentage of pupils entitled to Free School Meals given that this is currently used for existing practice such as benchmarking school performance as part of school self evaluation.

EA welcomes the indication that sharing should involve two or more relevant providers and the reference to other providers including Youth Services.

### **Clause 2**

EA notes that this clause confers a power to encourage and facilitate shared education on the named bodies. Given that the EA will have a duty to encourage, facilitate and promote shared education consideration should be given to placing a duty on the named organizations and also including the requirement to promote, in addition to the current wording of encourage and facilitate.

This clause could be amended to read duty not power.

### **Clause 3**

EA is content with the wording of this clause, given that it signals a commencement of the duty already contained within the Education Act (NI) 2014

### **Clause 4**

EA is supportive of the name of the Act contained within this clause and the timescale for commencement.

**SHARED EDUCATION BILL**  
**Equality Commission submission – Committee Stage**

**Introduced to the Assembly on 2 November 2015**

**Closing date for feedback is Thursday 19 November 2015**

**Introduction**

While welcoming progress in implementation of the Act, which has potential to tackle segregation, improve attainment levels and facilitate greater efficiencies, we note that a number of our recommendations made at the consultation stage have not been adopted. These aimed to maximise the impact and effectiveness of the proposed legislation.

Our comments below are aligned to the order as set out in the Bill, and reiterate as relevant our consultation response from March 2015.

| <b>Text from the Bill</b>   | <b>Equality Commission comment</b>  |
|---|---|
| <p>Section 1(2) ‘Shared Education’ means the education together of:</p> <p>(a) those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children or young persons; and</p> | <p>1. We welcome the removal of ‘political opinion’ from the definition of Shared Education.</p> <p>2. We suggest that rather than referring to religious belief, community background is more fitting. There are potential difficulties of ascribing a religious belief to children and young people.</p> <p>Further, the Fair Employment and Treatment (NI) Order 1998<sup>1</sup>, while offering protection on grounds of religious belief or political opinion, uses the concept of community background for the purposes of assessing participation. (See Articles 52-60).</p> <p>Our model Fair Employment monitoring questionnaire<sup>2</sup> explains the practical reasons for using this definition: ‘Regardless of whether they actually practise a religion, most people in Northern Ireland are perceived to be members of either the Protestant or Roman Catholic communities.’</p> <p>3. We would welcome a definition within explanatory guidance of ‘reasonable numbers’, particularly as this may impact on the range of learners that can participate in Shared Education.</p> |
| <p>Section 1(2) ‘Shared Education’ means the education together of:</p>   | <p>1. We welcome the removal of ‘significant’ from the phrase, as this provides greater clarity and broadens the scope for sharing.</p>   |

<sup>1</sup> [Fair Employment and Treatment \(NI\) Order 1998](#)

<sup>2</sup> ECNI [Unified Guide](#) page 114

|   |  |
|---|--|
| <p>(b) those who are experiencing socio-economic deprivation and those who are not.</p>   | <p>2. Clarification, within explanatory guidance, as to how socio-economic deprivation will be measured would be helpful. That is, whether it will be based on levels of free school meal entitlement, and if so, how this will be applied to youth providers. Statistics in relation to how this measure will impact on the range of providers who can participate would also be welcome.</p>   |
| <p>Section 1<br/>... which is secured by the working together and co-operation of two or more relevant providers.</p>   | <p>We note that two definitions have been adopted in relation to shared education in the Bill and the Policy. Guidance on the interplay between the two would be helpful.</p> <p>The Policy definition<sup>3</sup> refers to ‘education together of learners from all Section 75 categories, and socio-economic status’, whereas the Bill is narrower, referring to learners of different religious belief and those who are experiencing socio-economic deprivation and those who are not.</p> <p>The Bill seems to preclude two schools with learners experiencing socio-economic deprivation from working together. It is also unclear as to whether two schools from the same sector could participate in a joint project.</p>   |
| <p>Section 2 (1) The bodies listed in subsection (2) may encourage and facilitate shared education.<br/>(2) The bodies are:<br/>(a) the Department of Education;<br/>(b) the Council for Catholic Maintained Schools;<br/>(c) the Youth Council for Northern Ireland;<br/>(d) the Northern Ireland Council for the Curriculum, Examinations and Assessment.</p> | <p><b>1. With regard to the Department:</b><br/><b>a. Duty not a power</b></p> <p>It is recommended that the obligation on the Department in respect of shared education should be a duty, not a power. A duty on the Department would appear to be more consistent with the Education Authority’s existing duty in respect of shared education and the Department’s existing duties in respect of integrated and Irish-medium education.</p> <p>While the exercise of a power is discretionary, a duty would send out a much stronger message that shared education is set to be an integral part of our education system and would signal a clear commitment to mainstream shared education within the education system.</p> <p>This extended position would also be in line with the Ministerial Advisory Group recommendation to “place a statutory duty on the Department of Education...to encourage and facilitate shared education’.</p> <p>We note the explanatory note’s contents at paragraph 16 explaining why a duty was not included, but we remain of the view that it is fitting for a duty rather than a power on the Department.</p> |

<sup>3</sup> [DENI \(2015\) Shared Education Policy](#) at page 15

|                                      |  |
|--------------------------------------|--|
|                                      | <p><b>b. Extent of the obligation</b></p> <p>The difficulties envisaged by the Minister<sup>4</sup> if the duty mirrored that of the Education Authority (as suggested in the Shared Education Inquiry Report<sup>5</sup>) can be resolved by leaving the ‘promotion’ duty solely to that body. Therefore the Department’s duty would be the same as with regard to integrated and Irish-medium education, to ‘encourage and facilitate’.</p> <p><b>2. With regard to the Arm’s Length Bodies</b></p> <p>We recommend that, of the bodies listed in s.2(2), only the Department should hold a statutory obligation with regard to shared education. The other bodies listed do not currently have any statutory duty in relation to integrated and Irish-medium education.</p> <p>A statutory obligation to encourage and facilitate shared education would appear to more appropriately sit with the body with primary responsibility for education policy. Our recommendation would provide consistency of approach in terms of the Department being the body allocated the statutory duty across shared, integrated and Irish-medium education.</p> <p>In our response to the consultation on the draft Bill and Policy we had recommended that a rationale for subjecting these bodies to a power be set out, including an assessment of the strengths and weaknesses of so doing, and would welcome such an assessment.</p> |
| Section 3                            | No comment.  |
| Explanatory and Financial Memorandum | <p>We welcome the information set out at paragraph 18 of the explanatory and financial memorandum – Financial effects of the Bill, that funding has been secured for shared education up to June 2018. However, we question whether two academic years of funding will provide a sufficient basis to ensure shared education can be effectively mainstreamed.</p> <p>We are unsure that this short period will allow sufficient learning and experience to be gained, particularly in relation to the financial implications, as well as general learning and relationship building, required to allow shared education work to flourish. We therefore suggest that a</p>  |

<sup>4</sup> [NI Assembly Official Report, Second Stage, 10.11.15](#) page 2

<sup>5</sup> [NI Assembly Inquiry into Shared Education Final Report 0915](#) at paragraph 226. It recommends a duty on the Department to encourage, facilitate and promote shared education.

|  |   |
|--|---|
|  | <p>longer initial implementation period may be advisable.</p> <p>In its Together: Building a United Community strategy, the Executive commits to ensuring 'that sharing in education becomes a central part of <b>every</b> child's educational experience'. This may prove difficult without sustained resourcing, particularly in rural partnerships which may have increased costs associated with sharing.</p> <p>The TBUC strategy and Shared Education<sup>6</sup> policy envisage all children having the opportunity to be involved in shared education. However, the explanatory note suggests that this is not the case, stating<sup>7</sup> that 'shared education will potentially involve the <b>majority of schools</b> in our education system.' We would welcome clarification as to whether this is a change of approach, and if so an explanation of the rationale for it would be helpful.</p> |
|--|---|

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<sup>6</sup> At page 4

<sup>7</sup> At paragraph 16

Dear Sirs,

I very much wish to comment on the proposed Shared Education Bill. I am the parent of two primary school children in Co Down. I have a number of points to make:

1. Under the section ‘**Shared Education**’ where the Bill attempts to define shared education it says ‘Shared Education means the **education together** of’ .....etc. As far as I am aware, the dictionary definition of ‘**together**’ is that of an activity happening **WITH** or **IN PROXIMITY TO** one another. Shared Education, as piloted thus far in Northern Ireland, most definitely does **not** take the form of young people being educated **WITH** one another. Rather they have been educated quite separately, with some access to shared facilities. The very terminology ‘Shared Education’ lacks clarity and definition. The Bill ought to be clear whether it is making provision for children to be educated with each other, or in proximity to one another – and if the goal is mere proximity then it must come out and say so clearly. It must also provide definition as to what kind of proximity we are talking about. In the interests of clarity the Bill needs to dispense with the use of the meaningless and misleading term ‘shared education’ or at the very least to come up with a much clearer and meaningful definition. What would the minimum amount of ‘sharing’ to be expected in terms of time spent learning together etc? If public money were to be spent supporting this Bill then the taxpayer would rightly expect to know exactly what they would be paying for and what the expected benefits might be in terms of any ‘peace dividend’. There may well be a place for proximal education but only if it is clearly defined as a step on the road to something more meaningful in terms of children being educated with one another. In its current form I would argue that the Bill is vague and meaningless.

At the moment my small village has the ludicrous situation of 3 small primary schools – all struggling financially. It is a small place and their school populations are already in proximity to one another (less than a mile apart). I strongly believe that proximity alone does little to foster or develop inter-faith understanding or move Northern Ireland towards the shared future we have been promised. Only Integrated Education can offer a solution in this regard.

2. ‘**Power to encourage and facilitate**’ shared education. The absence of any mention of the **Integrated** sector from this list of stakeholders makes no sense at all. It seems to me that as the Bill fails to adequately define or describe shared education, then the Integrated Sector should be paid the courtesy of being included in the list of bodies being given the power to ‘encourage and facilitate’ it. Integrated schools *already* offer a genuine shared educational experience to their students. If there is no robust definition of shared education within the Bill, then who is to say that the Integrated sector is not already and would not in the future be an advocate of shared education (whatever that means...). **The Integrated sector needs to be included in the Bill - it would be a travesty to leave it out.**

I believe if this Bill goes through it will not only achieve nothing in terms of progress towards a shared future but may very well be to the long term detriment of our entire society. It would be a huge dis-service to the children of Northern Ireland – who are already being failed wholesale by the NI Assembly's inability to make progress on a wide range of educational issues.

I am dismayed that there **is no mention of the Integrated Sector** which has been tried and tested over a thirty year period. Many successful integrated schools are suffering disproportionately in the current financial climate – this I believe is actively discriminating against students within the integrated sector. There is no mention in this Bill of where the additional funding might come from to support the ill-defined white elephant of 'shared education'.

As a parent within the Integrated sector I strongly believe that no one in Northern Ireland has anything to fear from a genuinely integrated educational setting. The only reason the sector has not grown more rapidly is lack of support from government. If more financial support and political will was given to the Integrated Sector it would grow exponentially. Schools which can offer a genuinely inclusive education, if they had better facilities, more funding and more places available, would eventually draw all but the most intransigent sectors of our community. Frankly, I feel that it is the parts of our society who are **unwilling** to embrace a shared future and who wish to preserve a status quo which we can ill afford, either financially, or morally, who should be feeling the financial pinch – NOT integrated schools who have already demonstrated that it can work. As the expression goes 'Build it and they will come'.

**Ends.**

Hi Peter,

I have attached the IEF and NICIE's draft amendments for the shared education Bill. I have also attached an outline for having an audit of Shared education before it is mainstreamed.

If you need anything else please let me know.

Many Thanks  
Fiona

**Fiona McAteer**  
Advocacy Officer

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# **Shared Education Bill**

[AS INTRODUCED]

## CONTENTS

1. “Shared education”
2. Power to encourage and facilitate shared education
3. Commencement of duty of Education Authority in relation to shared education
4. Short title and commencement

A

## Bill

To

Make provision in relation to shared education.

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

### Clause 1 “Shared education”

1.—(1) This section applies for the purposes of—

(a) section 2; and

(b) section 2(3) of, and paragraph 8(2) of Schedule 1 to, the Education Act (Northern Ireland) 2014 (duty of Education Authority to encourage, facilitate and promote shared education).

(2) *“shared education” is a continuum with integrated education at the upper end of that continuum and “Shared education” means the education together of—*

(a) those of different religious belief *or none*, including reasonable numbers of both Protestant and Roman Catholic and *other children and* young persons; and

(b) those who are experiencing socio-economic deprivation and those who are not,

which is secured by the working together and co-operation of two or more relevant providers.

(3) In subsection (2) “relevant provider” means a person providing—

(a) education at a grant-aided school, or

(b) services of any kind (including youth services) which provide educational benefit to children or young persons or which are ancillary to education.

*(4) The Education Authority shall have regard for the avoidance of unreasonable public expenditure in its duty to encourage, facilitate and promote shared education*

*(5) Integrated education which is defined in Article 64(1) of the Education Reform (Northern Ireland) Order 1989 has the same meaning in this section as in that Order*

(6) Words and expressions which are defined in Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986 have the same meaning in this section as in that Order.

### Clause 2 Power to encourage and facilitate shared education

2.—(1) The bodies listed in subsection (2) may encourage and facilitate shared education.

(2) The bodies are—

- (a) the Department of Education;
- (b) the Council for Catholic Maintained Schools;
- (c) the Youth Council for Northern Ireland; and
- (d) the Northern Ireland Council for the Curriculum, Examinations and Assessment.

*(e) the General Teaching Council for Northern Ireland*

*(f) The Council for Irish Medium Education (Comhairle na Gaelscolaichta)*

*(g) the Northern Ireland Council for Integrated Education*

*(h) Middletown Centre for Autism*

*(i) Controlled Schools' Support Council*

**3 It is the duty of the Education Authority to encourage and facilitate those bodies listed in subsection (2)(a)**

*(a) to promote those participating in 'shared education' to explore progression along the continuum to a more fully integrated model*

*(b) to help those participating in 'shared education' to explore in accordance with its duty defined in Article 64 and Article 68 of the education and reform (Northern Ireland) Order 1989 transformation to integrated status*

**4. the bodies listed in subsection (2)(a) to appoint the Northern Ireland Audit Office as defined in article 5 of the The Audit (Northern Ireland) Order 1987, Article 66 of the Northern Ireland Act 1998 and The Audit and Accountability (Northern Ireland) Order 2003 to evaluate 'shared education' and produce a report or recommendations prior to the mainstreaming of funding**

## ***New clause - Integrated Strategy***

**3. —(1) The Department of Education should adopt a strategy (integrated strategy) setting out how to support progression of shared education and promote integrated models of education**

**(2) The strategy must in particular set out –**

*(a) what outcomes the department of education intends should be achieved for that purpose*

*(b) what actions the department of education will take to progress shared education to integrated models of education*

*(c) an evaluation mechanism prior to 'shared education' funding being mainstreamed*

### **Clause 3 Commencement of duty of Education Authority in relation to shared education**

3.—(1) Section 7 of the Education Act (Northern Ireland) 2014 (commencement) is amended as follows.

(2) In subsection (2) omit paragraphs (a) and (d).

(3) After subsection (2) insert—

“(2A) The following provisions come into operation on the day after the day on which the Shared Education Act (Northern Ireland) 2015 receives Royal Assent—

(a) section 2(3);

(b) paragraph 8(2) of Schedule 1.”

### **Clause 4 Short title and commencement**

4.—(1) This Act may be cited as the Shared Education Act (Northern Ireland) 2015.

(2) This Act comes into operation on the day after the day on which it receives Royal Assent.

## The case for an economic and educational outcomes audit by the Northern Ireland Audit Office prior to the mainstreaming of funding for Shared Education

The Department of Education's policy document *Sharing Works* sets out how Shared Education will support the Department's two overarching corporate goals:

- *raising standards for all; and*
- *closing the performance gap, increasing access and equity.*

The Sharing Works policy document highlights the economic case for Shared Education in '**making more effective and efficient use of limited resources to improve value for money.**'

The Ministerial Foreword of the policy states '**The policy will be supported with resources to meet the additional costs required to implement Shared Education over the coming years.**'

The Minister goes on to say that '*Shared Education has the potential to impact on **raising educational standards** and reducing underachievement as well as community relations and **economic benefits**.*'

### Current Funding

Currently the DE Shared Education policy is being driven by funding from the Delivering Social Change project and Atlantic Philanthropies, providing a funding stream to support Shared Education in schools over the next four years. This funding will focus on schools that have already engaged in collaborative working. Funding of £25 million over four years will be available.

DE has also secured Peace IV funding of £21m to support further the development of Shared Education in schools that have not yet engaged in Shared Education, as well as across pre-school and youth work settings in a way that will complement the Delivering Social Change Shared Education project.

The combined total of funding secured by DENI for Shared Education including the PEACE IV programme, currently stands at £46million.

Since 2006 the combined funding for shared education from philanthropic organisations including the International Fund for Ireland and Atlantic Philanthropies stands at more than £30million.

## Evaluation

Other than reports by the Education and Training Inspectorate and the Atlantic Philanthropies funded Sharing in Education Learning Forum on the impact of Shared Education in schools, to date there has been no non-aligned evaluation or research on measurable economic and educational outcomes of shared education

In the Sharing Works policy document Key Action 5: Develop Sustainable Long-Term Delivery Arrangements, the Department states that *'it wants, in the longer term, to see Shared Education not as an 'add on' or optional enrichment activity but as a normal and common experience for all young people firmly embedded within the ethos of each school.*

Therefore in regard for the avoidance of unreasonable public expenditure in the Department's duty to encourage, facilitate and promote shared education an audit carried out by the Northern Ireland Audit Office, an organisation, which is wholly independent from Government will allow a critical overview of the economic viability of shared education and how it can be accommodated into the education budget.



Northern Ireland  
Assembly

**Committee for Education**

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27 November 2015

**Our Ref:2391**

Dear Ms Campbell

**Shared Education Bill**

On behalf of the Committee for Education, I would like to thank your colleagues, Lorna McAlpine and Bernie Kells for the very useful and informative briefing on 25 November 2015 as part of the Committee Stage of the Shared Education Bill.

As indicated during the meeting, if your organisation has drafted amendments and would like the Committee to consider them, I would be most grateful, if you would forward them to the Committee at your earliest convenience.

The Committee expects to publish its report on the Bill in early January 2016.

Yours sincerely

*Signed Peter McCallion*

***Committee for Education***

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Submission to the Shared  
Education Bill committee stage

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Opening Minds

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Integrated Education Fund

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The Integrated Education Fund (IEF) welcomes the opportunity to comment on the Shared Education Bill. The IEF would also welcome the opportunity to present evidence to the Education Committee.

### **About the IEF**

The IEF is a charitable trust established to provide a financial foundation for the development and growth of integrated education in Northern Ireland. It is registered with The Charity Commission for Northern Ireland: NIC101149 and is governed by its Deed of Trust. Its mandate is derived from the expressed demand of parents and individual schools who seek integrated education for their children and pupils.

### **What is integrated education?**

Integrated education brings children, staff and governors from Catholic and Protestant traditions, as well as those of other faiths or none and other cultures, together in one school. Integrated schools differ from most other schools in Northern Ireland by ensuring that children from diverse backgrounds are educated together every day, side by side in the same classrooms. Through their admissions criteria, schools aim to ensure a balanced number of Catholic and Protestant children. But it is also the ethos that is particularly distinctive; it is deliberately and strategically planned to promote inclusiveness and mutual respect. Integrated schools do not simply admit students from different traditions and expect them to fit in, nor to pretend that everyone is the same. For example, Catholic children are offered Sacramental preparation at P3, P4 and P7; Protestant children can generally avail of the Delving Deeper programme to develop their own faith knowledge while all pupils are introduced to the ideas, beliefs and practices of the major world religions and humanist philosophies.

In the post-primary schools the integrated ethos is apparent in approaches to Religious Education and History, for example, where sensitive and deliberate care is taken to address different, potentially contentious viewpoints in a balanced and thought-provoking way.

The integrated ethos also extends to the staff and the Board of Governors of each integrated school.

## Introduction

Shared education is not a new concept; schools from all sectors have been involved in sharing projects since long before the *Delivering Social Change* signature project was established.

There have been successive initiatives in education since the 1970s to address divisions in Northern Ireland. The Education Reform (Northern Ireland) Order 1989 introduced Education for Mutual Understanding (EMU), which came into operation in respect of all pupils in Key Stages 1, 2 and 3 and in the first year of Key Stage 4 from 1 August 1992.

The IEF has, through our “Promoting a Culture of Trust” (PACT) programme, supported shared education. The Fund distributed £1,064,088 in grants to 552 schools from 2000 to 2015 through the PACT programme to enable cross-community projects to explore and celebrate diversity. Grants were awarded to projects uniting schools of different management types for activities which involved pupils, staff, parents and the wider community in bridging divides and promoting a shared future.

The Department of Education has most recently produced *Sharing Works: A Policy for Shared Education* which accompanies the Bill under scrutiny.

Discussing shared education, the Minister for Education himself acknowledged on BBC Radio that many schools are “way ahead” of politicians in these matters.

Therefore any new legislation must be an additional step to move us forward towards a united community, and must clearly enable all schools to participate in effective programmes to help develop cross-community activity and understanding.

However, the Bill as it stands does not provide this, and is defined by what is absent rather than what is contained within it.

- The definition of shared education is slight and raises more questions than it answers
- There is no mention of integrated education or progression towards integration, even though the *Sharing Works* policy states it is “the highest form of sharing”

- There is no mention of a system of evaluation to measure the impact of sharing projects on educational attainment even though this is a core element of the policy
- There is no system of evaluation or requirement to measure impact of shared education activities on community cohesion
- there is insufficient consideration of the economic sustainability of shared education once the financial support runs out in 2018.

## **Analysis of the Bill**

### **Clause 1: ‘Shared Education’**

The first clause in the Bill, the definition of ‘Shared Education’, is lacking in substance and clarity. The IEF is conscious of the requirement for some flexibility in the Bill. However, public statements from various quarters in recent years suggest a widespread variance in interpretation of the term and it is therefore crucial that any statutory definition is clear and robust.

Despite being drawn up to support the *Sharing Works* policy the Bill has abandoned the inclusive definition of shared education contained in that policy and currently used by the Department Of Education:

“Shared education means the organisation and delivery of education so that it:

- meets the needs of, and provides for the education together of learners from all Section 75 categories and socio-economic status
- involves schools and other education providers of differing ownership, sectoral identity and ethos, management type or governance arrangements
- delivers educational benefits to learners, promotes the efficient and effective use of resources, and promotes equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.”

Instead the Bill simply stipulates that young people of different beliefs and from different socio-economic backgrounds should be brought together. The Bill does not include any statutory requirement regarding time spent, activities experienced nor of outcomes

expected. If the core aim of the shared education Bill is to drive educational achievement, the lack of measurement or evaluation on the face of the Bill undermines this concept.

The definition of shared education in the Bill, significantly, stipulates “...education together of

- (a) those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children or young persons; **and** (b) those who are experiencing socio-economic deprivation and those who are not.”

Firstly, the phrase “reasonable numbers” whilst allowing for discretion on an individual case basis, is vague and open to various interpretations by potential participants.

In addition, the use of the word ‘and’ instead of ‘or’ restricts the opportunities for schools to share on a cross-community basis by demanding the inclusion of a socio-economic dimension. At the same time this demand in itself does not contribute to tackling educational underachievement.

The omission of integrated education from the Bill restricts the progress and success of shared education. Integrated schools educate young people side by side every day. They experience and learn to celebrate difference. *Sharing Works - a Policy for Shared Education* says ‘integrated education, which has already embraced a culture of diversity, is at the upper end of [a] continuum. Indeed, by supporting shared education, it is envisaged that a proportion of schools may move along the continuum to a more fully integrated model.’ Yet there is no mention of integrated education or of how this progress can be achieved (and measured) in the Bill.

We have too many schools, duplicating provision along segregated lines, which is a drain on the public purse. Shared education activities between schools does not address that issue, but is, rather, an add-on which will possibly incur additional costs in the future. Shared Education will be supported in the short term thanks to funding from a philanthropic donation. To look beyond this, it is necessary to investigate economically sustainable ways of bringing young people together. There must be a concern that sustaining shared education beyond its initial stage will impact on other aspects of the education budget.

## **Clause 2: Power to encourage and facilitate shared education**

The Department of Education sponsors nine Non-Departmental Public Bodies but only three are listed in the Bill Clause 2 subsection (2). There is no mention of the Northern Ireland Council for Integrated Education, the organisation that the Department of Education cites as representing the discharge of part of its duty to “encourage and facilitate the development of integrated education”.

The Minister has committed to mainstreaming funding for shared education; the concern must be that other bodies such as NICIE and CnaG will not be able to access this funding as they will not be given the statutory power to support shared education projects.

### **Amendments**

The IEF would encourage consideration of an amendment placing a duty on the Education Department and / or the Education Authority to help schools involved in sharing projects explore the possibility of moving along the continuum described in the *Sharing Works* policy. Adding this responsibility alongside a power to encourage and facilitate shared education ensures that any school wishing to explore integration as an option will be fully supported in doing so. The lack of responsibility and clear sign-posting at present is impeding schools from exploring models of integration. The amendments the IEF would like the Education Committee to consider are:

- The bodies listed in subsection (2)(a) may encourage and facilitate those participating in ‘shared education’ to explore in accordance with its duty defined in Article 64 and Article 68 of the Education and Reform (Northern Ireland) Order 1989 transformation to integrated status
- It is the duty of the Education Authority to encourage and facilitate those bodies listed in subsection (2)(a) to promote those participating in ‘shared education’ to explore progression from shared education to other integrated models of education

These amendments could be inserted at the end of Clause 2 (2) line 5 page 2.

### **New Clause: Integration strategy**

3. (1) The Department of Education should adopt a strategy (integration strategy) setting out how to support progression of shared education and promote integrated models of education

(2) The strategy must in particular set out—

(a) what outcomes the Department of Education intends should be achieved by this strategy

(b) what actions the Department of Education will take to progress shared education to integrated models of education

There needs to be proper scrutiny of the Bill to ensure that it fully supports the shared education policy and provides a step forward to a more inclusive and shared future.

## INTO Shared Education Response

INTO believe that the drive to link shared Education with academic performance is contradictory.

Teachers understand that the real value of education extends far beyond narrow measures of literacy and numeracy assessments and as such feel that the requirement that schools link shared education to formal assessment levels diminishes the spirit of the shared education ideal. INTO contends that the shared experiences of children are difficult to measure. A more suitable method, we believe, to assess the impact of such a strategy, is through a dashboard of measures. Much of the value added would be accrued outside of the classroom.

As a society emerging from conflict, we continue to have segregated communities and in seeking to address this the focus of shared education should be firmly upon improving understanding respect and empathy for others. Schools already prioritise academic performance as a core part of their curricular work.

INTO recognise that society has traditionally struggled to equip our pupils with the basic understanding and skills that are essential to help the next generation move beyond our post conflict society.

Community relations projects over the years have not always lived up to their potential, short-term funding, the imposition of generic priorities and political instability have all negated their effectiveness. Best practice would indicate that locally developed processes and solutions have the most impact. INTO would agree that shared education is needed. However, we feel that the purposeful linking of the award of shared education money to a regime which is focussed on the academic assessment alone, at a time when teachers have raised serious concerns about this

regime, is unhelpful and places teachers and principals, cognisant of the potential positive impact that the monies from shared education has in these areas of social deprivation, in an invidious position.

Mark McTaggart INTO Chair and Tommy McGlone INTO Trade Union Official will both be available to attend on Wednesday 25th to provide oral evidence.

Dear Sir or Madam,

In response to the above bill.

I do appreciate that there is recognition of the benefits of educating our children together but at the same time, I can not understand, when integrated education is at the upper end of the continuum and something towards which the bill infers we are all striving, why it has been excluded. This bill is of the utmost importance for shaping the future of our childrens' education structure and I believe that it not only fails to address the fundamental issue of real integration, but falls short of the mark by fostering separation within a shared space.

Yours faithfully,

Shemaine Kerr

Dear Education Committee,

As per request I write to provide feedback on the proposed Shared Education Bill.

As a Principal of a medium-sized Controlled Primary School (in what would stereotypically be regarded as a Protestant town) I have to confess that I really don't understand what Shared Education is, beyond what is specifically stated in the Bill i.e. The education of children in a non-segregated environment provided by two or more schools in partnership.

If my understanding is correct then I honestly do not know why we need this Bill. My school is an open door to all comers, no child is excluded or group segregated. In the current complement of 144 children I can account for the education of Protestant, Roman Catholic and Jewish children. I also provide for two newcomer families- one from Portugal and another from Thailand. Indeed we are more integrated than many 'Integrated' schools.

These children play together, learn together, eat together and cry together. Aside from the colour of some of their skin there is no way of identifying their differences, neither they nor us care. In every sense we are engaging in Shared Education on a daily basis already as is our professional and moral vocation as teachers.

The politicians in Stormont may not be able to work together effectively due to hang-ups based on years of out-dated bigotry however the children and teachers in my school can- and they achieve it without the heavy hand of hypocritical legislation. It is my opinion that neither of our two ruling parties are in any position to be offering advice to schools on how they should be working together.

Here is my suggestion for a 'Shared' future in Northern Ireland: remove ALL current Ministers, close Stormont for 30 years then offer the current undamaged generation (currently in Primary School) a fresh opportunity to start over. We can but dream!

Harsh but fair I believe.

Best Regards,

Chris Currie  
Principal  
Kilbride Central P.S.



19 November 2015

## RESPONSE TO SHARED EDUCATION BILL

Lagan College welcomes the opportunity to comment on the contents of the Shared Education Bill.

Lagan College is fully supportive of any opportunity afforded to any child of school age to experience shared education. Our ethos and values are centred on children from different faith backgrounds, other or none and of all abilities to learn, play and develop together. Lagan College is also fully supportive of using education as a means to ensure further peace building in our society.

Having considered the Shared Education Bill, we are deeply concerned that the Bill does not reflect how the Government would like to see shared education progress to a shared future for Northern Ireland.

The short four-clause Bill has encapsulated the definition of shared education into a few brief lines. There have been a number of definitions of shared education from different organisations and the department itself over the past number of years which have been more inclusive and robust than the one purposed to be enshrined in legislation.

We believe strongly that the Bill promotes shared education but does not clarify that it is a continuum. We would like to see the Government endorse the fact that a fully integrated and inclusive shared educational experience is at the higher end of this continuum model.

Integrated schools educate our young people side by side every day, they experience and learn to celebrate difference. In "Sharing Works- a Policy for Shared Education" it says, 'integrated education', which has already embraced a culture of diversity, is at the upper end of that continuum. Indeed, by supporting Shared Education, it is envisaged that a proportion of schools may move along the continuum to a more fully integrated model.' Yet there is no mention of integrated education or how this progress can be achieved in the Bill.

The Integrated Education movement would like to see the inclusion of a new clause or amendments putting a duty on the Education Department or Education Authority to help schools involved in sharing projects explore the possibility of moving up to a fully integrated and inclusive shared educational experience.

Putting this responsibility on those who will have a power to encourage and facilitate shared education creates a robust mechanism to ensure that any school who wishes to explore integration as an option will be fully supported in doing so.

Lagan College would like to see this important Shared Education Bill shaped to ensure that Shared Education works to the maximum advantage of Northern Ireland's children and young people. We are confident that the vast majority of the population wants a truly shared future, and we deserve legislation which genuinely moves us forward to achieve that and builds upon and cements the work of so many parents and children who have led the way in shared education by opening and supporting inclusive and integrated shared education schools, which have been in existence in Northern Ireland since 1981.

We note that the timeframe to respond to the Shared Education Bill has been very short, which is disappointing considering this is such an important piece of legislation for generations of children to come.

Senior students from Lagan College and I would like to have an opportunity to respond in front of the Education Committee on the Shared Education Bill on either one of the two dates offered.



**Submitted by:**

**Mrs Amanda McNamee**

**Principal of Lagan College and Secretary to Lagan College's Board of Governors**



## Lough View Integrated Primary and Nursery School

### RESPONSE TO THE SHARED EDUCATION BILL

Having considered the Bill we have a number of concerns. These are:

1. The definition of 'shared education' in (2)(a) seems simplistic. Indeed to define 'shared education' as the 'education together of those of different religious belief', fails to acknowledge that the divide within our society is intrinsically about cultural identity. While religion in part contributes to this sense of identity, it is not its defining characteristic. A person's sense of being Irish, Northern Irish or British, of being loyalist, unionist, nationalist or republican is the fundamental issue here. The definition of shared education surely needs to reflect this.
2. The definition of 'shared education' (2) (b) which refers to 'those who are experiencing socio-economic deprivation and those who are not' lacks clarity. Does it refer to schools, communities or both? A cynic might argue that in part it feels like a euphemism to describe the two tier system of post primary education that largely still applies in Northern Ireland.
3. Section 3 which refers to the bodies empowered to encourage and facilitate 'shared education', seems to reflect where greatest power lies and singularly fails to acknowledge the role that NICIE has played and can continue to play in promoting and facilitating 'shared education'. This comment is premised on an acknowledgement that integrated education is the ultimate expression of 'shared education,' where the kind of shared experiences between young people of diverse religious and cultural backgrounds that this Bill seeks to facilitate, go on every day, all day.
4. There is no mention anywhere in the Bill of Integrated Education. There is a sense that it has been subsumed into 'shared education' and that it is a small facet of a larger initiative. Perhaps this is the intention.
5. Under the current wording of the proposed Bill, there is no suggestion that 'shared education' is a continuum that can facilitate, when and where the conditions are right, a more integrated school system i.e. it can act as a pathway towards school amalgamations and sharing in the fullest sense. The lack of clarity on this point may limit the Bill's power to transform the educational landscape and ultimately our

society. Indeed as it stands the Bill may merely commit schools and communities to a 'toe in the water' approach to sharing for perpetuity. Is this good enough?

Thank you for your consideration of this submission.

Michael McKnight Principal 17 November 2015

To whom it may concern,

In relation to the definition of Shared Education, I am concerned that other aspects of section 75 are not specified in the bill as being equally relevant and pertinent areas to explore via Shared Education. I think it is important to ensure that we also reflect the changing multi-cultural dynamic within our modern society and not solely cite the Protestant and Catholic traditions as the primary specified participants within Shared Education. Whilst it is important to address reconciliation issues, it is important that we do not assume that young people have similar concerns and challenges as adults .

Does the failure to include NICIE within the specified Section 2 groups mean that integrated educational institutions will not be included , valued or viewed as integral to the process or are they to be viewed as a separate entity? The bill does not provide the necessary clarity on this issue; from my perspective there are opportunities for all sectors to mutually benefit from the experience.

Could communities or charities be included as relevant providers of education? We currently work with Hapani Charity for Refugees to provide a Saturday school for parents and this ultimately impacts pupil outcomes. It is important to think outside the box and ensure we are not too prescriptive in terms of relevant providers, as we could ultimately limit the opportunities and limit the number of potential participants .

I am grateful for the opportunity to share my thoughts on the bill.

Kind regards,

Maire Thompson

Principal,  
Malone College

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Dear Mr Marks

I'm sorry I thought this Submission had been sent earlier this week.

If invited to address the Committee, I should like to read this address to its members.

Apologies

Paddy McEvoy

Submission on Shared Education:

Stormont Address at launch of Humanist Manifesto 22 Oct 2015

I am honoured to be asked to say a few words in support of this truly important document.

It is stated in the opening paragraph that Humanists believe in the worth and integrity of the human person. We believe that people, particularly the young, should be free from indoctrination. For that reason, we oppose faith schools, and are particularly opposed to the setting up of new faith schools. We call for the introduction of a modern curriculum which embraces 'Religion, Philosophy and Ethics', for all children.

Humanism was described recently by a theologian from the University of Limerick as 'a sub-cultural secularist elite'. We would like to point out to such commentators that the ideas contained in this Manifesto are anything but 'sub-cultural' ideas. These ideas are very much mainstream, as was demonstrated by the outcome of the Same Sex Referendum in the Republic last May 2015.

Northern Ireland has for far too long been known as A Tale of Two Ghettos. The Education section of this Manifesto contains suggestions that have the backing of large majorities of the people, yet trying to get them implemented is a slow business. We in the Humanist Association are committed to the creation of an education service that will ensure that children of all backgrounds are educated together. (We also would like to say that it is high time we eliminated illiteracy. This is a scandal which has gone on too long.)

We reject the Shared Education proposals as envisaged by the NI Executive. Why? Because the word 'shared' has been misappropriated.

I have taught in schools I have considered to be 'shared' schools, in both England and Northern Ireland. In these schools, the pupils shared: desks; resources; classrooms; lessons; teachers; corridors; play areas. They played the same sports, in the same teams. They played in the same orchestras, bands and groups. They sang in the same choirs. They acted in the same plays, sharing the same stages. They shared the same premises, all parts of them. But most of all they shared TIME. Those 14, critical, formative years from 4 to 18 afforded them time to get to know each other, properly, not for *what* they were, but for *who* they were. The schools I am describing are true, comprehensive, INTEGRATED schools.

The 'Shared Education' proposal is an unconvincing expedient, designed to keep the 'key stakeholders' happy, designed to preserve their much vaunted 'ethos'. The proposal is well short of what Northern Ireland needs. It is unconvincing because it is the educational equivalent of ships passing in the night. The concept of Shared Education is a philosophically flawed expedient, because it is based on 'non-communal', partitioned premises. It is heading us off in another wrong direction. Because of the transient, superficial contacts

that will ensue if this policy is implemented, they cannot provide the pupil with the time which is required for real friendships to form. Even casual relationships take time to develop. These will not be possible in tangential settings which deprive children of the opportunity of spending their precious, formative years together.

The 'Shared Education' proposal reminds me of those statues where hands are outstretched but, tantalisingly, don't actually meet. Shared Education is a bridge, the centre of which has yet to be completed – you can only go so far on them. You can never pass over to the other side - and make return journeys.

The tragedy of education in Northern Ireland is that it *was* possible to have an integrated education service, a century ago, in the 1920s, but such a visionary initiative was blocked by certain, powerful 'key stakeholders', who opted to circle the wagons, rather than look to the well-being of society as a whole, whilst claiming all the while, disingenuously, to have society's well-being at heart. It is now nearly the 2020s and key stakeholders are still blocking progress. If the key stakeholders are not confronted now, by principled politicians and others, we could well be trapped, a century hence, in much the same *cul-de-sac* in the 2120s.

I make a modest proposal to these 'key stakeholders': take a firm hold of said stake and drive it through the heart of the parochial, sectarian, segregated education system you have imposed on us, which has caused so much division, which a majority of people, from all backgrounds in N Ireland want to see phased out, and if truth be told is flat-lining in terms of 'delivering' the vaunted ethos of times past. And as far as the 'key' part of 'key-stakeholder' is concerned, I appeal to them to use that key to unlock the ghettos you have been party to creating, and free people to escape the circumscribed lives they have been living. Such a development would truly liberate the talents and

genius of not only the young, but of society in general. People crave an end to so-called Peace Walls and all the other trappings of sectarianism. The people crave to live in a post-sectarian society.

I also appeal to all interested parties, to parents, to voters, to teachers, to wake politicians up and get them to smell the reek coming from our respective stables. And to clean those stables out, for once and for all. The need to integrate Teacher Training, immediately, is hardly arguable in this divided society.

This will require big-heartedness. It will call for magnanimity. For generous thinking. Are such leaders there?

Paddy McEvoy

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Millennium Integrated Primary School  
139 Belfast Road  
Saintfield  
BT24 7HF

22nd October 2014

Dear Mr Mc Callion,

Thank you for the opportunity to respond to the Shared/Integrated Education Inquiry. If there is any intention to meet with interested parties, I would be very happy to do so and also for some of our children to take part in the consultation process.

I am writing to you as the founding principal of Millennium Integrated Primary School and as a teacher who has worked in the controlled sector, is Chair of Governors of a CCMS Community Nursery and in the earlier part of my career worked in an international school and also at the Rudolf Steiner School in Holywood. In addition I have a long track record in innovative cross- community work. All of these enriching experiences have contributed massively to my understanding of the importance and richness of experience which is a real added bonus when there is diversity within a school community. By diversity I am talking about integration and inclusion in the widest possible sense, so that all are valued. A community which truly, actively and proactively welcomes all and ensures that this is alive within the school.

Millennium has had an incredible journey and owes everything to the parents in the Carryduff community who wanted integrated education for their children. I could write pages about the many hurdles and obstacles the founding parents and I had to overcome at every stage of the school's development, but I am fortunate to also be able to celebrate the achievements of our community and our integrated school.

If we analyse why Millennium exists, it is my firm belief that it exists in spite of the very organisations one might have expected to show support or even equity of treatment, and the politicians who did their very best to block the opening, building and development of the school particularly, in the first 12 years.

Why does Millennium exist?

- Parent Power- sheer hard work, perseverance and determination no matter what the set-backs were
- The demographics of this area which has possibly the highest percentage of mixed marriages in Northern Ireland

- The changing face of Northern Ireland – many of our younger parents really want integrated education and are voting with their feet. Unfortunately the big decisions are being made by an older generation who still carry the scars, hurt and baggage of the troubles (Only today I received notification of a Development Proposal from another integrated primary school – the statistics enclosed from DE are interesting and speak for themselves –enrolment patterns of 8 integrated primary schools for 2013/2014 intake are that there were 422 first preference applications for 347 places. In the controlled sector across the 7 schools listed there were 996 unfilled places and in the maintained sector 2 schools were listed with 196 unfilled places)
- Parents are voting with their feet and they do not send their children to integrated schools just because they are integrated – like all parents they want the very best, rounded and balanced educational outcomes for their children
- Support given to the school by voluntary organisations and philanthropic donors from around the world – without their assistance the school may never have started
- The outcome of the recent judicial review has already begun to make a difference – a greater sense of being treated more equally with the other sectors although there are still some procedural and legislative issues which have the potential to continue to stifle rather than facilitate integrated education

What hurdles/barriers has Millennium had to overcome?

- No government funding in the first year
- Not being allowed on site because of traffic concerns despite the fact that there had been a furniture showroom and a car showroom, as well as a private dwelling – far more traffic than 1 teacher, 1 assistant and 10 children in that first year!
- Delaying tactics in relation to the planning application in the early years
- Even when our temporary school had been built and we had 7 new classrooms our growth was being controlled to protect other sectors
- Having to fundraise and apply for grants and look for donors to establish pre-school education
- Having to source funding for basic accommodation which would have been provided to other sectors – accommodation for the Nursery, for classrooms, for special needs provision
- Operating in a relatively new building which had 30% less accommodation than stipulated in the DENI handbook
- Turning away children and their families, particularly poignant when the family is from a mixed marriage

In the opening paragraph of this letter I gave an outline of my varied educational posts. I have seen and experienced at first hand the reality of the wonderful things which happen in a good integrated school when the children have the opportunity to be together all day, every day, sharing experiences, exploring diversity, understanding fully what is important to all of the religions and cultures which are part of our school community. Celebrating together special events which in the context of Northern Ireland are perceived to belong to one tradition or another. Developing mutually respectful values on a day by day, moment by moment, practical and meaningful basis. Total immersion is the key for the best possible outcomes, just as it is, if you really want to learn a second language proficiently. Not only is there an impact on the children and the staff but also on many of our parents who have made friendships with the 'other side'

It is so much more difficult to achieve a tolerant and open society when children are kept apart throughout their educational lives and also through the lack of mixed housing and as a result their contact with each other is minimal.

Good quality shared education is, I believe, an important first step on the journey but not if it's just about the occasional time together, making the effort because there is funding available or a lovely state of the art campus, and not if it is developed at the expense or exclusion of integrated education.

If shared education is not, in the long term, to repeat the limited outcomes of the old EMU, then much work needs to be done to upskill the staff, change mindsets and develop meaningful, regular opportunities through the curriculum for children to engage in learning about each other and the country and world which they live in and are part of.

Shared education is not the same as integrated education. A mixed school is not the same as an integrated school. The ethos, the hidden curriculum, the vision, the day to day values, are the things which define any school. So many of the decision makers have no experience or understanding of integrated education as the majority will have come through the controlled or maintained sector and understandably this is what is familiar to them.

I believe that parental choice should be facilitated as much as possible so the choice to send a child to a maintained, controlled or Irish Medium should also be available

However we will know when there is a real commitment to integrated education by the powers that be, when the first integrated school is proposed and planned for by DE without the parents, the founding principal and staff having to jump over so many hurdles. Much is made of the recent lack of growth within the integrated sector. I know that this has been due to the lack of will to facilitate the growth of integrated education and the continuing situation that CCMS and the ELBs hold all the power. Just because the integrated sector and the Irish medium sector are smaller should not mean that they should be virtually excluded from the decision making processes. These two sectors should have as much right to be present from start to finish

throughout all decision making processes. Respect needs to be developed for all sectors from within the sectors themselves as well as from the decision makers.

Does Northern Ireland want a unified, diverse and peaceful society or not?

Why are the decision makers so reluctant to make the decisions which have the potential to allow Northern Ireland to move away from many of the entrenched views and to embrace a better future for the generations to come?

In ten years' time will this period be viewed as a time of missed opportunities?

Will there be disappointment that shared education hasn't managed to deliver all that is hoped for?

I would like to see equity for all four sectors, a willingness to listen to the voices of our families, a true facilitation of integrated education, the development of skilled and meaningful shared education so that the children of the future do not carry the baggage and burden of Northern Ireland's sectarian past.

Thank you for the opportunity to make this submission.

Yours sincerely

Mary Roulston



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# Millennium Integrated Primary School

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## The Shared Education Bill

This commentary should be read in conjunction with the previous submission.

I have spent a considerable time reading all 1,954 pages of the Report on the Inquiry into Shared and Integrated Education and have been dismayed by the entrenched views expressed by some contributors and the lack of understanding of integrated education. This does not augur well for the future of shared education or integrated education.

There is a very real possibility that a golden opportunity will be lost and that in 20 years' time we will look back and be disappointed that the nettle of division in the widest sense, was not grasped. Our children and young people are the future and I believe that many of them want a very different future than that which is being decided for them through this bill.

At a time of severe financial constraints it is very worrying that so much money will be awarded to a small number of projects – the shared campuses etc. and that many schools will be disadvantaged as their geographical situation may not be conducive to shared projects. Whilst there are some very good projects led by inspirational educators across all sectors, the real truth is that some schools are more interested in the funding than the core values of the importance, in the context of Northern Ireland, of bringing together all children on a regular and meaningful basis.

I do not understand why there is so much 'support' for shared education and so much animosity towards integrated education. If shared education is truly based on core values of equality and respect, for all of society, why then are integrated schools and the integrated community, excluded and under so much attack? It does not make sense. If these values are real then there should be a level of respect for the pioneering work which our good integrated schools do on a daily basis, often in very difficult circumstances, not acknowledged by the wider educational community.

If the main definition of 'Shared education is the 'education together of those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children or young persons' I am puzzled that there is no reference to integrated education within the bill. Is there an agenda by the much more powerful educational bodies and political parties to chip away at integrated education until it becomes a thing of the past?

It is interesting that the exact same phraseology is being used for shared education as is enshrined in law for integrated education. I hope in the future, that this will not be used by the larger, more powerful, sectoral bodies to boost their own interests whilst stifling the needs and rights of integrated education. Is there a particular reason why NICIE are not listed as a body? By omitting a role for them within bill this are you in effect saying there is no place for integrated education within shared education?

I would welcome the opportunity to meet with the committee.

Kind regards

Mary Roulston.

Peter McCallion  
Clerk to the Committee for Education  
Northern Ireland Assembly

19<sup>th</sup> November 2015

Dear McCallion

We welcome this opportunity to respond to the call for evidence in relation to the proposed Shared Education Act.

In relation to clause 1 of the proposed legislation, firstly we welcome the recognition of socio-economic disadvantage, however, we would wish to see the definition of shared education expanded to reflect more comprehensively the definition as recognised by the supportive shared education policy. We therefore seek the definition to also mean that where practicable shared education should include those disadvantaged by virtue of their section 75 grouping(s) and also to incorporate the cross sectorial working, most notably between those in and outside of the special education sector.

The accompanying memorandum to the Bill acknowledges that there are additional financial implications to schools working in partnership to achieve shared education. It recognizes that provision has been made for funding to support the implementation of shared education up to June 2018 and the Minister has committed to mainstream funding in the longer term. In assessing whether a school has met the requisite terms and conditions to be eligible for shared education funding we would assert that such requirements should not be dependent on the ability for schools to be monitored on key stage pupil data using the levels of progression.

Schools and their boards of governors must be consulted upon appropriate monitoring outcomes linked to the fulfilment of objectives contained with the accompanying policy. NAHT believe shared education is important the future of Northern Ireland, its advancement should not be stalled due to on and going industrial action by some unions.

Yours sincerely,

Helena Macormac  
Policy Director  
NAHT(NI)

**Northern Ireland Assembly Committee for Education  
Written Evidence on the Shared Education Bill**

The NASUWT's submission sets out the Union's views on the Shared Education Bill published on 2 November 2015.

The NASUWT is the largest union in Northern Ireland representing teachers and school leaders.

**For further information, Assembly Members may contact:**

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## **Executive Summary**

- Shared education is an important means by which educational quality and equality can continue to be sustained and further progressed in Northern Ireland.
- Having set out its position on the value of promoting shared education, it is incumbent on the Department for Education (DE) to ensure that it develops a coherent and credible implementation strategy.
- It is therefore concerning that the Bill merely establishes a definition of shared education and confers obligations on the DE and other bodies to promote it.
- Without further details of DE's strategy in relation to shared education, it is unclear how these obligations would be discharged in practice.
- DE must set out further details of its intentions in this respect prior to enactment of the Bill to support more effective consideration of its potential implications.
- It is not clear why the definition of shared education endorsed by the Ministerial Advisory Group has not been incorporated into the Bill. DE should explain its reasons for departing from this definition before the Bill is enacted.

## **Introduction**

1. The NASUWT welcomes the opportunity to submit evidence to the Northern Ireland Assembly Committee for Education on the Shared Education Bill published on 2 November 2015.
2. The NASUWT's evidence seeks to place issues relating to the development of shared education policy into their appropriate recent context. It also sets out the Union's views on the key provisions contained within the Bill.

## **Background and context**

3. The NASUWT believes that the education system has a critical role to play in the promotion of social cohesion and the development of safe, just, inclusive and tolerant communities.
4. Alongside the important contribution made to building social cohesion by other key public and social services and institutions, the work of schools in creating high-quality educational opportunities for children and young people, celebrating diversity and difference and tackling inequality, discrimination, prejudice and bigotry, must be recognised in the development and implementation of public policy in these key areas.
5. The Department of Education is right to recognise that public discourse on approaches to the achievement of these objectives has continued to focus on the potential contribution of shared and integrated education. The NASUWT notes in this regard that the Report of the Ministerial Advisory Group on advancing shared education, published in March 2013, identified shared education as an important means by which educational quality and equality could continue to be sustained and further progressed in Northern Ireland and advocated its continued emphasis in the development of

policy. Critically, the Ministerial Advisory Group assessed the potential value of shared education not only in terms of the religious beliefs of pupils, parents and wider communities but also in respect of their socioeconomic status, the extent to which they encounter social exclusion or marginalisation and the special and additional learning needs of children and young people. The NASUWT therefore welcomes the fact that this broader conceptualisation of shared education has been noted in the development of policy in this area although specific comments in relation to the definition set out in the Bill are considered elsewhere in this submission,

6. The NASUWT further notes that in October 2013, the Minister for Education, after a period of reflection, accepted the recommendations set out in the Report and sought to encourage a public debate on how best to advance shared education.
7. The NASUWT acknowledges and respects the right of the Minister to identify shared education as a policy priority in light of the recommendations of the Ministerial Advisory Group and recognises that advancing shared education was highlighted as a key objective in the Northern Ireland Executive's Programme for Government.
8. As a trade union committed to organising teachers and school leaders on a non-sectarian basis and to maintaining a genuinely inclusive and world-class education system that meets the needs and interests of all children and young people, the NASUWT takes a particular interest in those areas of the Executive's work related to the promotion of equality, diversity and high standards of provision in all schools.
9. Having set out its position on the value of promoting shared education, it is incumbent on DE to ensure that it develops a coherent and credible

strategy that recognises Northern Ireland distinctive economic and social context.

10. However, the NASUWT notes that the Bill merely establishes a definition of shared education and confers obligations on DE and other bodies to promote it. The Union is concerned that without further details of DE's strategy in relation to shared education, it is not possible to anticipate how these obligations would be discharged in practice.
11. The introduction of a statutory duty in respect of the promotion of shared education prior to the development of a clear and coherent implementation framework would lead to the imposition of duties on DE, schools and other public bodies, including the Education Authority, that they may not be in a position to undertake effectively. As the NASUWT has made clear to the Committee previously, it is not clear that DE's proposed approach to the development of shared education would secure such a framework in practice. It would, therefore, be inappropriate to introduce a statutory duty on the basis proposed by DE until steps have been taken to develop a clear and coherent implementation plan.
12. It cannot be acceptable for provisions to be introduced into law on this basis. The NASUWT is clear that DE must set out further details of its intentions in this respect to support more effective consideration of the Bill.
13. The basis upon which the NASUWT believes a system-wide strategy for shared education should be established was set out in the evidence submitted in October 2014 to the Committee in its Inquiry into Integrated and Shared Education. These issues remain substantially unaddressed and it is important that further consideration is given to them before the Bill is progressed.

### **The definition, nature and promotion of shared and integrated education**

14. The NASUWT is concerned that consideration of the merits or otherwise of shared education has often been attempted without a commonly recognised working definition. Without clarity of definition, potential policy options cannot be developed or evaluated on a meaningful basis.

15. The Union notes the support given by the Ministerial Advisory Group to the definition of shared education in the remit given to it by DE:

*‘Shared education involves two or more schools or other educational institutions from different sectors working in collaboration with the aim of delivering educational benefits to learners, promoting the efficient and effective use of resources, and promoting equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.’*

16. While debates about the nature of shared education are likely to remain contested, the NASUWT believes that this definition represented a viable and potentially helpful starting point from which to evaluate the nature of shared education and its implications for the education system in Northern Ireland. It should, therefore, be adopted as the basis for the development of future policy in this area.

17. Given the acceptance by the Minister and the Ministerial Advisory Group of this definition of shared education, it is not clear why it has not been incorporated into the draft shared education Bill published by DE. It is, therefore, important that DE sets out its reasons for departing from the definition of shared education contained within its remit to the Ministerial Advisory Group before establishing shared education on a statutory basis.

18. The NASUWT is also concerned that the introduction of a statutory duty in respect of the promotion of shared education prior to the development of a clear and coherent implementation framework would lead to the imposition of duties on DE, schools and other public bodies, including the Education

Authority, that they may not be in a position to discharge effectively. As the NASUWT has made clear to the Committee previously, it is not clear that DE's proposed approach to shared education would secure such a framework in practice. It would, therefore, be inappropriate to introduce a statutory duty on the basis proposed by DE until steps have been taken to develop a clear and coherent implementation plan.

# Written Evidence to the Committee for Education on the Shared Education Bill

**19<sup>th</sup> November 2015**

## **1.0 Introduction**

The Office of the Commissioner for Children and Young People (NICCY) was created in accordance with 'The Commissioner for Children and Young People (Northern Ireland) Order' (2003) to safeguard and promote the rights and best interests of children and young people in Northern Ireland. Under Articles 7(2) and (3) of this legislation, NICCY has a mandate to keep under review the adequacy and effectiveness of law, practice and services relating to the rights and best interests of children and young people by relevant authorities. The Commissioner's remit includes children and young people from birth up to 18 years, or 21 years, if the young person has a disability or is / has been in the care of social services. In carrying out her functions, the Commissioner's paramount consideration is the rights of the child or young person, having particular regard to their wishes and feelings. In exercising her functions, the Commissioner has regard to all relevant provisions of the United Nations Convention on the Rights of the Child (UNCRC).

Shared education is an issue which NICCY has been working on for a number of years. We have intensively scrutinized ongoing developments in relation to the development of the Shared Education policy and Bill since the Department of Education's commitment in the Programme for Government 2011-15<sup>1</sup> to establish a Ministerial Advisory Group to explore and bring forward recommendations to the Minister of Education to advance shared education in Northern Ireland. NICCY provided assistance to the Minister by consulting with children and young people to explore their views and experiences of shared education<sup>2</sup>, with the intention of ensuring that these views meaningfully informed the development of the policy and legislation relating to shared education.

NICCY acknowledges the benefits for pupils from different backgrounds, communities and schools having opportunities to learn together and develop a greater understanding of

<sup>1</sup> Pages 11 and 51, NI Executive's Programme for Government 2011-15.

<sup>2</sup> Shared Education The Views of Children and Young People, Children and Young People's Report, NICCY, 2013.

each other.

## 2.0 Background and Context

As previously stated, NICCY undertook widespread consultation with almost 6,000 pupils in 2012/13 about their views and experiences of shared education. This included workshops with over 750 pupils across all school sectors, including primary, post-primary, maintained, controlled, grammar, secondary integrated, Irish Medium and special schools. Interviews were also conducted with 20 principals and members of staff. A key objective was to ensure that pupils from as many school types as possible were able to participate and care was taken to ensure that the sample of schools recruited was as representative as possible. Eight of the ten post-primary schools selected, were involved in shared education initiatives through their membership of area learning communities or involvement in the Sharing Education Programme.<sup>3</sup>

Many of the children and young people who took part in NICCY's consultation on shared education gave positive accounts of their participation in joint classes and activities. Both primary and post-primary pupils welcomed the opportunity to interact and make new friends with pupils from other schools. They also enjoyed the experience of different learning approaches and gaining insights into other schools. One key benefit identified was expanded subject choices. However, it is concerning that a significant minority described having more mixed experiences of shared education initiatives, where interaction with pupils from other schools had been negative or limited. Some of the issues raised include children feeling uncomfortable if they were in a minority or 'out of place' when attending classes in another school. Some described collaborative activities and joint classes as 'shared' but 'separate', because pupils remained within their own school or friendship groups and interaction with pupils from other schools had been limited. A number of logistical issues, including transport arrangements and timetabling variations between schools, also impacted on pupils' experiences. Some pupils expressed concern about sharing their education with pupils from particular schools. Their concerns related to academic ability, cross-community issues, standards of behaviour, and the increased potential for bullying.

Decisions regarding the planning and development of shared education should be informed by the views and experiences of those who will be most directly impacted as per

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<sup>3</sup> The Queen's University, Belfast or Shared Education Programme (The Fermanagh Trust).

section 75 of the Northern Ireland Act 1998 and Article 12 of the UNCRC. NICCY strongly advocates that pupils of all ages, from every type of school in Northern Ireland are consulted in a meaningful way and that their feedback contributes to the further development and implementation of shared education. It will be important that pupils of all ages are enabled through effective mechanisms to share their experiences and provide advice regarding how provision should be developed, reviewed or changed.

### 3.0 The United Nations Convention on the Rights of the Child

Articles 28 and 29 are the two main articles of the UNCRC which address children's rights in education. NICCY believes that it is vital that the Shared Education Bill reflects the obligations on the Department of Education under the UNCRC with regard to the type of education that children and young people should be able to access. According to the UNCRC Committee's General Comment on Article 29 of the Convention – a statement of its meaning and objectives - education must be child-centred, child-friendly and empowering.<sup>4</sup> The goal is to strengthen the child's capacity to enjoy the full range of human rights, to promote a culture which is infused by appropriate human rights values and to empower the child through developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence. In this context, 'education' goes far beyond formal schooling to embrace the broad range of life experiences and learning processes which enable children, whether individually or collectively, to develop their personalities, talents and abilities and to live a full and satisfying life within society. Educational programmes should be conducted in ways that promote mutual understanding, peace and tolerance, and that help to prevent violence and conflict.

General Comment No. 1 on the Aims of Education is clear that a school environment must reflect tolerance, equality and promote peace and understanding. The General Comment is clear that there is an obligation on Government to ensure that schools which allow bullying, intolerance and inequality to thrive is in breach of Article 29 (1) of the UNCRC. It states that,

*“...the school environment itself must thus reflect the freedom and the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin called for in article*

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<sup>4</sup> General Comment No.1: Aims of Education, UN Doc CRC/GC/2001.

*29 (1) (b) and (d). A school which allows bullying or other violent and exclusionary practices to occur is not one which meets the requirements of article 29 (1).<sup>5</sup>*

NICCY wishes to see the inclusion of the obligations on the Department by virtue of the UNCRC in the Shared Education Bill to ensure that all children have access to an education which is reflective of the UNCRC obligations to develop the personalities, talents and abilities of children to enable them to live a full and satisfying life within society.

In its Concluding Observations in 2002 following its examination of the UK Government's compliance with the UNCRC, the United Nations Committee on the Rights of the Child welcomed the development of integrated schools in Northern Ireland, but expressed its concerns that, at that time, only approximately 4% of schools were integrated and education remained largely segregated. It recommended that the Government increase the budget for, and take appropriate measures to facilitate the establishment of additional integrated schools in Northern Ireland.<sup>6</sup> In its next examination of the UK Government's compliance with the Convention in 2008, the Committee reiterated its concerns that 'segregated education was still in place' and recommended that the Government take measures to address this situation.<sup>7</sup> The proportion of integrated schools in Northern Ireland has now risen slightly to 7% with an estimated pupil population of 22,000.<sup>8</sup> Recent commentaries suggest that demand currently outstrips provision and a number of integrated schools have applied to increase their intakes.<sup>9</sup>

Since 1989, the Department of Education has had a statutory duty to "*encourage and facilitate the development of integrated education*".<sup>10</sup> In addition, the Good Friday / Belfast Agreement<sup>11</sup> contains a pledge "*to facilitate and encourage integrated education.*" NICCY is concerned that shared education falls short of integrated education and that the progression of truly integrated education may have been superseded by shared education. There is also a lack of clarity around the inter-relationship between shared and integrated

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<sup>5</sup> *Ibid*, Para 19.

<sup>6</sup> Para 46, CRC/C/15/Add.188, 4 October 2002

<sup>7</sup> Para 67, CRC/C/GBR/CO/4, 3 October 2008

<sup>8</sup> [http://www.deni.gov.uk/enrolments\\_in\\_schools\\_1314\\_-\\_february\\_release\\_-\\_final\\_rev.pdf](http://www.deni.gov.uk/enrolments_in_schools_1314_-_february_release_-_final_rev.pdf)

<sup>9</sup> [http://www.ark.ac.uk/publications/books/fio/10\\_fio-education.pdf](http://www.ark.ac.uk/publications/books/fio/10_fio-education.pdf)

<http://www.belfasttelegraph.co.uk/news/education/parents-demand-800-increase-in-integrated-primary-school-places-29367225.html>

<sup>10</sup> Article 64(1) of the Education Reform (Northern Ireland) Order 1989:

"It shall be the duty of the Department to encourage and facilitate the development of integrated education, that is, the education together at school of Protestant and Roman Catholic pupils".

<sup>11</sup> Good Friday / Belfast Agreement 1998

education. While NICCY welcomes the opportunities afforded by the development of shared education for children to be educated together, we would not wish to see a situation where ‘shared education’ is progressed at the expense of integrated education. NICCY believes that shared education must be viewed as part of a continuum of education models, the ultimate goal being a truly integrated system of education for all children in Northern Ireland, where children of all religions, races, genders, ability, sexual orientations and ages are education together. We wish to respectfully remind the Committee of the statutory obligations the Department of Education is under with regard to integrated education as outlined above. NICCY believes that the Department of Education should urgently clarify the relationship between shared and integrated education in order to assuage such fears. The Department should also publicly state its continuing commitment to integrated education and provide clarity on how it is and intends to support integrated school, as well as information on how integrated education will ‘sit alongside’ shared education.

#### 4.0 Shared Education Bill – Clauses

Clause 1(2) of the Shared Education Bill contains the proposed legislative definition of ‘shared education’. Clause 1(1) states that this definition applies for the purpose of section 2 of the Bill, which details the bodies which may encourage and facilitate shared education as well as section 2(3) of and paragraph 8(2) of Schedule 1 to the Education Act (Northern Ireland) 2014. Section 2(3) of and paragraph 8(2) of Schedule 1 to the Education Act (Northern Ireland) 2014 contain the duty on the Education Authority to encourage, facilitate and promote shared education. This duty is yet to be commenced. This is addressed at clause 3 of the Bill.

The proposed legislative definition of ‘shared education’ is provided at clause 1(2) of the Bill. This is;

*“(2) “Shared education” means the education together of –*

- (a) Those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children or young persons; and*
- (b) Those who are experiencing socio-economic deprivation and those who are not, which is secured by the working together and co-operation of two or more relevant providers.”*

NICCY believes that the definition of shared education provided in the draft Bill is much too narrow and does not reflect the Department's much broader vision of shared education. In the Department of Education's policy document, *"Sharing Works; A Policy for Shared Education"*<sup>12</sup> the Department defines the vision for shared education, which is for,

*"Vibrant, self-improving shared education partnerships delivering educational benefits to learners, encouraging the efficient and effective use of resources, promoting equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion"*.<sup>13</sup>

The Department goes on to state that,

*"Shared Education is described as the organisation and delivery of education so that it:*

- *Meets the needs of, and provides for the education together of learners from all Section 75 categories and socio-economic status;*
- *Involves schools and other education providers of differing ownership, sectoral identity and ethos, management type or governance arrangements; and*
- *Delivers educational benefits to learners, promotes the efficient and effective use of resources, and promotes equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.*

*Specifically, Shared Education involves the sustained provision of opportunities for children and young people from different community, as well as social and economic, backgrounds to learn together."*<sup>14</sup>

This far-reaching vision and description of shared education includes pupils of different ages, genders, races, sexual orientations and political opinions and children with a disability and those without and children with dependents and those without. It also refers to different school types, encompassing pupils attending all types of school in Northern Ireland. The Department confirms that its intention regarding shared education is broad enough to include children from a range of section 75 groups and states that,

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<sup>12</sup> *"Sharing Works; A Policy for Shared Education"*, Department of Education, September 2015.

<sup>13</sup> Page 4, *Ibid.*

<sup>14</sup> Page 15, *Ibid.*

*“It is expected that Shared Education will be organised and delivered in such a way that promotes equality of opportunity and social inclusion by providing opportunities for children from differing Section 75 groups (e.g. children from different religious backgrounds, children from different racial backgrounds, children with and without disabilities, children who are carers or school age mothers) and from differing socioeconomic backgrounds to learn together at school and in less formal education.”<sup>15</sup>*

It is therefore extremely disappointing that the definition of shared education provided in the Bill refers only to children of different religious belief and specifically only to education which includes, “...reasonable numbers of both Protestant and Roman Catholic children or young persons”. Also specifically included in the definition of shared education in the Bill are children who are experiencing socio-economic deprivation and those who are not. While recognising the need to provide a succinct, clearly articulated definition of shared education in the Bill, NICCY believes that the definition provided is much too restrictive and is in no way reflective of the all-encompassing vision of shared education which the Department articulates in its policy document, “*Sharing Works; A Policy for Shared Education*”<sup>16</sup>. There is no reference in the proposed statutory definition to pupils in any section 75 categories other than religious belief and no religions are specifically included other than Protestant and Catholic. In addition, the definition does not provide for the inclusion of pupils attending different categories of schools, nor does it make provision for sharing between schools in different geographical locations including urban and rural partnerships.

Northern Ireland is becoming an increasingly diverse society. Racist attacks and racially motivated crimes are being reported in Northern Ireland with increasing frequency. Between 2013 and 2014 there was a 43% increase in racially-motivated offences.<sup>17</sup> According to the Police Service of Northern Ireland (PSNI), in the 12 months to June 2014 racist incidents rose by 36%, from 830 to 1,132. In the same period, racist crimes increased by 51%, from 525 to 796.<sup>18</sup> The 2014 Young Life and Times Survey found that 39% of the 16 year olds taking part in the survey had witnessed racist bullying or

<sup>15</sup> *Ibid.*

<sup>16</sup> *Ibid.*

<sup>17</sup> Public Prosecution Service for Northern Ireland (PPS) (2014) ‘Statistical Bulletin: Cases Involving Hate Crime 2013/14. 1 April 2013 to 31 March 2014. [www.ppsni.gov.uk/Branches/PPSNI/PPSNI/Files/Documents/Stats%20and%20Research/Statistical%20Bulletin%20on%20Cases%20Involving%20Hate%20Crime%202013-14.pdf](http://www.ppsni.gov.uk/Branches/PPSNI/PPSNI/Files/Documents/Stats%20and%20Research/Statistical%20Bulletin%20on%20Cases%20Involving%20Hate%20Crime%202013-14.pdf)

<sup>18</sup> The complex rise in Northern Ireland racist hate crime, Helen Grady, BBC Radio 4's The Report <http://www.bbc.co.uk/news/uk-northern-ireland-29141406>

harassment in school.<sup>19</sup> Difficulties have also been reported in placing newcomer children in Belfast based schools due to a fear of racist attacks when travelling to school.<sup>20</sup> It must be remembered, when considering the future of education in Northern Ireland and the need for greater integration that we should not only be focusing on children from the Catholic or Protestant communities. It is vital that we respond to the needs of all of our children and young people in education in Northern Ireland and embrace diversity in a truly inclusive manner. The specific focus only on Catholic and Protestant children and young people fails to prioritise the needs of all of our children and young people. Indeed, the Department of Education's own research<sup>21</sup> found that more Year 6 pupils and Year 9 pupils from 'Neither' Protestant or Catholic communities and 'Other' religious communities reported that they had 'been bullied at school in the past couple of months' compared with pupils from the Catholic and Protestant communities. The research also reported that 6.9% of Year 6 pupils and 4.1% of Year 9 pupils admitted bullying other pupils 'with mean names or comments about his or her race or colour', with 14.0% of Year 6 and 7.6% of Year 9 pupils indicating that they had been bullied with such comments.

We note from the Explanatory and Financial Memorandum to the Shared Education Bill that in drafting the Bill, consideration was given to referencing all Section 75 groups. It goes on to explain the rationale for the failure to include all section 75 groups as this would set very challenging demands on the mix of children and young people that education settings would be required to meet. Additionally, there are practical implications in specifying all Section 75 groups. For example, including gender would have implications for partnerships of single gender schools, and it is neither practical nor desirable for schools to identify the sexual orientation of pupils.<sup>22</sup> NICCY does not agree that there would be implications regarding single gender schools in the same way that there is no issue regarding schools which are predominantly either Catholic or Protestant. NICCY also has serious concerns about the experience of many transgender young people in education. Research by the Institute for Conflict Research<sup>23</sup> found that transgender young people face numerous educational inequalities that act as barriers to them fulfilling their full potential. It also highlighted a lack of education in schools on transgender issues,

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<sup>19</sup> 'Young Life and Times Survey 2014' ARK.

<sup>20</sup> 'The integration of newcomer children with interrupted education into Northern Ireland schools – A Belfast based case study,' Northern Ireland Strategic Migration Partnership, September 2014.

<sup>21</sup> The Nature and Extent of Pupil Bullying in the North of Ireland, Department of Education, October 2011.

<sup>22</sup> Para 14, NIA Bill 66/11-16 – EFM.

<sup>23</sup> Grasping the Nettle: The Experiences of Gender Variant Children and Transgender Youth Living in Northern Ireland, Ruari-Santiago McBride, Institute for Conflict Research, 2013.

institutionalising a culture of ignorance of gender diversity within school and society and discriminating against young transgender people by hindering their development.<sup>24</sup> The Equality Commission for Northern Ireland also found extremely negative attitudes towards transgender people.<sup>25</sup>

The Institute for Conflict Research found that transphobic bullying is a significant problem in schools. Experiences of transphobic bullying were commonly found to involve sustained verbal abuse, which was perpetrated by pupils of all ages frequently in public spaces with many witnesses. On occasions, young people reported that staff who were aware that bullying was occurring did not offer support or attempt to end the harassment. The research found that typically staff lacked the appropriate awareness and knowledge to respond to incidences of transphobic bullying and that often a school's reaction is to view the young person as the problem rather than the bully and so are prepared to allow the young person being bullied to drop out of school rather than attend to the bullying. The report found that many young transgender people in Northern Ireland are dropping out of education permanently because of the negative impact transphobic bullying has on their lives and the inability of schools to adequately support them.<sup>26</sup> It is NICCY's view that the inclusion of gender in the definition of shared education would be a positive step towards acknowledging and addressing the serious difficulties faced by transgender young people in education. This is particularly the case given the withdrawal of funding for the Department of Education's Community Relations, Equality and Diversity (CRED) policy as addressed at page 14 below.

There are numerous other groups of children and young people who face significant difficulties in accessing education in Northern Ireland. The Report of the Ministerial Advisory Group, "*Advancing Shared Education*",<sup>27</sup> highlights the concerns which exist about whether the educational and social needs of particular groups of children and young people are being met including Traveller children, black and minority ethnic children and young people, children and young people in care, children and young people with disabilities and those with special educational needs and children and young people who are lesbian, gay, bisexual and transgender.<sup>28</sup>

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<sup>24</sup> Pages 4 & 29, *Ibid.*

<sup>25</sup> Equality Awareness Survey 2011, Equality Commission for Northern Ireland, 2012, p.20.

<sup>26</sup> Page 5, *Op cit.* 23.

<sup>27</sup> *Advancing Shared Education*, Report of the Ministerial Advisory Group, Professor Paul Connolly, Dawn Purvis and PJ O'Grady, March 2013.

<sup>28</sup> x, *Ibid.*

Traveller children have extremely low educational attainment.<sup>29</sup> In addition there is a specific issue with regard to the de facto segregation of many Traveller children in education. Around 90% of the children attending St Mary's Primary School in Belfast come from the Traveller community; the remaining children are newcomer children whose first language is not English and a small number of children from the local community. 4.7% of the general population have a statement of special education needs, compared to 23% of Traveller children.<sup>30</sup> Roma children also perform particularly badly in education.<sup>31</sup> As 'newcomer' children, Roma children face particular barriers to their achievement in schools, with issues identified including a lack of English language skills, limited experience of formal education, bullying and poor attendance.<sup>32</sup>

Research carried out by the Department of Education also highlights issues of bullying and barriers to the enjoyment of education among children and young people with a disability. Year 6 and Year 9 pupils with a disability were more likely to report that they have been recipients of bullying behaviour at least 'once or twice'; had some experience of being bullied verbally regarding their disability (34.0% of Year 6 and over 40% of Year 9 at least 'once or twice').<sup>33</sup> Only 12% of people with a disability hold a qualification higher than A level, compared to 26% of people who have no disability.<sup>34</sup>

Concerns also exist around the ability of young people with caring responsibilities to enjoy equality of opportunity in access to education. The 2010 Young Life and Times<sup>35</sup> survey found that of the 786 young people who took part in the survey, one in ten indicated that they provided care for someone. The Northern Ireland Human Rights Commission (NIHRC) published a report in 2014<sup>36</sup> which illustrated the obligations on the Government to facilitate individuals to exercise their right to education. The report stated that caring responsibilities may inhibit the ability of an informal carer to engage fully in educational opportunities. It continued,

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<sup>29</sup> Northern Ireland Peace Monitoring Report Number 3, P. Nolan, March 2014.

<sup>30</sup> Department of Education Equality and Human Rights Screening Special Educational Needs (SEN) and Inclusion Policy, 12<sup>th</sup> February 2015.

<sup>31</sup> *Op cit* 29.

<sup>32</sup> *Op cit* 20.

<sup>33</sup> The Nature and Extent of Pupil Bullying in the North of Ireland, Department of Education, October 2011.

<sup>34</sup> [http://www.deni.gov.uk/ministers\\_speech\\_to\\_equality\\_commission\\_conference\\_-\\_121108.pdf](http://www.deni.gov.uk/ministers_speech_to_equality_commission_conference_-_121108.pdf)

<sup>35</sup> 'Young Life and Times Survey 2010' ARK.

<sup>36</sup> The Human Rights of Carers in Northern Ireland, Northern Ireland Human Rights Commission, November 2014.

*“The State must ensure children in compulsory education are not employed in such work as would deprive them of the full benefit of their education. The provision of caring duties is not a form of employment but can have similar detrimental implications on the ability of a child to engage in education.”<sup>37</sup>*

Research into the impact of caring responsibilities on education and employment in England found that there is a clear association between being a young carer and having lower job prospects and educational opportunities and between being a young carer and the likelihood of being in lower skilled occupations.<sup>38</sup> This finding underscores the need to ensure appropriate support for child carers to obtain employability skills by way of experience and training. In light of the detrimental impact caring responsibilities have on the education and employment opportunities of young carers the NIHRRC recommended that the Department of Education should create a statutory duty on educational bodies to support young and student carers. It also recommended, noting concerns regarding educational achievement amongst carers, that further research be carried out into this matter.

Looked after children continue to have much poorer educational outcomes than their peers and are much more likely to have special educational needs. Almost three quarters (73%) of looked after children attained at least one GCSE/GNVQ at grades A\* to G; this compared with close to 100% of the general school population.<sup>39</sup> Looked after children are a particularly vulnerable group as they are not specifically protected under section 75 of the Northern Ireland Act 1998. With regard to children with special educational needs (SEN) 42.1% of children with a statement of SEN achieved 5 A\*- C GCSEs. 58.9% of children with SEN who did not have a statement achieved 5 A\*- C GCSEs. In comparison, 83.8% of children without a SEN achieved 5 A\*- C GCSEs.<sup>40</sup>

It is clear that there are numerous groups of children and young people who face significant barriers to the enjoyment of equality of opportunity in education. NICCY wishes to see the definition of shared education taking the needs of all of these groups of children

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<sup>37</sup> Page 16, *Ibid.*

<sup>38</sup> Hidden from View : the experience of young carers in England, The Children’s Society, May 2013

<sup>39</sup> ‘Children in Care in Northern Ireland 2012/13 Statistical Bulletin’ Department of Health, Social Services and Public Safety, 31<sup>st</sup> July 2013.

<sup>40</sup> Qualifications and Destinations of Northern Ireland School Leavers 2012/13, Department of Education, 29<sup>th</sup> May 2014.

and young people into account. The proposed narrow legislative definition does not reflect the educational inequalities which exist and disadvantage certain groups of children and young people face on a daily basis in accessing education. NICCY believes that there are opportunities with the development of shared education to address a range of discrimination and intolerance against a range of groups of children and young people. We wish to see the definition being amended to include all children facing challenges in accessing an excellent quality education.

With regard to children and young people and sexual orientation, the Explanatory and Financial Memorandum states that it is neither practical nor desirable for schools to identify the sexual orientation of pupils. Lesbian, gay and bisexual (LGB) young people experience significant challenges in accessing education. The Schools Omnibus Survey of 2014 highlighted that, of those surveyed, 39.3% had seen or heard derogatory references to same sex relationships in the classroom or school grounds once or twice per year, 17.3% had seen or heard derogatory references to same sex relationships in the classroom or school grounds once or twice per term, 5.1% had seen or heard derogatory references to same sex relationships in the classroom or school grounds once or twice per week and 1.4% had seen or heard derogatory references to same sex relationships in the classroom or school grounds nearly every day. In the 2014 Young Life and Times survey, 50% of 16 year olds surveyed stated that they had homophobic terms directed at them, regardless of their own sexuality, by another pupil and 78% reported that this had happened to their classmates.<sup>41</sup> Research has also found that 75% of LGB young people did not report incidents of bullying and harassment to school authorities. The most frequently cited reason for not reporting incidents was that young people thought that the school would not take it seriously (43%). Of those who reported incidents to school authorities, 22% believed that the school did not take their claim seriously and 40% believed that the school took no action. When asked if, to their knowledge, their school made any efforts to tackle homophobic bullying 87% of LGB young people said that their school made no efforts.<sup>42</sup>

Given the negative experience of many LGB young people in education, NICCY does not believe that it is neither practical nor desirable for schools to identify the sexual orientation of pupils. Section 75 of the Northern Ireland Act 1998 requires that action is taken by designated public bodies where inequalities in the enjoyment of equality of opportunity

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<sup>41</sup> *Op cit.* 19.

<sup>42</sup> *Op cit.* 23.

have been identified, as is clearly the case with respect to sexual orientation in education. It is only through a comprehensive examination of the section 75 characteristics of all young people in education that we can begin to address inequalities and better promote equality of opportunity. In respect of the section 75 statutory monitoring obligations, the Department of Education has an obligation to collect and record data. The Equality Commission for Northern Ireland has developed Monitoring Guidance<sup>43</sup> as a direct response to the reticence of public authorities in engaging in the mandatory monitoring element of section 75, which was reducing the impact and diminishing the effectiveness of the legislation. The purpose of monitoring is to ensure that section 75 is identifying inequalities and to indicate where designated public authorities could be doing things better or more effectively in the promotion of equality of opportunity with regard to all of its service users. As stated in the Equality Commission's, *"Monitoring Guidance for Use By Public Authorities,"*

*"Monitoring is more than data collection, it is also about analysing information that is relevant to, and necessary for, promoting equality of opportunity. Monitoring is an ongoing process, the objective of which is to highlight possible inequalities and why these might be occurring."*<sup>44</sup>

The Department of Education's section 75 equality duties require monitoring in respect of all the groups protected under section 75 of the Northern Ireland Act 1998. This requires ongoing screening of all of the Department's policies and practices to mitigate against adverse impact and introduce alternative policies and practices where adverse impact on the enjoyment of equality of opportunity is identified and to promote equality of opportunity in the exercise of the Department's functions across all section 75 categories. The collection of data and the monitoring element of section 75 are statutory obligations which designated public authorities must comply with in order to meet their statutory obligations. The Equality Commission's Monitoring Guidance provides information about how to collect data and states that the purpose of data collection should be explained to those from whom data is being sought and a clear statement made that provision of data is voluntary.

If the Department is not collecting such information, it cannot begin to address the inequalities in the enjoyment of equality of opportunity in education experienced by LGB

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<sup>43</sup> *"Monitoring Guidance for Use by Public Authorities" 2007*

<sup>44</sup> iii, *Ibid.*

and other groups of young people. In addition to Government's obligations under section 75, the UNCRC Committee's General Comment No 5 emphasises that,

*"...sufficient and reliable data collection on children, disaggregated to enable identification of discrimination and/or disparities in the realisation of rights"* should be being carried out by Government.<sup>45</sup>

In order to comply with its statutory equality obligations under section 75 of the Northern Ireland Act 1998, the Department of Education should be carrying out comprehensive data collection and monitoring to allow for the promotion of equality of opportunity among all its service users, including young people who are LGB. While NICCY appreciates the cautiousness of the Department with regard to the collection of what it perceives as sensitive data from young people it is only through monitoring that the types of issues various groups of young people are experiencing and remedial action to improve policies and practices can be identified.

In addition, while there may be challenges for schools on the mix of children and young people that education settings would be required to meet if all section 75 groups were included in the definition, it is precisely this challenge which should be met and which section 75 requires designated public bodies to meet. Section 75 of the Northern Ireland Act 1998 places a positive duty on designated public bodies in Northern Ireland, to have due regard to the need to promote equality of opportunity between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; between men and women generally, between persons with a disability and persons without; and between persons with dependants and persons without. The statutory obligations under section 75 of the Northern Ireland Act 1998 are twofold. Section 75 does not merely oblige designated public authorities to avoid adverse impact on the enjoyment of equality of opportunity but also to promote equality of opportunity so that all of its policies and practices have a positive impact on the enjoyment of equality of opportunity by members of the nine section 75 categories. It is clear that certain groups of children and young people experience significant inequalities in accessing education and that there is a statutory obligation on the Department of Education to address inequalities in the enjoyment of equality of opportunity and to better promote equality of opportunity. This requires the Department of Education to take proactive measures in all areas where inequalities exist and where there is an opportunity to better promote equality of

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<sup>45</sup> Para. 48, CRC/GC/2003/5

opportunity. While there may be challenges for schools on the mix of children and young people that education settings would be required to meet if all section 75 groups were included in the definition of shared education, NICCY submits that this is what is required of designated public bodies by virtue of their section 75 statutory equality obligations.

This is particularly important given the withdrawal of funding for the Department of Education's CRED policy. The aim of the CRED policy was to contribute to improving relations between communities by educating children and young people to develop self-respect and respect for others, by providing children and young people, in formal and non-formal education settings, with opportunities to build relationships with those of different backgrounds and traditions.<sup>46</sup> Funding for this policy was withdrawn after an equality impact assessment (EQIA) was carried out and consulted on for just over four weeks in February 2015.<sup>47</sup> The 2012 Young Life and Times Survey examined CRED and found high levels of young people reporting more positive attitudes towards those of different religious belief and political opinion, persons from different ethnic groups, those of a different age, different sexual orientation, different gender, or those persons with disabilities. In 2014, the same survey reported similarly high results in relation to young people's experience of CRED.<sup>48</sup> Just as the CRED policy contributed to young people displaying greater tolerance and understanding to certain groups of young people through participating in programmes which dealt with issues relating to their lives, we can assume that the impact of the withdrawal of CRED and funding for such programmes will result in an increase in intolerance and negative attitudes towards certain groups of young people including young people with different religious beliefs, political opinions, race, sexual orientation, young males, females and transgender young people, young people with disabilities and LGB young people. This has the potential to have an extremely detrimental impact on the ability of members of these groups to fully participate in their education in line with the Department's obligations to protect and realise the right of all children to an effective education under the UNCRC.

In order to comply with section 75 the Department is under a statutory obligation to address the inequalities which are identified in the EQIA on the Proposal to End the Community Relations, Equality and Diversity (CRED) Earmarked Funding as a result of

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<sup>46</sup> Para 6.1, *Community Relations, Equality and Diversity in Education*. Department of Education, 2011.

<sup>47</sup> Department of Education's Consultation Equality Impact Assessment Proposal to End the Community Relations, Equality and Diversity (CRED) Earmarked Funding, February 2015.

<sup>48</sup> *Op cit.* 19.

the proposed withdrawal of CRED earmarked funding through mitigation or the adoption of alternative policies. This requires the Department to put in place proactive measures to address adverse impact and better promote equality of opportunity. In the Department of Education's EQIA, one of the mitigating measures put forward to address the adverse impact which will be suffered by certain groups of children protected by section 75 of the Northern Ireland Act 1998 due to the withdrawal of funding for CRED is the Department's Shared Education policy. Despite this, it is not proposed to include the programmes which were funded under CRED as part of the Department's Shared Education policy. The CRED policy is referenced in "*Sharing Works; A Policy for Shared Education*"<sup>49</sup> as one of the key policies which contributed to the development of shared education to date.<sup>50</sup> It does not state however that funding for CRED has been withdrawn and that the programmes which had been run under CRED have ceased entirely. NICCY believes that if the adverse impact which will be suffered by children and young people as a result of the withdrawal of funding for CRED is to be mitigated against through the Department's Shared Education policy as is claimed in the EQIA on the withdrawal of funding for CRED, all of the section 75 grounds must be included in the statutory definition of shared education.

We also note from the Explanatory and Financial Memorandum to the Shared Education Bill that the legislative definition references the minimum essential requirements for shared education - that is the education together of those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children and young persons and those experiencing socio-economic deprivation and those who are not, which secures by the working together and co-operation of two or more relevant providers.<sup>51</sup> No information is provided either in the Bill itself or in the Explanatory and Financial Memorandum to the Bill regarding the use of the term, 'reasonable numbers'. It is therefore very unclear what is envisaged as constituting, 'reasonable numbers' of Protestant and Catholic children in order to meet the minimum essential requirements for shared education. NICCY recommends that further information is included in the Bill and the Explanatory and Financial Memorandum in order to provide legal clarity around the Department's intention regarding the term, 'reasonable numbers'. Given that the minimum essential requirements for shared education will not be met without 'reasonable numbers'

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<sup>49</sup> *Op cit.* 12.

<sup>50</sup> Page 7, *Ibid.*

<sup>51</sup> Para 13, *Ibid.*

of Protestant and Catholic children engaging in education, it is fundamental that this is clarified from the outset.

If shared education is to be organised and delivered in such a way so as to provide opportunities for children from different Section 75 groups, i.e. children of different ages, genders, races, sexual orientations and political opinions and children with a disability and those without and children with dependents and those without, the definition provided in legislation must reflect this. If the Shared Education Bill is to deliver on the far-reaching vision and description of shared education contained in, *“Sharing Works; A Policy for Shared Education”*<sup>52</sup> and sharing is to be accessible for all pupils and deliver the educational benefits envisaged, it is vital that a broader definition is provided in the legislation.

In light of the evidence presented in this submission, NICCY suggests that consideration is given to the following definition of shared education;

*“(2) “Shared education” means the education together of –*  
*(a) Those of different religious belief, political opinion, racial group, sexual orientation, genders; between persons with a disability and persons without; and between persons with dependants and persons without; and*  
*(b) Those who are experiencing socio-economic deprivation and those who are not; and*  
*(c) Those who are care experienced and those who are not;*  
*which is secured by the working together and co-operation of two or more relevant providers.*<sup>53</sup>”

Clause 2 of the Bill details the bodies which may encourage and facilitate shared education. These are the Department of Education, the Council for Catholic Maintained Schools, the Youth Council for Northern Ireland and Northern Ireland Council for the Curriculum, Examinations and Assessment. While we agree that these bodies should be included in the Bill, it had been NICCY’s understanding that Further Education (FE) Colleges would be included in the sharing initiatives. Indeed, many of the schools who participated in NICCY’s consultation on shared education regarded joint classes with local

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<sup>52</sup> *Ibid.*

<sup>53</sup> ‘Relevant providers’ as detailed in clause 2 of the Shared Education Bill should include the Department for Employment and Learning to ensure that Further Education colleges are included in the provision of shared education.

FE colleges as part of the shared learning experience. It is therefore very disappointing that the list of bodies at clause 2(2) of the Bill which may 'encourage and facilitate shared education' does not include the Department of Employment and Learning. The Report of the Ministerial Advisory Group, "*Advancing Shared Education*",<sup>54</sup> highlights the importance of ensuring that shared education should encompass all sectors, from early childhood services through to primary and post-primary schools and further education colleges.<sup>55</sup>

Clause 3 of the Shared Education Bill amends section 7 of the Education Act (Northern Ireland) 2014 in order to provide for the commencement of the duty on the Education Authority to encourage, facilitate and promote shared education at the same time as the rest of the Bill. NICCY is supportive of the commencement of this duty on the Education Authority at the same time as the commencement of the rest of the Shared Education Bill.

#### 4.0 Conclusion

NICCY is keen to give oral evidence to the Committee on the Shared Education Bill and we would be happy to discuss anything in this submission or provide clarification or further information to Committee members if required.

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<sup>54</sup> *Op cit.* 27.

<sup>55</sup> xiii, *Ibid.*

# Written Evidence to the Committee for Education on the Shared Education Bill

**19<sup>th</sup> November 2015**

## **1.0 Introduction**

The Office of the Commissioner for Children and Young People (NICCY) was created in accordance with 'The Commissioner for Children and Young People (Northern Ireland) Order' (2003) to safeguard and promote the rights and best interests of children and young people in Northern Ireland. Under Articles 7(2) and (3) of this legislation, NICCY has a mandate to keep under review the adequacy and effectiveness of law, practice and services relating to the rights and best interests of children and young people by relevant authorities. The Commissioner's remit includes children and young people from birth up to 18 years, or 21 years, if the young person has a disability or is / has been in the care of social services. In carrying out her functions, the Commissioner's paramount consideration is the rights of the child or young person, having particular regard to their wishes and feelings. In exercising her functions, the Commissioner has regard to all relevant provisions of the United Nations Convention on the Rights of the Child (UNCRC).

Shared education is an issue which NICCY has been working on for a number of years. We have intensively scrutinized ongoing developments in relation to the development of the Shared Education policy and Bill since the Department of Education's commitment in the Programme for Government 2011-15<sup>1</sup> to establish a Ministerial Advisory Group to explore and bring forward recommendations to the Minister of Education to advance shared education in Northern Ireland. NICCY provided assistance to the Minister by consulting with children and young people to explore their views and experiences of shared education<sup>2</sup>, with the intention of ensuring that these views meaningfully informed the development of the policy and legislation relating to shared education.

NICCY acknowledges the benefits for pupils from different backgrounds, communities and schools having opportunities to learn together and develop a greater understanding of

<sup>1</sup> Pages 11 and 51, NI Executive's Programme for Government 2011-15.

<sup>2</sup> Shared Education The Views of Children and Young People, Children and Young People's Report, NICCY, 2013.

each other.

## 2.0 Background and Context

As previously stated, NICCY undertook widespread consultation with almost 6,000 pupils in 2012/13 about their views and experiences of shared education. This included workshops with over 750 pupils across all school sectors, including primary, post-primary, maintained, controlled, grammar, secondary integrated, Irish Medium and special schools. Interviews were also conducted with 20 principals and members of staff. A key objective was to ensure that pupils from as many school types as possible were able to participate and care was taken to ensure that the sample of schools recruited was as representative as possible. Eight of the ten post-primary schools selected, were involved in shared education initiatives through their membership of area learning communities or involvement in the Sharing Education Programme.<sup>3</sup>

Many of the children and young people who took part in NICCY's consultation on shared education gave positive accounts of their participation in joint classes and activities. Both primary and post-primary pupils welcomed the opportunity to interact and make new friends with pupils from other schools. They also enjoyed the experience of different learning approaches and gaining insights into other schools. One key benefit identified was expanded subject choices. However, it is concerning that a significant minority described having more mixed experiences of shared education initiatives, where interaction with pupils from other schools had been negative or limited. Some of the issues raised include children feeling uncomfortable if they were in a minority or 'out of place' when attending classes in another school. Some described collaborative activities and joint classes as 'shared' but 'separate', because pupils remained within their own school or friendship groups and interaction with pupils from other schools had been limited. A number of logistical issues, including transport arrangements and timetabling variations between schools, also impacted on pupils' experiences. Some pupils expressed concern about sharing their education with pupils from particular schools. Their concerns related to academic ability, cross-community issues, standards of behaviour, and the increased potential for bullying.

Decisions regarding the planning and development of shared education should be informed by the views and experiences of those who will be most directly impacted as per

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<sup>3</sup> The Queen's University, Belfast or Shared Education Programme (The Fermanagh Trust).

section 75 of the Northern Ireland Act 1998 and Article 12 of the UNCRC. NICCY strongly advocates that pupils of all ages, from every type of school in Northern Ireland are consulted in a meaningful way and that their feedback contributes to the further development and implementation of shared education. It will be important that pupils of all ages are enabled through effective mechanisms to share their experiences and provide advice regarding how provision should be developed, reviewed or changed.

### 3.0 The United Nations Convention on the Rights of the Child

Articles 28 and 29 are the two main articles of the UNCRC which address children's rights in education. NICCY believes that it is vital that the Shared Education Bill reflects the obligations on the Department of Education under the UNCRC with regard to the type of education that children and young people should be able to access. According to the UNCRC Committee's General Comment on Article 29 of the Convention – a statement of its meaning and objectives - education must be child-centred, child-friendly and empowering.<sup>4</sup> The goal is to strengthen the child's capacity to enjoy the full range of human rights, to promote a culture which is infused by appropriate human rights values and to empower the child through developing his or her skills, learning and other capacities, human dignity, self-esteem and self-confidence. In this context, 'education' goes far beyond formal schooling to embrace the broad range of life experiences and learning processes which enable children, whether individually or collectively, to develop their personalities, talents and abilities and to live a full and satisfying life within society. Educational programmes should be conducted in ways that promote mutual understanding, peace and tolerance, and that help to prevent violence and conflict.

General Comment No. 1 on the Aims of Education is clear that a school environment must reflect tolerance, equality and promote peace and understanding. The General Comment is clear that there is an obligation on Government to ensure that schools which allow bullying, intolerance and inequality to thrive is in breach of Article 29 (1) of the UNCRC. It states that,

*“...the school environment itself must thus reflect the freedom and the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin called for in article*

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<sup>4</sup> General Comment No.1: Aims of Education, UN Doc CRC/GC/2001.

29 (1) (b) and (d). A school which allows bullying or other violent and exclusionary practices to occur is not one which meets the requirements of article 29 (1).”<sup>5</sup>

NICCY wishes to see the inclusion of the obligations on the Department by virtue of the UNCRC in the Shared Education Bill to ensure that all children have access to an education which is reflective of the UNCRC obligations to develop the personalities, talents and abilities of children to enable them to live a full and satisfying life within society.

In its Concluding Observations in 2002 following its examination of the UK Government’s compliance with the UNCRC, the United Nations Committee on the Rights of the Child welcomed the development of integrated schools in Northern Ireland, but expressed its concerns that, at that time, only approximately 4% of schools were integrated and education remained largely segregated. It recommended that the Government increase the budget for, and take appropriate measures to facilitate the establishment of additional integrated schools in Northern Ireland.<sup>6</sup> In its next examination of the UK Government’s compliance with the Convention in 2008, the Committee reiterated its concerns that ‘segregated education was still in place’ and recommended that the Government take measures to address this situation.<sup>7</sup> The proportion of integrated schools in Northern Ireland has now risen slightly to 7% with an estimated pupil population of 22,000.<sup>8</sup> Recent commentaries suggest that demand currently outstrips provision and a number of integrated schools have applied to increase their intakes.<sup>9</sup>

Since 1989, the Department of Education has had a statutory duty to “*encourage and facilitate the development of integrated education*”.<sup>10</sup> In addition, the Good Friday / Belfast Agreement<sup>11</sup> contains a pledge “*to facilitate and encourage integrated education.*” NICCY is concerned that shared education falls short of integrated education and that the progression of truly integrated education may have been superseded by shared education. There is also a lack of clarity around the inter-relationship between shared and integrated

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<sup>5</sup> *Ibid*, Para 19.

<sup>6</sup> Para 46, CRC/C/15/Add.188, 4 October 2002

<sup>7</sup> Para 67, CRC/C/GBR/CO/4, 3 October 2008

<sup>8</sup> [http://www.deni.gov.uk/enrolments\\_in\\_schools\\_1314\\_-\\_february\\_release\\_-\\_final\\_rev.pdf](http://www.deni.gov.uk/enrolments_in_schools_1314_-_february_release_-_final_rev.pdf)

<sup>9</sup> [http://www.ark.ac.uk/publications/books/fio/10\\_fio-education.pdf](http://www.ark.ac.uk/publications/books/fio/10_fio-education.pdf)

<http://www.belfasttelegraph.co.uk/news/education/parents-demand-800-increase-in-integrated-primary-school-places-29367225.html>

<sup>10</sup> Article 64(1) of the Education Reform (Northern Ireland) Order 1989:

“It shall be the duty of the Department to encourage and facilitate the development of integrated education, that is, the education together at school of Protestant and Roman Catholic pupils”.

<sup>11</sup> Good Friday / Belfast Agreement 1998

education. While NICCY welcomes the opportunities afforded by the development of shared education for children to be educated together, we would not wish to see a situation where ‘shared education’ is progressed at the expense of integrated education. NICCY believes that shared education must be viewed as part of a continuum of education models, the ultimate goal being a truly integrated system of education for all children in Northern Ireland, where children of all religions, races, genders, ability, sexual orientations and ages are education together. We wish to respectfully remind the Committee of the statutory obligations the Department of Education is under with regard to integrated education as outlined above. NICCY believes that the Department of Education should urgently clarify the relationship between shared and integrated education in order to assuage such fears. The Department should also publicly state its continuing commitment to integrated education and provide clarity on how it is and intends to support integrated school, as well as information on how integrated education will ‘sit alongside’ shared education.

#### 4.0 Shared Education Bill – Clauses

Clause 1(2) of the Shared Education Bill contains the proposed legislative definition of ‘shared education’. Clause 1(1) states that this definition applies for the purpose of section 2 of the Bill, which details the bodies which may encourage and facilitate shared education as well as section 2(3) of and paragraph 8(2) of Schedule 1 to the Education Act (Northern Ireland) 2014. Section 2(3) of and paragraph 8(2) of Schedule 1 to the Education Act (Northern Ireland) 2014 contain the duty on the Education Authority to encourage, facilitate and promote shared education. This duty is yet to be commenced. This is addressed at clause 3 of the Bill.

The proposed legislative definition of ‘shared education’ is provided at clause 1(2) of the Bill. This is;

*“(2) “Shared education” means the education together of –*

- (a) Those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children or young persons; and*
- (b) Those who are experiencing socio-economic deprivation and those who are not, which is secured by the working together and co-operation of two or more relevant providers.”*

NICCY believes that the definition of shared education provided in the draft Bill is much too narrow and does not reflect the Department's much broader vision of shared education. In the Department of Education's policy document, *"Sharing Works; A Policy for Shared Education"*<sup>12</sup> the Department defines the vision for shared education, which is for,

*"Vibrant, self-improving shared education partnerships delivering educational benefits to learners, encouraging the efficient and effective use of resources, promoting equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion"*.<sup>13</sup>

The Department goes on to state that,

*"Shared Education is described as the organisation and delivery of education so that it:*

- *Meets the needs of, and provides for the education together of learners from all Section 75 categories and socio-economic status;*
- *Involves schools and other education providers of differing ownership, sectoral identity and ethos, management type or governance arrangements; and*
- *Delivers educational benefits to learners, promotes the efficient and effective use of resources, and promotes equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.*

*Specifically, Shared Education involves the sustained provision of opportunities for children and young people from different community, as well as social and economic, backgrounds to learn together."*<sup>14</sup>

This far-reaching vision and description of shared education includes pupils of different ages, genders, races, sexual orientations and political opinions and children with a disability and those without and children with dependents and those without. It also refers to different school types, encompassing pupils attending all types of school in Northern Ireland. The Department confirms that its intention regarding shared education is broad enough to include children from a range of section 75 groups and states that,

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<sup>12</sup> *"Sharing Works; A Policy for Shared Education"*, Department of Education, September 2015.

<sup>13</sup> Page 4, *Ibid.*

<sup>14</sup> Page 15, *Ibid.*

*“It is expected that Shared Education will be organised and delivered in such a way that promotes equality of opportunity and social inclusion by providing opportunities for children from differing Section 75 groups (e.g. children from different religious backgrounds, children from different racial backgrounds, children with and without disabilities, children who are carers or school age mothers) and from differing socioeconomic backgrounds to learn together at school and in less formal education.”<sup>15</sup>*

It is therefore extremely disappointing that the definition of shared education provided in the Bill refers only to children of different religious belief and specifically only to education which includes, “...reasonable numbers of both Protestant and Roman Catholic children or young persons”. Also specifically included in the definition of shared education in the Bill are children who are experiencing socio-economic deprivation and those who are not. While recognising the need to provide a succinct, clearly articulated definition of shared education in the Bill, NICCY believes that the definition provided is much too restrictive and is in no way reflective of the all-encompassing vision of shared education which the Department articulates in its policy document, “*Sharing Works; A Policy for Shared Education*”<sup>16</sup>. There is no reference in the proposed statutory definition to pupils in any section 75 categories other than religious belief and no religions are specifically included other than Protestant and Catholic. In addition, the definition does not provide for the inclusion of pupils attending different categories of schools, nor does it make provision for sharing between schools in different geographical locations including urban and rural partnerships.

Northern Ireland is becoming an increasingly diverse society. Racist attacks and racially motivated crimes are being reported in Northern Ireland with increasing frequency. Between 2013 and 2014 there was a 43% increase in racially-motivated offences.<sup>17</sup> According to the Police Service of Northern Ireland (PSNI), in the 12 months to June 2014 racist incidents rose by 36%, from 830 to 1,132. In the same period, racist crimes increased by 51%, from 525 to 796.<sup>18</sup> The 2014 Young Life and Times Survey found that 39% of the 16 year olds taking part in the survey had witnessed racist bullying or

<sup>15</sup> *Ibid.*

<sup>16</sup> *Ibid.*

<sup>17</sup> Public Prosecution Service for Northern Ireland (PPS) (2014) ‘Statistical Bulletin: Cases Involving Hate Crime 2013/14. 1 April 2013 to 31 March 2014. [www.ppsni.gov.uk/Branches/PPSNI/PPSNI/Files/Documents/Stats%20and%20Research/Statistical%20Bulletin%20on%20Cases%20Involving%20Hate%20Crime%202013-14.pdf](http://www.ppsni.gov.uk/Branches/PPSNI/PPSNI/Files/Documents/Stats%20and%20Research/Statistical%20Bulletin%20on%20Cases%20Involving%20Hate%20Crime%202013-14.pdf)

<sup>18</sup> The complex rise in Northern Ireland racist hate crime, Helen Grady, BBC Radio 4's The Report <http://www.bbc.co.uk/news/uk-northern-ireland-29141406>

harassment in school.<sup>19</sup> Difficulties have also been reported in placing newcomer children in Belfast based schools due to a fear of racist attacks when travelling to school.<sup>20</sup> It must be remembered, when considering the future of education in Northern Ireland and the need for greater integration that we should not only be focusing on children from the Catholic or Protestant communities. It is vital that we respond to the needs of all of our children and young people in education in Northern Ireland and embrace diversity in a truly inclusive manner. The specific focus only on Catholic and Protestant children and young people fails to prioritise the needs of all of our children and young people. Indeed, the Department of Education's own research<sup>21</sup> found that more Year 6 pupils and Year 9 pupils from 'Neither' Protestant or Catholic communities and 'Other' religious communities reported that they had 'been bullied at school in the past couple of months' compared with pupils from the Catholic and Protestant communities. The research also reported that 6.9% of Year 6 pupils and 4.1% of Year 9 pupils admitted bullying other pupils 'with mean names or comments about his or her race or colour', with 14.0% of Year 6 and 7.6% of Year 9 pupils indicating that they had been bullied with such comments.

We note from the Explanatory and Financial Memorandum to the Shared Education Bill that in drafting the Bill, consideration was given to referencing all Section 75 groups. It goes on to explain the rationale for the failure to include all section 75 groups as this would set very challenging demands on the mix of children and young people that education settings would be required to meet. Additionally, there are practical implications in specifying all Section 75 groups. For example, including gender would have implications for partnerships of single gender schools, and it is neither practical nor desirable for schools to identify the sexual orientation of pupils.<sup>22</sup> NICCY does not agree that there would be implications regarding single gender schools in the same way that there is no issue regarding schools which are predominantly either Catholic or Protestant. NICCY also has serious concerns about the experience of many transgender young people in education. Research by the Institute for Conflict Research<sup>23</sup> found that transgender young people face numerous educational inequalities that act as barriers to them fulfilling their full potential. It also highlighted a lack of education in schools on transgender issues,

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<sup>19</sup> 'Young Life and Times Survey 2014' ARK.

<sup>20</sup> 'The integration of newcomer children with interrupted education into Northern Ireland schools – A Belfast based case study,' Northern Ireland Strategic Migration Partnership, September 2014.

<sup>21</sup> The Nature and Extent of Pupil Bullying in the North of Ireland, Department of Education, October 2011.

<sup>22</sup> Para 14, NIA Bill 66/11-16 – EFM.

<sup>23</sup> Grasping the Nettle: The Experiences of Gender Variant Children and Transgender Youth Living in Northern Ireland, Ruari-Santiago McBride, Institute for Conflict Research, 2013.

institutionalising a culture of ignorance of gender diversity within school and society and discriminating against young transgender people by hindering their development.<sup>24</sup> The Equality Commission for Northern Ireland also found extremely negative attitudes towards transgender people.<sup>25</sup>

The Institute for Conflict Research found that transphobic bullying is a significant problem in schools. Experiences of transphobic bullying were commonly found to involve sustained verbal abuse, which was perpetrated by pupils of all ages frequently in public spaces with many witnesses. On occasions, young people reported that staff who were aware that bullying was occurring did not offer support or attempt to end the harassment. The research found that typically staff lacked the appropriate awareness and knowledge to respond to incidences of transphobic bullying and that often a school's reaction is to view the young person as the problem rather than the bully and so are prepared to allow the young person being bullied to drop out of school rather than attend to the bullying. The report found that many young transgender people in Northern Ireland are dropping out of education permanently because of the negative impact transphobic bullying has on their lives and the inability of schools to adequately support them.<sup>26</sup> It is NICCY's view that the inclusion of gender in the definition of shared education would be a positive step towards acknowledging and addressing the serious difficulties faced by transgender young people in education. This is particularly the case given the withdrawal of funding for the Department of Education's Community Relations, Equality and Diversity (CRED) policy as addressed at page 14 below.

There are numerous other groups of children and young people who face significant difficulties in accessing education in Northern Ireland. The Report of the Ministerial Advisory Group, "*Advancing Shared Education*",<sup>27</sup> highlights the concerns which exist about whether the educational and social needs of particular groups of children and young people are being met including Traveller children, black and minority ethnic children and young people, children and young people in care, children and young people with disabilities and those with special educational needs and children and young people who are lesbian, gay, bisexual and transgender.<sup>28</sup>

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<sup>24</sup> Pages 4 & 29, *Ibid.*

<sup>25</sup> Equality Awareness Survey 2011, Equality Commission for Northern Ireland, 2012, p.20.

<sup>26</sup> Page 5, *Op cit.* 23.

<sup>27</sup> *Advancing Shared Education*, Report of the Ministerial Advisory Group, Professor Paul Connolly, Dawn Purvis and PJ O'Grady, March 2013.

<sup>28</sup> x, *Ibid.*

Traveller children have extremely low educational attainment.<sup>29</sup> In addition there is a specific issue with regard to the de facto segregation of many Traveller children in education. Around 90% of the children attending St Mary's Primary School in Belfast come from the Traveller community; the remaining children are newcomer children whose first language is not English and a small number of children from the local community. 4.7% of the general population have a statement of special education needs, compared to 23% of Traveller children.<sup>30</sup> Roma children also perform particularly badly in education.<sup>31</sup> As 'newcomer' children, Roma children face particular barriers to their achievement in schools, with issues identified including a lack of English language skills, limited experience of formal education, bullying and poor attendance.<sup>32</sup>

Research carried out by the Department of Education also highlights issues of bullying and barriers to the enjoyment of education among children and young people with a disability. Year 6 and Year 9 pupils with a disability were more likely to report that they have been recipients of bullying behaviour at least 'once or twice'; had some experience of being bullied verbally regarding their disability (34.0% of Year 6 and over 40% of Year 9 at least 'once or twice').<sup>33</sup> Only 12% of people with a disability hold a qualification higher than A level, compared to 26% of people who have no disability.<sup>34</sup>

Concerns also exist around the ability of young people with caring responsibilities to enjoy equality of opportunity in access to education. The 2010 Young Life and Times<sup>35</sup> survey found that of the 786 young people who took part in the survey, one in ten indicated that they provided care for someone. The Northern Ireland Human Rights Commission (NIHRC) published a report in 2014<sup>36</sup> which illustrated the obligations on the Government to facilitate individuals to exercise their right to education. The report stated that caring responsibilities may inhibit the ability of an informal carer to engage fully in educational opportunities. It continued,

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<sup>29</sup> Northern Ireland Peace Monitoring Report Number 3, P. Nolan, March 2014.

<sup>30</sup> Department of Education Equality and Human Rights Screening Special Educational Needs (SEN) and Inclusion Policy, 12<sup>th</sup> February 2015.

<sup>31</sup> *Op cit* 29.

<sup>32</sup> *Op cit* 20.

<sup>33</sup> The Nature and Extent of Pupil Bullying in the North of Ireland, Department of Education, October 2011.

<sup>34</sup> [http://www.deni.gov.uk/ministers\\_speech\\_to\\_equality\\_commission\\_conference\\_-\\_121108.pdf](http://www.deni.gov.uk/ministers_speech_to_equality_commission_conference_-_121108.pdf)

<sup>35</sup> 'Young Life and Times Survey 2010' ARK.

<sup>36</sup> The Human Rights of Carers in Northern Ireland, Northern Ireland Human Rights Commission, November 2014.

*“The State must ensure children in compulsory education are not employed in such work as would deprive them of the full benefit of their education. The provision of caring duties is not a form of employment but can have similar detrimental implications on the ability of a child to engage in education.”<sup>37</sup>*

Research into the impact of caring responsibilities on education and employment in England found that there is a clear association between being a young carer and having lower job prospects and educational opportunities and between being a young carer and the likelihood of being in lower skilled occupations.<sup>38</sup> This finding underscores the need to ensure appropriate support for child carers to obtain employability skills by way of experience and training. In light of the detrimental impact caring responsibilities have on the education and employment opportunities of young carers the NIHRC recommended that the Department of Education should create a statutory duty on educational bodies to support young and student carers. It also recommended, noting concerns regarding educational achievement amongst carers, that further research be carried out into this matter.

Looked after children continue to have much poorer educational outcomes than their peers and are much more likely to have special educational needs. Almost three quarters (73%) of looked after children attained at least one GCSE/GNVQ at grades A\* to G; this compared with close to 100% of the general school population.<sup>39</sup> Looked after children are a particularly vulnerable group as they are not specifically protected under section 75 of the Northern Ireland Act 1998. With regard to children with special educational needs (SEN) 42.1% of children with a statement of SEN achieved 5 A\*- C GCSEs. 58.9% of children with SEN who did not have a statement achieved 5 A\*- C GCSEs. In comparison, 83.8% of children without a SEN achieved 5 A\*- C GCSEs.<sup>40</sup>

It is clear that there are numerous groups of children and young people who face significant barriers to the enjoyment of equality of opportunity in education. NICCY wishes to see the definition of shared education taking the needs of all of these groups of children

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<sup>37</sup> Page 16, *Ibid.*

<sup>38</sup> Hidden from View : the experience of young carers in England, The Children’s Society, May 2013

<sup>39</sup> ‘Children in Care in Northern Ireland 2012/13 Statistical Bulletin’ Department of Health, Social Services and Public Safety, 31<sup>st</sup> July 2013.

<sup>40</sup> Qualifications and Destinations of Northern Ireland School Leavers 2012/13, Department of Education, 29<sup>th</sup> May 2014.

and young people into account. The proposed narrow legislative definition does not reflect the educational inequalities which exist and disadvantage certain groups of children and young people face on a daily basis in accessing education. NICCY believes that there are opportunities with the development of shared education to address a range of discrimination and intolerance against a range of groups of children and young people. We wish to see the definition being amended to include all children facing challenges in accessing an excellent quality education.

With regard to children and young people and sexual orientation, the Explanatory and Financial Memorandum states that it is neither practical nor desirable for schools to identify the sexual orientation of pupils. Lesbian, gay and bisexual (LGB) young people experience significant challenges in accessing education. The Schools Omnibus Survey of 2014 highlighted that, of those surveyed, 39.3% had seen or heard derogatory references to same sex relationships in the classroom or school grounds once or twice per year, 17.3% had seen or heard derogatory references to same sex relationships in the classroom or school grounds once or twice per term, 5.1% had seen or heard derogatory references to same sex relationships in the classroom or school grounds once or twice per week and 1.4% had seen or heard derogatory references to same sex relationships in the classroom or school grounds nearly every day. In the 2014 Young Life and Times survey, 50% of 16 year olds surveyed stated that they had homophobic terms directed at them, regardless of their own sexuality, by another pupil and 78% reported that this had happened to their classmates.<sup>41</sup> Research has also found that 75% of LGB young people did not report incidents of bullying and harassment to school authorities. The most frequently cited reason for not reporting incidents was that young people thought that the school would not take it seriously (43%). Of those who reported incidents to school authorities, 22% believed that the school did not take their claim seriously and 40% believed that the school took no action. When asked if, to their knowledge, their school made any efforts to tackle homophobic bullying 87% of LGB young people said that their school made no efforts.<sup>42</sup>

Given the negative experience of many LGB young people in education, NICCY does not believe that it is neither practical nor desirable for schools to identify the sexual orientation of pupils. Section 75 of the Northern Ireland Act 1998 requires that action is taken by designated public bodies where inequalities in the enjoyment of equality of opportunity

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<sup>41</sup> *Op cit.* 19.

<sup>42</sup> *Op cit.* 23.

have been identified, as is clearly the case with respect to sexual orientation in education. It is only through a comprehensive examination of the section 75 characteristics of all young people in education that we can begin to address inequalities and better promote equality of opportunity. In respect of the section 75 statutory monitoring obligations, the Department of Education has an obligation to collect and record data. The Equality Commission for Northern Ireland has developed Monitoring Guidance<sup>43</sup> as a direct response to the reticence of public authorities in engaging in the mandatory monitoring element of section 75, which was reducing the impact and diminishing the effectiveness of the legislation. The purpose of monitoring is to ensure that section 75 is identifying inequalities and to indicate where designated public authorities could be doing things better or more effectively in the promotion of equality of opportunity with regard to all of its service users. As stated in the Equality Commission's, *"Monitoring Guidance for Use By Public Authorities,"*

*"Monitoring is more than data collection, it is also about analysing information that is relevant to, and necessary for, promoting equality of opportunity. Monitoring is an ongoing process, the objective of which is to highlight possible inequalities and why these might be occurring."*<sup>44</sup>

The Department of Education's section 75 equality duties require monitoring in respect of all the groups protected under section 75 of the Northern Ireland Act 1998. This requires ongoing screening of all of the Department's policies and practices to mitigate against adverse impact and introduce alternative policies and practices where adverse impact on the enjoyment of equality of opportunity is identified and to promote equality of opportunity in the exercise of the Department's functions across all section 75 categories. The collection of data and the monitoring element of section 75 are statutory obligations which designated public authorities must comply with in order to meet their statutory obligations. The Equality Commission's Monitoring Guidance provides information about how to collect data and states that the purpose of data collection should be explained to those from whom data is being sought and a clear statement made that provision of data is voluntary.

If the Department is not collecting such information, it cannot begin to address the inequalities in the enjoyment of equality of opportunity in education experienced by LGB

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<sup>43</sup> *"Monitoring Guidance for Use by Public Authorities"* 2007

<sup>44</sup> iii, *Ibid.*

and other groups of young people. In addition to Government's obligations under section 75, the UNCRC Committee's General Comment No 5 emphasises that,

*"...sufficient and reliable data collection on children, disaggregated to enable identification of discrimination and/or disparities in the realisation of rights"* should be being carried out by Government.<sup>45</sup>

In order to comply with its statutory equality obligations under section 75 of the Northern Ireland Act 1998, the Department of Education should be carrying out comprehensive data collection and monitoring to allow for the promotion of equality of opportunity among all its service users, including young people who are LGB. While NICCY appreciates the cautiousness of the Department with regard to the collection of what it perceives as sensitive data from young people it is only through monitoring that the types of issues various groups of young people are experiencing and remedial action to improve policies and practices can be identified.

In addition, while there may be challenges for schools on the mix of children and young people that education settings would be required to meet if all section 75 groups were included in the definition, it is precisely this challenge which should be met and which section 75 requires designated public bodies to meet. Section 75 of the Northern Ireland Act 1998 places a positive duty on designated public bodies in Northern Ireland, to have due regard to the need to promote equality of opportunity between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; between men and women generally, between persons with a disability and persons without; and between persons with dependants and persons without. The statutory obligations under section 75 of the Northern Ireland Act 1998 are twofold. Section 75 does not merely oblige designated public authorities to avoid adverse impact on the enjoyment of equality of opportunity but also to promote equality of opportunity so that all of its policies and practices have a positive impact on the enjoyment of equality of opportunity by members of the nine section 75 categories. It is clear that certain groups of children and young people experience significant inequalities in accessing education and that there is a statutory obligation on the Department of Education to address inequalities in the enjoyment of equality of opportunity and to better promote equality of opportunity. This requires the Department of Education to take proactive measures in all areas where inequalities exist and where there is an opportunity to better promote equality of

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<sup>45</sup> Para. 48, CRC/GC/2003/5

opportunity. While there may be challenges for schools on the mix of children and young people that education settings would be required to meet if all section 75 groups were included in the definition of shared education, NICCY submits that this is what is required of designated public bodies by virtue of their section 75 statutory equality obligations.

This is particularly important given the withdrawal of funding for the Department of Education's CRED policy. The aim of the CRED policy was to contribute to improving relations between communities by educating children and young people to develop self-respect and respect for others, by providing children and young people, in formal and non-formal education settings, with opportunities to build relationships with those of different backgrounds and traditions.<sup>46</sup> Funding for this policy was withdrawn after an equality impact assessment (EQIA) was carried out and consulted on for just over four weeks in February 2015.<sup>47</sup> The 2012 Young Life and Times Survey examined CRED and found high levels of young people reporting more positive attitudes towards those of different religious belief and political opinion, persons from different ethnic groups, those of a different age, different sexual orientation, different gender, or those persons with disabilities. In 2014, the same survey reported similarly high results in relation to young people's experience of CRED.<sup>48</sup> Just as the CRED policy contributed to young people displaying greater tolerance and understanding to certain groups of young people through participating in programmes which dealt with issues relating to their lives, we can assume that the impact of the withdrawal of CRED and funding for such programmes will result in an increase in intolerance and negative attitudes towards certain groups of young people including young people with different religious beliefs, political opinions, race, sexual orientation, young males, females and transgender young people, young people with disabilities and LGB young people. This has the potential to have an extremely detrimental impact on the ability of members of these groups to fully participate in their education in line with the Department's obligations to protect and realise the right of all children to an effective education under the UNCRC.

In order to comply with section 75 the Department is under a statutory obligation to address the inequalities which are identified in the EQIA on the Proposal to End the Community Relations, Equality and Diversity (CRED) Earmarked Funding as a result of

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<sup>46</sup> Para 6.1, *Community Relations, Equality and Diversity in Education*. Department of Education, 2011.

<sup>47</sup> Department of Education's Consultation Equality Impact Assessment Proposal to End the Community Relations, Equality and Diversity (CRED) Earmarked Funding, February 2015.

<sup>48</sup> *Op cit.* 19.

the proposed withdrawal of CRED earmarked funding through mitigation or the adoption of alternative policies. This requires the Department to put in place proactive measures to address adverse impact and better promote equality of opportunity. In the Department of Education's EQIA, one of the mitigating measures put forward to address the adverse impact which will be suffered by certain groups of children protected by section 75 of the Northern Ireland Act 1998 due to the withdrawal of funding for CRED is the Department's Shared Education policy. Despite this, it is not proposed to include the programmes which were funded under CRED as part of the Department's Shared Education policy. The CRED policy is referenced in "*Sharing Works; A Policy for Shared Education*"<sup>49</sup> as one of the key policies which contributed to the development of shared education to date.<sup>50</sup> It does not state however that funding for CRED has been withdrawn and that the programmes which had been run under CRED have ceased entirely. NICCY believes that if the adverse impact which will be suffered by children and young people as a result of the withdrawal of funding for CRED is to be mitigated against through the Department's Shared Education policy as is claimed in the EQIA on the withdrawal of funding for CRED, all of the section 75 grounds must be included in the statutory definition of shared education.

We also note from the Explanatory and Financial Memorandum to the Shared Education Bill that the legislative definition references the minimum essential requirements for shared education - that is the education together of those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children and young persons and those experiencing socio-economic deprivation and those who are not, which secures by the working together and co-operation of two or more relevant providers.<sup>51</sup> No information is provided either in the Bill itself or in the Explanatory and Financial Memorandum to the Bill regarding the use of the term, 'reasonable numbers'. It is therefore very unclear what is envisaged as constituting, 'reasonable numbers' of Protestant and Catholic children in order to meet the minimum essential requirements for shared education. NICCY recommends that further information is included in the Bill and the Explanatory and Financial Memorandum in order to provide legal clarity around the Department's intention regarding the term, 'reasonable numbers'. Given that the minimum essential requirements for shared education will not be met without 'reasonable numbers'

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<sup>49</sup> *Op cit.* 12.

<sup>50</sup> Page 7, *Ibid.*

<sup>51</sup> Para 13, *Ibid.*

of Protestant and Catholic children engaging in education, it is fundamental that this is clarified from the outset.

If shared education is to be organised and delivered in such a way so as to provide opportunities for children from different Section 75 groups, i.e. children of different ages, genders, races, sexual orientations and political opinions and children with a disability and those without and children with dependents and those without, the definition provided in legislation must reflect this. If the Shared Education Bill is to deliver on the far-reaching vision and description of shared education contained in, *“Sharing Works; A Policy for Shared Education”*<sup>52</sup> and sharing is to be accessible for all pupils and deliver the educational benefits envisaged, it is vital that a broader definition is provided in the legislation.

In light of the evidence presented in this submission, NICCY suggests that consideration is given to the following definition of shared education;

*“(2) “Shared education” means the education together of –*  
*(a) Those of different religious belief, political opinion, racial group, sexual orientation, genders; between persons with a disability and persons without; and between persons with dependants and persons without; and*  
*(b) Those who are experiencing socio-economic deprivation and those who are not; and*  
*(c) Those who are care experienced and those who are not;*  
*which is secured by the working together and co-operation of two or more relevant providers.*<sup>53</sup>”

Clause 2 of the Bill details the bodies which may encourage and facilitate shared education. These are the Department of Education, the Council for Catholic Maintained Schools, the Youth Council for Northern Ireland and Northern Ireland Council for the Curriculum, Examinations and Assessment. While we agree that these bodies should be included in the Bill, it had been NICCY’s understanding that Further Education (FE) Colleges would be included in the sharing initiatives. Indeed, many of the schools who participated in NICCY’s consultation on shared education regarded joint classes with local

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<sup>52</sup> *Ibid.*

<sup>53</sup> ‘Relevant providers’ as detailed in clause 2 of the Shared Education Bill should include the Department for Employment and Learning to ensure that Further Education colleges are included in the provision of shared education.

FE colleges as part of the shared learning experience. It is therefore very disappointing that the list of bodies at clause 2(2) of the Bill which may 'encourage and facilitate shared education' does not include the Department of Employment and Learning. The Report of the Ministerial Advisory Group, "*Advancing Shared Education*",<sup>54</sup> highlights the importance of ensuring that shared education should encompass all sectors, from early childhood services through to primary and post-primary schools and further education colleges.<sup>55</sup>

Clause 3 of the Shared Education Bill amends section 7 of the Education Act (Northern Ireland) 2014 in order to provide for the commencement of the duty on the Education Authority to encourage, facilitate and promote shared education at the same time as the rest of the Bill. NICCY is supportive of the commencement of this duty on the Education Authority at the same time as the commencement of the rest of the Shared Education Bill.

#### 4.0 Conclusion

NICCY is keen to give oral evidence to the Committee on the Shared Education Bill and we would be happy to discuss anything in this submission or provide clarification or further information to Committee members if required.

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<sup>54</sup> *Op cit.* 27.

<sup>55</sup> xiii, *Ibid.*

## **NICIE's response to the announcement by Minister John O'Dowd introducing the Shared Education Bill into the Assembly**

### **Introduction**

This document sets out NICIE's position with regards to the Shared Education Bill which was introduced to the Assembly on 2 November 2015 and to be presented at the last Hearing on 10 November 2015. It also provides the overall framework for NICIE's written submission which will be issued on Thursday 19 November 2015.

The draft of the Shared Education Bill and Shared Education Policy were under public consultation between January 2015 and March 2015. NICIE submitted its written response through two papers. Paper One presented a general overview of NICIE's position with regards to the definition of Shared Education, how it meets the state's commitments to the UN Convention of the Rights of the Child and it suggested a number of amendments to the proposed policy and Bill and proposed the development of a policy for integrated education. Paper Two presented a more detailed account of NICIE's response using the consultation response booklet provided by DE.

The present document is focused solely on the Bill as introduced to the Assembly and captures the main concerns and areas of debate for integrated education within the three of the four clauses of the Bill as follows.

### **NICIE's commentary on the clauses of the Bill**

#### **Clause 1: "Shared Education"**

Clause 1 provides a common definition of shared education.

*"The Bill provides a **legislative definition of Shared Education** as involving those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children or young persons; and those who are experiencing socio-economic deprivation and those who are not, which is secured by the working together and co-operation of two or more relevant providers".*

As stated in previous responses, NICIE wants to see the proposed Bill recognise the contribution that integrated education has made in modelling a shared society and greater clarity in the definition and scope of Shared Education. In line with this, concerns were also raised in relation to Shared Education obviating or replacing the need for the statutory duty to "*encourage and facilitate integrated education*". For this reason NICIE has argued for making explicit in the Bill the connection and relationship between Integrated Education and Shared Education. NICIE is disappointed that none of these suggestions were considered in the final Bill presented to the Assembly, particularly given that the shared education policy issued by DE in September recognises:

*"The level of sharing across schools is at different levels along a continuum where integrated education, which has already embraced a culture of diversity, is at the upper end of that continuum. Indeed, by supporting Shared Education, it is envisaged that a proportion of schools may move along the continuum to a more fully integrated model".*

There are many other references to the important role of Integrated Education in relation to sharing in the DE Policy Document, yet this is not reflected in the Bill.

### **Clause 2: Power to encourage and facilitate shared education**

Clause 2 confers on the listed bodies (the Department of Education; the Council for Catholic Maintained Schools; the Youth Council for Northern Ireland; and the Northern Ireland Council for the Curriculum, Examinations and Assessment) a power to encourage and facilitate shared education.

*“The Bill also places a power on the Department and its arm’s length bodies to encourage and facilitate Shared Education and will also enact the duty on the Education Authority in relation to Shared Education as set out in the Education Act 2014.”*

NICIE notes the distinctive use of the terminology in clause 2, which highlights “power to encourage and facilitate shared education” instead of “duty to”, which is the wording in the DE statutory “duty to encourage and facilitate integrated education”. This distinction is important when arguing parity within the policy framework and resourcing for both integrated and shared education if they are meant to constitute the ends of a continuum towards creating a more integrated system in Northern Ireland, as stated in the Shared Education Policy.

NICIE has also argued that the Shared Education Bill should be an opportunity for DE to commit to equal support for Integrated Education and Shared Education, and in previous submissions has called on DE to ensure that resources to meet its statutory duty regarding Integrated Education are provided proportionally to those allocated to Shared Education. The power placed to the DE and its arm’s length bodies within the Bill to encourage and facilitate Shared Education provides a policy framework and an infrastructure which is absent but absolutely necessary for meeting the DE statutory duty for Integrated Education. This will allow Integrated Education to expand and develop monitoring mechanisms to assess more acutely its effectiveness and societal impact while contributing to a more holistic model of shared education. However the Bill provides a legal framework in which substantial investment in terms of infrastructure and resources can be secured for Shared Education which is absent, disproportional and in detriment of the allocation of resources for the development of Integrated Education.

### **Clause 3: Commencement of duty of Education Authority in relation to shared education**

Clause 3 amends Section 7 of the Education Act (Northern Ireland) 2014 to provide for the commencement of the duty on the Education Authority to encourage, facilitate and promote Shared Education. That duty will come into operation on the day after the day on which the Shared Education Bill receives Royal Assent.

The Education Bill introduced to the Assembly, as stated above, places a duty on the Education Authority to “encourage, facilitate and promote shared education”. NICIE has argued that such a duty should also be extended to Integrated Education with regards to planning provision and expansion of integrated schools. These areas of development are currently led by parents and individual schools which are expected to undertake such duties, duties that only apply to the integrated sector.

On the basis of fundamental principles of equality and the right of parents to access Integrated Education when it is their preferred choice, NICIE has requested on several occasions that the Education Authority take responsibility of planning for the development of Integrated Education. NICIE has also stressed that through area based planning the state must also undertake initiatives to “promote” Integrated Education in order to fully meet its statutory duty.

### **Clause 4: Short title and commencement**

Clause 4 cites the short title of the Act. The Bill proposed to name it as: Shared Education Act (Northern Ireland) 2015.  
(No comments)

### **Final comments**

While NICIE is deeply disappointed with the outcomes of the consultation of the Bill as introduced to the Northern Ireland Assembly as it does not reflect any of the above recommendations, NICIE will continue to advocate and formally request DE to establish an Independent Commission to review the DE legislative framework and its statutory duty towards Integrated Education.

The review of the DE legislative framework was also one of the recommendations that the Education Committee included in their final report to the Inquiry on Shared Education and Integrated Education. This stated that “the Department undertake a strategic review of its approach to Integrated Education, the terms of reference of which should include: the effectiveness of its actions in encouraging and facilitating this form of education in particular its assessment and treatment of parental perceptions and demand for Integrated Education in the Area Planning and Development Proposal processes; the roles of the sectoral bodies; and the relevance of minority community designation in the enrolment of Integrated schools”.

In line with these recommendations, NICIE will continue to make a case and ask for a Policy on Integrated Education which will provide a legislative infrastructure setting out how Integrated Education is to be “promoted” in addition to “encouraged and facilitated”. Through area based planning, this policy should grant power to the Education Authority for planning Integrated Education and effectively support DE statutory duty under Article 64.

#### **In summary, NICIE asks for**

- **An Independent Commission on Integrated Education; and**
- **A Policy for Integrated Education**

**In order to secure parity of support, resources and planning for Integrated Education.**

NICIE is available to provide oral evidence.



NORTHERN  
IRELAND  
HUMAN  
RIGHTS  
COMMISSION

## **Shared Education Bill**

### **Summary**

**The Northern Ireland Human Rights Commission ('the Commission'):**

- **welcomes the Bill as it partly addresses concerns set out in the concluding observations of the UNCRC Committee in 2008 which noted that segregated education was still present in Northern Ireland. The UNCRC subsequently recommended that the State Party take measures to address segregation of education in Northern Ireland (para 7);**
- **advises that the justification set out in the Explanatory Memorandum for limiting the definition of shared education to two groups (referencing all the section 75 groups 'would set very challenging demands') may not be sufficient to meet the reasonable and objective justification test required by human rights standards (para 16);**

- **recommends that the Committee gives consideration to amending the definition in Clause 1 to include all the groups that are included in the stated aim of the policy underpinning the Bill (para 17);**
- **advises that Clause 2(1) of the Bill should be consistent with the existing legislative duty on the Education Authority 'to encourage, facilitate and promote shared education'(para 22).**
- **welcomes Clause 3 which commences the duty on the Education Authority to encourage, facilitate and promote shared education (para 24).**

## **Introduction**

1. The Northern Ireland Human Rights Commission (the Commission) pursuant to Section 69 (1) of the Northern Ireland Act 1998, reviews the adequacy and effectiveness of law and practice relating to the protection of Human Rights.<sup>1</sup> In accordance with this function the following statutory advice is submitted to the Committee for Education in response to a call for evidence on the Shared Education Bill.<sup>2</sup>
2. The Commission bases its advice on the full range of internationally accepted human rights standards, including the European Convention on Human Rights as incorporated by the Human Rights Act 1998 and the treaty obligations of the Council of Europe (CoE) and United Nations (UN) systems. The relevant international treaties in this context include:
  - European Convention on Human Rights (ECHR);<sup>3</sup>
  - UN International Covenant on Economic, Social and Cultural Rights (ICESCR);<sup>4</sup>
  - UN Convention on the Rights of the Child (UNCRC);<sup>5</sup>
  - UN Convention on the Elimination of Discrimination against Women(CEDAW);<sup>6</sup>

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<sup>1</sup> Northern Ireland Act 1998, Section 69(1)

<sup>2</sup> The Bill was introduced in the Northern Ireland Assembly on 2 November 2015

<sup>3</sup> Ratified by the UK in 1951 and given further domestic effect by the Human Rights Act 1998

<sup>4</sup> Ratified by the UK in 1976

<sup>5</sup> Ratified by the UK in 1991

<sup>6</sup> Ratified by the UK in 1986

- UN Convention on the Elimination of Racial Discrimination (ICERD);<sup>7</sup>
  - UN Convention on the Rights of Persons with Disabilities (UNCRPD);<sup>8</sup>
  - UN Educational, Scientific and Cultural Organisation (UNESCO) Convention on the Protection and Promotion of the Diversity of Cultural Expressions;<sup>9</sup>
  - Charter of the Fundamental Rights of the European Union (CRFEU);<sup>10</sup>
  - CoE Framework Convention for the Protection of National Minorities (FCNM).<sup>11</sup>
3. The Northern Ireland Executive (NI Executive) is subject to the obligations contained within these international treaties by virtue of the United Kingdom (UK) Government's ratification and the provisions of the Northern Ireland Act 1998.<sup>12</sup>
4. In addition to the treaties, there exists a body of 'soft law' developed by the human rights bodies of the UN and CoE. These declarations and principles are non-binding but provide further guidance in respect of specific areas. The relevant standards in this context include:
- ICESCR General Comment No.13 on the Right to Education;
  - UNCRC General Comment No.1 on the Aims of Education;
  - UN Human Rights Council Resolution 6/37;
  - The Yogyakarta Principles 2006;
  - UN Educational, Scientific and Cultural Organisation (UNESCO) Convention against Discrimination in Education;<sup>13</sup>
  - ECRI General Policy Recommendation No.10 on Combating Racism and Racial Discrimination In and Through Education;
  - Committee of Ministers Recommendation to Member States on ensuring quality of education (CM/Rec (2012));
  - Committee of Ministers Recommendation to Member States on the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education (CM/Rec (2010)7);

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<sup>7</sup> Ratified by the UK in 1969

<sup>8</sup> Ratified by the UK in 2009

<sup>9</sup> Ratified by the UK in 2007

<sup>10</sup> Charter of the Fundamental Rights of the European Union, (2000/C 364/01)

<sup>11</sup> Ratified by the UK in 1998

<sup>12</sup> In addition, Section 26 (1) of the Northern Ireland Act 1998 provides that 'if the Secretary of State considers that any action proposed be taken by a Minister or Northern Ireland department would be incompatible with any international obligations...he may by order direct that the proposed action shall not be taken.' Section 24(1) states that 'a Minister or Northern Ireland department has no power to make, confirm or approve any subordinate legislation, or to do any act, so far as the legislation or act – (a) is incompatible with any of the Convention rights'.

<sup>13</sup> Accepted by the UK in 1962

- Faro Declaration on the Council of Europe’s Strategy for Developing Intercultural Dialogue 2005.
5. The Commission welcomes the opportunity to provide comment on the Bill. The Commission advises that it has engaged with the Department of Education and has raised a number of issues relating to the Bill. The Commission notes that these issues have not been either addressed or accepted in the Bill and will comment on them in the following sections.

### **Clause 1: Definition of Shared Education**

6. Clause 1 of the Bill defines shared education as the education together of children and young people of different religious belief, including reasonable numbers of both Protestant and Catholic children and young persons and those experiencing socio-economic deprivation and those who are not, which is secured by the working together and co-operation of two or more relevant providers.
- 7. The Commission welcomes the Bill as it partly addresses concerns set out in the concluding observations of the UNCRC Committee in 2008 which noted that segregated education was still present in Northern Ireland. The UNCRC subsequently recommended that the State Party take measures to address segregation of education in Northern Ireland.<sup>14</sup>**
8. The Commission notes that the policy document underpinning the Bill sets out to some extent the purposes of shared education described as the organisation and delivery of education so that it:<sup>15</sup>
- meets the needs of, and provides education together of learners from all section 75 groups and socio-economic status;

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<sup>14</sup> UNCRC ‘Concluding Observations: United Kingdom of Great Britain and Northern Ireland’ CRC/C/GBR/CO/4, 20 October 2008, para 66 and 67

<sup>15</sup> DENI ‘Sharing Works: A Policy for Shared Education’, p10.

- involves schools and other education providers of differing ownership, sectoral identity and ethos, management type or governance arrangements; and;
  - delivers educational benefits to learners, promotes the efficient and effective use of resources, and promotes equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.
9. Human rights law is not prescriptive about how this should be delivered, rather focusing primarily on outcomes. However, human rights law makes it clear that one of the purposes of education is the promotion of tolerance, respect, understanding, valuing diversity and friendship, and specifically among different racial, ethnic and religious groups.<sup>16</sup>
10. The Commission notes that the Clause 1 engages the right to education in Article 2 of Protocol 1 of the ECHR. It further notes that Clause 1 engages ECHR, Article 14, but is limited to two categories.<sup>17</sup>
11. The Policy which underpins the Bill refers to all section 75 grounds, and further indicates that shared education may be relevant to people of different racial groups, students with and without a disability, students with caring responsibilities and school age mothers.<sup>18</sup> The Explanatory Memorandum to the Bill indicates that consideration was given in drafting the Bill to referencing all Section 75 groups, however the Department's rationale for the current approach was that 'this would set very challenging demands on the mix of children and young people that education settings would be required to meet' and furthermore 'there are practical implications for specifying all Section

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<sup>16</sup> Article 26(2) Universal Declaration of Human Rights 1948; Article 13(1), ICESCR; Article 29 (1)(c) of the UNCRC and UNCRC 'General Comment No.1(2001)- Article 29 (1) –The Aims of Education'; Article of the UNESCO Convention on Discrimination on Education; Article 10 of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions; Committee of Ministers Recommendation to Member States on the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education (CM/rec(2010)7).

<sup>17</sup> Article 14 of the ECHR guarantees the enjoyment of the Convention rights free from discrimination 'on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

<sup>18</sup> Department of Education 'Sharing works – A Policy for Shared Education' p 10.

75 groups.<sup>19</sup> The Explanatory Memorandum sets out that including gender would have implications for partnerships of single gender schools and it is not practicable nor is it desirable for schools to identify the sexual orientation of pupils. Instead, the Department explains that the legislative definition is underpinned by the policy description to maximise the education together of those from section 75 groups as far as is practically possible.

12. In the case *Thlimmenos v Greece*, the ECtHR ruled that the right under Article 14 not to be discriminated against is violated when States without a reasonable and objective justification treats differently persons in analogous situations or fails to treat differently persons whose situations are significantly different.<sup>20</sup> The ECtHR has also ruled in *Stec and others v UK*, that for difference in treatment to be objective and reasonable, it must pursue a legitimate aim and there must be a proportionate relationship between the means employed and the aim sought to be realised.<sup>21</sup> These principles have also been endorsed in cases concerning de facto ethnic segregation in education.<sup>22</sup>

13. There are a number of other human rights instruments which provide guidance on non discrimination including the ICESCR Committee's General Comment No 13 on the right to education<sup>23</sup> and the Committee of Ministers Recommendation to Member States on ensuring quality of education (CM/Rec (2012)13).<sup>24</sup>

14. Furthermore, a number of instruments specifically require Member States to take effective measures in education to combat

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<sup>19</sup> Explanatory Memorandum to the Shared Education Bill, para 14.

<sup>20</sup> *Thlimmenos v Greece*, 6 April 2000, Application No. 34369/97, para 44, 28 October, 1987.

<sup>21</sup> *Stec and others v UK*, 12 April 2006, Application Nos. 65731/01 65900/01, para 5.

<sup>22</sup> *DH v Czech Republic*, Grand Chamber, App no 57325/00, 13 Nov 2007; *Oršuš v Croatia*, Grand Chamber, App no 15766/03. These cases concerned practices which resulted in Roma children being educated either in largely Roma only schools (DH) or Roma only classrooms (*Oršuš*).

<sup>23</sup> ICESCR Committee's General Comment No 13 on the Right to Education provides that education institutions and programmes have to be accessible to everyone, without discrimination, within the jurisdiction of the State Party, see para 6(b).

<sup>24</sup> The Recommendation also stipulates that quality education must be ensured without discrimination on any ground.

discrimination in relation to specific groups, including racism and racial discrimination,<sup>25</sup> gender,<sup>26</sup> persons with disabilities,<sup>27</sup> and on the grounds of sexual orientation.<sup>28</sup>

15. The Commission notes the legitimate aim of shared education set out in the policy underpinning the Bill is so that it meets the needs of, and provides education together of learners from all section 75 groups and socio-economic status. The Commission further notes that current Clause 1 engages ECHR Article 14, read in conjunction with Article 2 Protocol 1 of the ECHR and other relevant human rights law.
16. **The Commission advises that the justification set out in the Explanatory Memorandum for limiting the definition of shared education to two groups (referencing all the section 75 groups 'would set very challenging demands') may not be sufficient to meet the reasonable and objective justification test required by human rights standards.**
17. **The Commission recommends that the Committee gives consideration to amending the definition in Clause 1 to include all the groups that are included in the stated aim of the policy underpinning the Bill.**

## **Clause 2: Power to encourage and facilitate shared education**

18. Clause 2 confers a power (rather than a duty) on a number of listed bodies to encourage and facilitate shared education in Northern

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<sup>25</sup> ICERD Articles 5 and 7, UNCRC Article 29 (1) (d), UNCRC General Comment No 1 on the aims of education, FCNM Article 12 (3) and ECRI General Policy Recommendation No 10 on Combating Racism and Racial Discrimination In and Through Education.

<sup>26</sup> CEDAW Articles and 10

<sup>27</sup> UNCRPD Articles 7, 8 and 24 and the Council of Europe Action Plan to promote the rights and full participation of persons with disabilities in society: improving the quality of life of persons with disabilities 2006-2015.

<sup>28</sup> The Yogyakarta Principles 2006 provides that everyone has the right to education, without discrimination on the basis of, and taking into account, their sexual orientation and gender identity. Principle 16 provides that state parties shall take all necessary legislative, administrative and other measures to ensure equal access to education and equal treatment within the education system, without discrimination on the basis of sexual orientation or gender identity.

Ireland. The listed bodies include the Department of Education, the Council for Catholic Maintained Schools, the Youth Council for Northern Ireland and the Northern Ireland Council for Curriculum, Examinations and Assessment. The Explanatory Memorandum to the Bill argues that that a power is more appropriate, as it provides flexibility to further develop shared education across a wide range of areas.<sup>29</sup>

19. A number of human rights treaties and standards place a duty on the State (and therefore the NI Executive) to promote tolerance and respect for diversity in education, including ICESCR, Article 13 (1),<sup>30</sup> UNCRC, Article 29(1)(c),<sup>31</sup> FCNM, Article 6,<sup>32</sup> UN Human Rights Council Resolution 6/37,<sup>33</sup> and the Council of Europe's Faro Declaration.<sup>34</sup>

20. During the consideration stage of the Education Bill in 2014, an amendment was made to the Bill to place a statutory duty on the Education Authority when exercising its functions, to encourage, facilitate *and promote* shared education. The amendment was made without division and now stands as a provision in the Education Act 2014 which will be commenced by Clause 3 of this Bill.<sup>35</sup>

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<sup>29</sup> Explanatory Memorandum to the Shared Education Bill, para 16.

<sup>30</sup> Article 13(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) states that state parties shall to the Covenant a recognize the right of everyone to education... agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms... further agree that education shall enable all persons to participate effectively in a free society to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups.'

<sup>31</sup> Article 29 (1)(c) of the UNCRC provides state parties agree that education shall be directed to respect for the child's parents, his or her own cultural identity, language and ...as well as civilizations different from his or her own.

<sup>32</sup> Article 6 of the FCNM says parties to the convention shall encourage a spirit of tolerance and intercultural dialogue and take effective measures in education to promote mutual respect, understanding and co-operation among all the persons living in the territory, irrespective of a person's cultural, linguistic or religious identity.

<sup>33</sup> UN Human Rights Council Resolution 6/37 urges member states to design and implement policies whereby education systems promote principles of tolerance and respect for others and cultural diversity and the freedom of religion or belief.

<sup>34</sup> The Council of Europe's Faro Declaration by Culture Ministers in 2005 made commitments to translate political will shown at the summit into action including through developing human rights, democratic citizenship and civil education programmes, as well as intercultural exchanges at secondary school and youth level.

<sup>35</sup> Education Act 2014, section 2(2). The amendment was introduced by John McAllister, MLA, see Marshalled List of Amendments 21 October 2014, <http://www.niassembly.gov.uk/assembly-business/legislation/2011-2016-mandate/primary-legislation-current-bills/education-bill1/marshalled-list-of-amendments-consideration-stage-tuesday-21-october-2014/> . See also Official Report of the Northern Ireland Assembly 21 October 2014, p51

21. As a consequence of the above provision in the Education Act 2014, the duty imposed on the Education Authority is, so far as its powers extend, to encourage, facilitate and promote shared education. However under Clause 2(1) of the Bill, the Department's statutory power would be limited to a discretionary power 'to encourage and facilitate shared education'.
22. **The Commission advises that Clause 2(1) of the Bill should be consistent with the existing legislative duty on the Education Authority 'to encourage, facilitate and promote shared education'.**

### **Clause 3: Commencement of duty of Education Authority in relation to Shared Education**

23. Clause 3 amends section 7 of the Education Act (Northern Ireland) 2014 to commence the duty of the Education Authority in relation to shared education. The Education Act (Northern Ireland) 2014 confers a duty on the Education Authority (so far as its powers extend) to encourage, facilitate and promote shared education.<sup>36</sup>
24. **The Commission welcomes Clause 3 which commences the duty on the Education Authority to encourage, facilitate and promote shared education.**

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<http://data.niassembly.gov.uk/HansardXml/plenary-21-10-2014.pdf> . The Minister subsequently tabled an amendment at Further Consideration stage to place a statutory duty on the Education Authority (as far as its powers extend) to encourage, facilitate and promote shared education, see <http://www.niassembly.gov.uk/globalassets/documents/legislation/bills/executive-bills/session-2014-2015/education-bill/noa4--04-11-14.pdf>

<sup>36</sup> Section 2(3) of the Education Act (Northern Ireland) 2014



NORTHERN  
IRELAND  
HUMAN  
RIGHTS  
COMMISSION

Peter McCallion  
Clerk  
Education Committee  
Room 430, Parliament Buildings,  
Ballymiscaw,  
Stormont,  
Belfast, BT4 3XX

3 December 2015

*Peter*

Dear Mr McCallion

Shared Education Bill

The Commission welcomes the opportunity to respond to questions arising from the Committee's evidence session on 2 December 2015.

The Commission was asked how it monitors compliance by the Department of Education in respect of the provision of the cultural rights of school children in line with the relevant international rights conventions. The Commission has not undertaken monitoring work specifically in relation to the provision of the cultural rights of school children. However, the Commission draws attention to its recent submissions to the UN Committee on the Rights of the Child and the UN Committee on Economic, Social and Cultural Rights. These reports are in advance of the 2016 examination processes in Geneva and are accessible on the Commission's website.

The Commission has recommended that both UN Committees request further information from the Northern Ireland Executive on a number of cultural issues relating to education. These include questions on:

- monitoring the impact of the Traveller Education Action Framework;
- actions to be taken to review schools planning policy in Northern Ireland;
- access to integrated schools;
- mechanisms to be put in place to measure the effectiveness of developments in relation to shared education;
- proposals for an Irish Language Act; and
- the implementation of key areas for action contained in the Ulster Scots Strategy.

In respect of the Committee's second question on 'reasonable numbers', the Commission advises that human rights standards are not prescriptive. The principal concern is that relevant treaty obligations are fulfilled in terms of educational outcomes through the proposed shared education programmes; namely the promotion of tolerance, respect, understanding, valuing diversity and friendship, and specifically among different racial, ethnic and religious groups. This must be delivered, however, whilst respecting and protecting the principle on of non-discrimination. In this regard, effective measures in education must combat discrimination in relation to specific groups, including race, gender, persons with disabilities, sexual orientation and socio-economic status.

We hope this is helpful in the Committee's deliberations.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Les Allamby', written over a faint, illegible printed name.

**Les Allamby**  
**Chief Commissioner**



Northern Ireland  
Assembly

**Committee for Education**

Les Allamby  
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2 December 2015

**Our Ref:2403**

Dear Mr Allamby

**Shared Education Bill**

On behalf of the Committee for Education, I would like to thank your colleagues, David Russell and Fiona McConnell for the very useful and informative briefing on 2 December 2015 as part of the Committee Stage of the Shared Education Bill.

As indicated during the meeting, the Committee agreed to write to the Northern Ireland Human Rights Commission seeking information as to how it monitors compliance by the Department of Education in respect of the provision of the cultural rights of school children in line with the relevant international rights conventions.

The Committee also sought information as to the Northern Ireland Human Rights Commission's views on the 'reasonable numbers' provisions within the Shared Education Bill and the extent to which these provisions comply with the requirements of human rights legislation.

I would be most grateful, for a response at your earliest convenience.

*Committee for Education*

*Room 430, Parliament Buildings, Ballymiscaw, Stormont, Belfast, BT4 3XX*

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The Committee expects to publish its report on the Bill in early January 2016.

Yours sincerely

*Signed Peter McCallion*

**Peter McCallion**  
**Clerk**  
**Committee for Education**

*Committee for Education*

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# **SUBMISSION TO THE EDUCATION COMMITTEE ON THE SHARED EDUCATION BILL,**

**Submitted by OAKGROVE INTEGRATED COLLEGE,  
Derry-Londonderry, November 2015.**

Dear Members of the Committee,

**We request the opportunity to present oral evidence to the Education Committee in support of this submission.**

We had indicated our availability to give evidence on a previous occasion and were disappointed not to have been called. Our previous evidence is attached as Appendix A.

Below are our comments and suggested amendments to the clauses to the Bill.

## **Clause 1 “Shared Education” definition**

Reference is made to a “common” definition of shared education. Yet, the definition of “Shared education” overlaps with a widely held definition of Integrated Education. The Bill’s definition, however, makes no reference to integrated education. In the experience of governors, staff, students and past pupils, the only fully shared model of education in a divided society is integrated education. We submit, therefore, that any definition must include reference to how integrated education will sit within the new educational landscape.

Those who have experienced Shared Education projects and also experienced Integrated Education speak of the difference in the experiences. In one, change is likely to happen intellectually; but in the other, change can happen emotionally. Such emotional change must be the foundation of peaceful society. (The recent inability to reach agreement on “legacy issues” in the inter-party talks is a perfect example.)

An amendment should include the specific wording: “integrated education”.

## **Clause 2 Power to encourage and facilitate Shared Education**

The Bill lists four bodies which may encourage and facilitate Shared Education. No voice for the Integrated Sector is mentioned. Is this because there will be a separate voice and a separate policy for Integrated Education?

The Explanatory and Financial Memorandum makes reference at point 16 to the need to respond to developing experience in providing children and young people with a shared education experience. Neither the memorandum nor the Bill makes reference to the wealth of experience which is provided by the integrated sector from more than 30 years of intensive sharing. It is quite unbelievable that this voice would not be considered.

Unless there is to be a separate policy for Integrated Education, an amendment should be made to include the voice and experience of integrated education and to empower that voice to facilitate and encourage integrated education.

### **Clause 3 Commencement of duty of Education Authority in relation to Shared Education**

References are made to changes to the Education Act (Northern Ireland) 2014.

Integrated education, not shared education was endorsed in popular referendum on the Good Friday Agreement. Does this bill not, therefore, seek to amend the will of the people in referendum? This should be dealt with in any definition.

Given the changes which the present Bill proposes to the expressed support of the people for Integrated Education in the Good Friday Agreement, there should be reference to changes to the spirit of the popularly-endorsed agreement and subsequent legislation enacting its intentions.

An amendment should be made to include references to the changes to the spirit of the Good Friday Agreement.

### **Clause 4 Short title and commencement**

In keeping with the other changes which we propose, the title of the Bill should reflect that it deals with Shared and Integrated Education.

An amendment should be made to the title of the Bill, calling it the Shared and Integrated Education Bill.

John Harkin  
Vice Principal and Integration Co-ordinator  
Oakgrove Integrated College  
Gransha Park,  
Derry-Londonderry. BT47 6TG  
November 19, 2015

## APPENDIX A

### **Submission on Shared/ Integrated Education**

**Prepared by Oakgrove Integrated College Derry-Londonderry for the NI Assembly Committee on Education**

**October 24th, 2014**

This submission is prepared by the school's Vice Principal who is also responsible for Integration within the school and into the wider community, locally, nationally and globally. It is based on interviews and surveys with staff, students, past students and reflective discussions with some of parent representatives of the Board of Governors.

Established in 1992, Oakgrove Integrated College sees its role as being one of facilitating reconciliation by creating a safe but challenging place where people from different backgrounds can work, play and learn together. Central to what we do is a consideration of how we can advance efforts to create a more peaceful society, whilst also meeting the statutory demands of the Department of Education. In balancing many demands, we emphasise our founding duty to promote integration by developing in young minds an ability to think beyond/below/above/ around the barriers created in society.

The Committee must recognise that each sector responding will speak from its own experience. In our case, our reflections are focused on how our contribution can help to advance a change in provision so that there can be greater reconciliation through education across our society. It should be recognised that the integrated schools alone were set up as a model of how to achieve reconciliation, modeling a way of living together in community with those who are different, and celebrating the diversity. While there are flaws in every model, we humbly suggest that when an integrated school returns to its core value of trying to heal and to reconcile, there is a great deal of opportunity to engage young people creatively for diversity which it is hard to replicate in any other setting.

It has been suggested that the voice from the integrated sector is too small to be given equal weight to that of others; we contend that the small voices of other groups have provided crucial guidance at previously important times in our conflict-resolution journey. We hope that the experience we have learned about sharing throughout our twenty-two years in this school will provide insights to share more widely. Small political parties made great contributions, and small religious groups such as the Religious Society of Friends created important opportunities to foster seeds of peace. Small gestures by the many who suffered in our history pointed others towards a better way; wisdom in the smaller voice should not be ignored.

If each sector is seen simply to speak for itself, then the over-arching aim of the inquiry will be forgotten. In presenting our thoughts, we have focused on those aspects of our journey which we feel point most helpfully a way to bringing young people together for meaningful exchange which will result in a more normal society. The Committee should see through the mists of our clouded multi-layered system and distil what is essential for a better future. Many projects are worthwhile, but those which bring lasting change are the essential ones, and those which should receive support. The US began the end of its segregated society by making changes which people did not want. It may be that our society needs to be told by leaders of courage that a different way must be found, which will foster truer reconciliation.

Our school was designed as a child-centred institution, and we routinely solicit the views of young people, especially around issues of segregation, integration and sharing in society. A small selection of student views are given at the end of this document; should the committee wish to see further

evidence of attitudes towards integration, bi-annual Holocaust Day surveys and other school-based data dating back to 2004 will provide this.

Students suggest that The Committee should focus closely on what shared or integrated education is about. It aims to promote reconciliation, and so we must look with honesty to those things which have brought this about. In our experience, the opportunity of students working together through issues which divide or unite provides a model of use in wider society and for later life. Students learn most of these lessons not through formal interactions in the classroom, but in the informal contacts where friendships are developed, issues explored and trust built.

We strongly believe that attitudinal change comes **not** through intellectual but through emotional responses. Opportunity for this type of emotional growth are limited in any experience which does not have young people continually working with those whose experiences are different. In segregated settings, learning such as that envisaged by CRED or LLW provisions is bound to be limited to learning about, rather than from "the other". We believe that only in fairly constantly mixed settings, where there is a constant encounter with "otherness" will the opportunities exist to grow, learn and develop understanding of what a reconciled, shared community can look like. It is our hope that The Committee will allow us to present orally, and to hear from student voices. If doing so, we would speak not only of the experience of an integrated school, but also of those projects which have enabled us to reach out to others, most significantly:

- The work of the Spirit of Enniskillen Trust (and how a way must be found to preserve that work);
- The work of a schools UNITY Project to challenge prejudice, based on the model given by Steve Wessler, founder of the Maine Centre for the Prevention of Hate Violence;
- The shared learning about the first world war and its lessons for a modern, divided society made possible by the work of the International School for Peace Studies.
- Theatre of Witness and its ability to reach beyond segments of a divided society and show how friendships can exist which defy the stereotypes often encountered in a more limited, less emotional understanding of history.
- Hands For A Bridge, an after school project linking our students with those in South Africa and Seattle, to explore issues of identity in a community of division, and which has brought our young people to a deeper awareness of themselves and our community.

We have felt that these models have proved to be effective, at low cost, and involving genuine sharing, rather than the sometimes superficial contacts which have sometimes arisen from funding opportunities rather than a genuine desire to build community.

It is in our nature to respond positively to every invitation to engage with others. Alongside many positive experiences, there have been others which did nothing to further trust, and indeed have seemed more about achieving balance for political/ financial or other purposes than about furthering the stated ideals of reconciliation, peace-building or connecting young people.

The Committee could give thought to the reasons why people involved themselves in shared education, and examine closely the possibility that work is driven by less noble motives than those stated; in a divided, underfunded educational system where schools compete, it must be recognised that less than the best practice can take place yet be presented in ways which look attractive. In our society emerging from conflict, few are willing to be critical of any initiative purporting to further peace, yet in making decisions about the future, we must be critical since only genuine reconciliation will prevent those darker and more sinister forces in society taking hold in ripe young minds.

Our experience is that for genuine trust to be built, there should be space to make mistakes, to speak honestly. This is hard to do when funding is involved, and where the value is judged in numbers touched, rather than changes recorded in attitudes towards others. The showcasing of

projects which have been heavily funded does not inspire confidence that change has come about. It simply shows that targets have been met for funding purposes, without critically examining at a grassroots level whether those were the targets which ever ought to have been set.

As individuals on the Committee, members could give thought to what they themselves have found to work. All MLAs must have experienced progress on an individual level with others which they may once have thought impossible. What is it that allows individuals to form working friendships with those with whom they may remain opponents on many areas relating to politics, for example? The answer which we have found is the sustained opportunity to look for common ground, which is found when people are beside each other on a sustained basis and which is not possible in other settings.

Students in our school have trained staff; some staff now report that they think differently because of what they have learned from students. There is a place for young people from different backgrounds to work with politicians, not to learn from them about politics, but for politicians to learn from them about reconciliation, building bridges and not being afraid to learn from their mistakes.

In conclusion, we would ask The Committee to reflect on the question: what is shared about? We suggest it is about building a society which will foster reconciliation between individuals and across communities. If societies are reconciled when individuals have this experience, then there are individual examples to help us as we struggle to understand. Recently, the family of murdered journalist James Foley spoke of how he believed in changing the world, person by person, act of love by act of love. Amid the rubble of Enniskillen, as his daughter's life ebbed from her, Gordon Wilson said that the "bottom line was love", "I bear no ill-will, I bear no grudge". As he left us in our hope of a better future, Senator George Mitchell reminded us two friends from different traditions, buried side by side as a reminder of our brokenness, and where our failure to engage would lead us back, if we chose that route. And in what he said at the funeral of Elizabeth O'Neill, the Minister's words should remind us still: "Sectarianism lives in all of us."

None of those voices who urged us to move our way to peace pointed to their own success, but rather encouraged others to give their best for peace. The church leaders and individuals who so much ground work for peace did not celebrate their success – they facilitated the dialogue. In looking to see how our future can be better, we would urge The Committee to be careful to support and encourage what is genuine, not what makes the soundbite. The voice of children is clear when it is heard - they want to be together, to have opportunities to learn together, to develop understanding of the other, to learn about the past, and to share stories wherein the healing will be found.

We commend our thoughts to The Committee and will be happy to share further information which may help.

We wish you well in this difficult, life-changing and critical task.

John Harkin  
October 24th, 2014

**A sample of thoughts on integrated education selected from reflections by current/recent past pupils of Oakgrove Integrated College, Derry-Londonderry**

- I can't imagine my schooling years in a non-integrated school. Why? Because it just makes life in this world feel a bit more "right" when you're in an environment that promotes interest in everyone around you. No matter what gender, background, or nationality. I really appreciated this, being a Jehovah's Witness - I felt respected, and that I had a voice within the school. The good attitude that the school promotes really rubs off on its students, as I always felt respected by my peers, especially in a-level years, and many were interested to find out more about me and my faith, which was really encouraging to me. A synonym of "integration" is "blending". We generally blend food because different foods together taste nice, or sometimes even nicer than when eaten on their own. I think the blending that integration does for young people makes their attitudes and personalities much more tasteful to the figurative palette of society. I like to think this contributes to communities of happier and more peaceful people. - Jay
- You must become the change you wish to see in the world - Mahatma Ghandi - Jason
- I feel that moving from an all Catholic school to an integrated school completely changed my personality and my own thoughts on the world. . If I hadn't moved to Oakgrove and experienced the integrated education I wouldn't have been able to look at each individual for their own self and their own qualities. I learnt that we shouldn't look at people as Catholics or Protestants or Muslims etc and that we shouldn't judge people based on what religion they are, what they look like how they talk etc. I feel that being in integrated education has helped me a lot with my journey to university and has helped me meet and respect the new people here in Manchester from various different backgrounds etc. - Caitlin
- Being able to share my education with people from all races and religions is something I've always been grateful for. When I watch the news and see the conflict and tragedy happening around the world because of race, religion and culture its an eye opener. Although we have problems with in our school, it is a sanctuary for me and many other students... somewhere where each and every one of us are judged not by our race, religion or culture but the content of our character. - Rachel
- Shared/Integrated education, holds the key to peace through breakdown of bias and grudges that have been passed down from family members. This is achieved through allowing children to make decisions for themselves with an open mind removing a wall between the concept of "us and them". Learning playing and developing in an integrated environment that prepares children for work life. As segregation in the work place is not allowed, why should it be allowed in schools? - Orla
- I count myself very lucky to have gone to Oakgrove. Not only did I receive a brilliant education but my entire time there has undoubtedly shaped who I am today. I met people and experienced things I know I would never have gotten the opportunity to do, had I not gone to an integrated school. I have also had some experience of shared education as in 6<sup>th</sup> year I travelled to another school for one of my subjects. Although this was a good experience it was different from my normal classes. I think this was because even though we were brought together for class, there was not much of an opportunity to really mix with the pupils from the other school and it seemed that our differences ran deeper than our notably different uniforms. Integrated education goes far beyond simply bringing people together. It is about giving young people the knowledge and power to better understand themselves and others, and use this to make changes to how they live their lives, by moving beyond their differences and focusing on shared experiences. - Geraldine
- Hands For A Bridge (A project based within Oakgrove Integrated College) helped me so much through my high school years. Being in Hands For A Bridge as well as an Integrated School meant I could put the discussions we had in group meetings into action. Making sure to look after the younger ones, trying not to exclude people, not judging someone on their appearance and never

joking to someone about their race or culture. I learned not to do these things because I had the opportunity to talk to fellow students in Hands For A Bridge and find a common thread was at one point or time we felt excluded, isolated and alone because of who we are and what we believe. Hands For A Bridge gave me empowerment. I became much more confident and it helped me believe I could truly make a change in the world. 'If you cannot do great things, do small things in a great way', sums up who I've been. I have the confidence and self belief to know you can change the world one person at a time. Being there for the other students, taught me compassion. Knowing when to be quiet, to let someone else speak and let out what's on their mind is a vital lesson in life. I really don't think I'd be the same person I am today if it wasn't for my integrated school and for Hands For A Bridge, even now, 2 years after leaving school I still feel a sense of belonging to a community, one that I am proud to support. - Bethany

**Statement from Oakgrove Integrated Primary School Parents Group in response to the Shared Education Bill.**

The proposed Shared Education Bill can give children the opportunity to learn from and with those who come from different backgrounds but it does not set out a vision or framework to show how shared education can progress a shared future for Northern Ireland.

The short four-clause Bill has encapsulated the definition of shared education into a few brief lines. There have been a number of definitions of shared education from different organisations and the department itself over the past number of years which have been more inclusive and robust than the one purposed to be enshrined in legislation.

Integrated education is the highest form of sharing; integrated schools educate our young people side by side every day, they experience and learn to celebrate difference. In “Sharing Works – a Policy for Shared Education” it says, ‘integrated education, which has already embraced a culture of diversity, is at the upper end of the continuum. Indeed, by supporting Shared Education, it is envisaged that a proportion of schools may move along the continuum to a more fully integrated model.’ Yet there is not mention of integrated education or how this movement can be achieved in the Bill.

The integrated education movement would like to see the inclusion of a new clause or amendments putting a duty on the Education Department or Education Authority to help schools involved in sharing projects explore the possibility of moving up the continuum. Putting this responsibility on those who will have a power to encourage and facilitate shared education creates a robust mechanism to ensure that any school who wishes to explore integration as an option will be fully supported in doing so. The lack of responsibility and clear sign-posting at present is impeding schools in exploring models of integration.

As parents we would like to see this important Bill shaped to ensure that Shared Education works to the maximum advantage of Northern Ireland’s children and young people. We are confident that the vast majority of the population wants a truly shared future, and we deserve legislation which genuinely moves us forward to achieve that.

Oakgrove IPS  
Parents Group Chairperson  
Leah McCarron

DATE: 19<sup>TH</sup> November 2015

## RESPONSE TO SHARED EDUCATION BILL – Phoenix Integrated Primary School

Phoenix Integrated Primary School welcomes the opportunity to comment on the contents of the Shared Education Bill.

Shared education can give children the opportunity to learn from and with those who come from different backgrounds. Unfortunately this Bill does not set out a vision or framework to show how shared education can progress a shared future for Northern Ireland.

The short four-clause Bill has encapsulated the definition of shared education into a few brief lines. There have been a number of definitions of shared education from different organisations and the department itself over the past number of years which have been more inclusive and robust than the one purposed to be enshrined in legislation. We are currently involved in a shared education project (DSC) with two local primary schools and agree that schools should collaborate to enable them to build relationships and begin to break down barriers within an educational framework. However, from experience nothing can match the continued sustained contact children have by being educated to ether EVERYTHING day.

Integrated education is the highest form of sharing; integrated schools educate our young people side by side every day, they experience and learn to celebrate difference. In “Sharing Works- a Policy for Shared Education” it says, ‘integrated education, which has already embraced a culture of diversity, is at the upper end of that continuum. Indeed, by supporting Shared Education, it is envisaged that a proportion of schools may move along the continuum to a more fully integrated model.’ Yet there is no mention of integrated education or how this progress can be achieved in the Bill. We feel it is only fair that this is clearly defined to give all schools the opportunity to make the choice

The integrated education movement would like to see the inclusion of a new clause or amendments putting a duty on the Education Department or Education Authority to help schools involved in sharing projects explore the possibility of moving up the continuum. Putting this responsibility on those who will have a power to encourage and facilitate shared education creates a robust mechanism to ensure that any school who wishes to explore integration as an option will be fully supported in doing so. The lack of responsibility and clear sign-posting at present is impeding schools in exploring models of integration and it could be perceived that this is specifically to stop any potential growth.

We, in Phoenix IPS would like to see this important Bill shaped to ensure that Shared Education works to the maximum advantage of Northern Ireland’s children and young people. We are confident that the vast majority of the population wants a truly shared future, and we deserve legislation which genuinely moves us forward to achieve that. In our school we work hard to maintain religious balance which reflects the community we serve. Our children gain much from bring educated together – forging friendships with children from areas they may not otherwise have

had the chance to meet. This is done from an early age an early age and builds on the foundations laid in nursery.

Submitted by :

Heather Watson , Principal - on behalf of the Board of Governors

Contact details: c/o Phoenix Integrated Primary School, 80 Fountain Road, Cookstown

Telephone: 028 8675 7096



**Response to the CALL FOR EVIDENCE to inform the COMMITTEE  
STAGE OF THE SHARED EDUCATION BILL**

**November 2015**

**PlayBoard NI** – Northern Ireland's Lead Agency for Children and Young  
People's Play  
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## **1.0 Introduction**

- 1.1 PlayBoard is an independent charity and the lead organisation for the development and promotion of children and young people's play in Northern Ireland. Since our establishment in 1985, PlayBoard has been committed to supporting the child's right to play through a combination of: service delivery, service development; campaigning, lobbying; awareness raising and working in partnership with others to put play on the agenda of policy makers and resource providers. The organisation takes great pride in promoting best practice in Play, Playwork and play based School Age Childcare services.

PlayBoard's mission is to drive the play agenda, ensuring that at every level of decision making across society, the child's right to play is not only recognised but is made a reality within the lives of children, young people, families and communities. Children and young people's views, aspirations and perceptions of themselves and the environment in which they live, are at the heart of PlayBoard's work. Our vision is of a society where the right to play is realised.

PlayBoard as the lead organisation for the promotion, development and delivery of play, playwork and School Age Childcare in Northern Ireland and as a regional voluntary youth organisation funded by the Youth Council for Northern Ireland welcome the opportunity to inform the Committee Stage of the Shared Education Bill.

- 1.2 In our response we welcome the definition of Shared Education to encompass informal education and to move beyond a remit for just schools. We also reflect on the rationale for embedding Play within the Shared Education agenda by highlighting the ability of play, and playwork in particular, to bring children together - through their natural and shared drive to play - something which is unfortunately all too often overlooked and underutilised by the department, our schools and services responsible for providing educational benefits to children or young person or which are ancillary to education.

## **2.0 Shared Education Bill as introduced at First Stage**

- 2.1 We welcome the dual mandate of the Shared Education Bill to include *'those of different religious belief'* and *'those who are experiencing socio-economic deprivation and those who are not'*.

We welcome also the definition of Shared Education set out in para 1(3)(b) as encompassing "relevant provider" to include *'services of any kind (including youth service) which provide educational benefits to children or young person or which are ancillary to education'*. The expansion of the definition of Shared Education beyond schools bodes well for the implementation of the Shared Education agenda within children and young people's lives.

We also welcome the inclusion in para 2(2)(c) of the Youth Council for Northern Ireland as a listed body having the power to *'encourage and facilitate shared education'*.

- 2.2 Inclusion of the youth services within the Shared Education Bill acknowledges the important role that youth service play in the informal education of children and youth people. Furthermore the inclusion of the Youth Council for Northern Ireland acknowledges the vast remit of the voluntary youth sector both in terms of age range and the diversity of its funded organisations, including PlayBoard.

## **3.0 Play as an enabler of Shared Education**

- 3.1 Play is special to children. Despite perceived other differences in their lives the one uniting factor throughout childhood is play. It is through play that children understand each other and their world around them. In play they are equal, and it is through play that children and young people learn to develop strategies to engender cooperation and conflict resolution skills. Moreover, play is an excellent vehicle for bringing children from different backgrounds together because play is innate and a universal desire.

3.2 **Play in Schools** As we noted in our previous response to the Committee's Inquiry of Shared and Integrated Education, schools have a role to play in relation to post conflict safety and in fulfilling children's realisation of article 31 of the UNCRC (the right to play). General Comment 17<sup>1</sup> is clear that

*States are obliged to ensure ... active measures should be taken to restore and protect the rights under article 31 in post-conflict ... situations, including ... creating ... safe spaces, including schools, where children can participate in play and recreation as part of the normalization of their lives (para. 57(e)).*

**Our work in schools:** Over the past number of years, PlayBoard has delivered play programmes within the school setting, including the 'Spaces to Be' programme, which was part of the bigger Contested Spaces programme funded by Atlantic Philanthropies and OFMDFM. PlayBoard's 'Spaces to Be' programme brought together P5, P6 and P7 children from maintained and controlled schools (located in interface areas), to play and come into contact with each other. Within the Personal Development and Mutual Understanding strand of the statutory curriculum, this pilot programme used play to facilitate participating schools to address community and cultural barriers to enable respect for difference and inclusion of others.

3.3 **Shared Education through Youth Services and Playwork** As noted in 'Priorities for Youth'<sup>2</sup>, youth services encompass children and young people aged between 4 – 25 years. 30% of Northern Ireland's youth population avail of youth services, underscoring the critical role of youth work within children and young people's lives.

We contend that practitioners, particularly those working with the younger age range, are more likely to use playwork methodologies (either knowingly

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<sup>1</sup> United Nations Committee on the Rights of the Child (2013). General Comment no. 17, on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts (art. 31) (CRC/C/GC/17), United Nations, Geneva, Switzerland. Available at: [http://www.playboard.org/uploads/CRC-C-GC-17\\_en.pdf](http://www.playboard.org/uploads/CRC-C-GC-17_en.pdf)

<sup>2</sup> Department of Education (2013). Priorities for Youth: improving young people's lives through youth work, Bangor: DE.

or unknowingly). Playwork lends itself particularly well to the younger age range of youth services. The unstructured and emergent style of playwork contrasts and compliments the more structured and planned approach taken by youth work practitioners. Regardless of the approach used (playwork or youth work), these services are typically referred to as youth work and are delivered by youth workers.

- 3.4 **School Age Childcare services** Prior to entering the school system, through their childcare many children may experience for the first time contact with children from the other predominant community. Due to the cross-community nature of most settings, School Age Childcare providers have the ability to provide for many children an opportunity to meet with, interact and engage with children from another community or cultural background on an almost daily basis. In effect School Age Childcare represents an opportunity to achieved Shared informal Education.

Given the largely segregated nature of the education system the importance of School Age Childcare provision in helping to build a united community should not be underestimated. Therefore we strongly urge that the role of the School Age Childcare sector in meeting the objectives of Shared Education is given serious consideration.

#### **4.0 Concluding Comments**

- 4.1 PlayBoard accepts that the Shared Education agenda is probably the necessary precursor required to achieve a system whereby the label of controlled, maintained or integrated is not an inhibitor for any parent or child.
- 4.2 In informing the Committee's Call for Evidence we strongly agree that the Shared Education agenda looks beyond the 'formal' school day and recognises the benefits to be accrued from, for example shared play between schools during the school day, School Aged Childcare, and Playwork within the context of the Youth Service.

- 4.3 We urge that cognisance is given to the untapped potential of play to become one of the central lynchpins that attracts children, teachers, parents, youth workers and playworkers to services that provide educational benefit to children or young persons or which are ancillary to education.
- 4.4 PlayBoard welcomes further discussion with the Department on any of the points mentioned above and is happy to be considered for oral evidence sessions in relation to the Committee's scrutiny of the Bill

**PlayBoard NI**

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Re: Shared Education Bill

Integrated education is the highest form of sharing. At an Integrated school children learn together very effectively in an inclusive environment in which difference is understood and celebrated. Integrated Education is the most cost effective and successful method of sharing in Northern Ireland. It is very disappointing that Integrated Education is not mentioned in the Bill.

Shared education, if it has the support of schools and communities, could give children and young people the opportunity to learn from and with those who come from different backgrounds. The Bill, however does not set out a vision or framework to show how shared education can develop a more shared and peaceful future.

Portadown Integrated School would like to see the inclusion of a new clause or amendment that would place greater responsibility on the Department of Education to support schools involved in effective and meaningful sharing who aspire to develop an integrated model of education. A lack of commitment is holding back schools from exploring integration and existing Integrated schools from growing to meet the needs of the community they serve.

Section 64 of the 1989 Education Order imposes a statutory duty on the Department of Education in Northern Ireland to “encourage and facilitate the development of integrated education” and this is underlined in the Good Friday/Belfast Agreement.

The Bill must ensure that Shared Education promotes a better way of working for all educational establishments and provides the best type of shared learning experience that will support all learners as effective, happy and well balanced contributors to society.

Feargal Magee

Principal

Board of Governors

Portadown Integrated Nursery and Primary School

The opinions expressed are those of the individual and not the school. Internet communications are not secure and therefore the school does not accept legal responsibility for the content of this message. If the reader of this message is not the intended recipient, or the user responsible for delivering this communication to the intended recipient, you are hereby notified that any disclosure, distribution or copying of this communication is strictly prohibited.

Thank you for alerting me to the draft bill Kevin,

My major concern is that there is a vagueness in how 'shared education' is defined..

I think it is important to note that when the Education Committee undertook its study of shared and integrated education, it recommended that shared education should be defined as

'The Committee recommends that Shared Education be defined as curriculum-based interactions that always foreground educational improvement and involve children and young people in sustained whole school/organisation activities across all educational phases **while making optimal use of existing IT infrastructure.**'

**I do not see any sign of this definition being used in the bill.**

Without such a definition, it is possible that 2 schools could claim that if they were sharing facilities, like a sports field, and where there was no contact between the pupils, they could apply for financial support.

I am concerned that in the policy on shared education produced by the Department of Education,(<https://www.deni.gov.uk/publications/sharing-works-policy-shared-education>) there is no reference to the work of your committee and not a single reference to the use of ICT as a means by which schools can work together.

Given the evidence I already presented to your committee on how the use of ICT with face to face contact really can make a difference and in a cost-effective way to inter-school partnerships, it is a matter of concern that ICT appears from the Department of Education's policy and the draft bill to be entirely missing.

Given that the assessment of ICT by all schools will become statutory next year, and that this includes an obligation for teachers to use ICT for 'exchange', and that every school in Northern Ireland already has the equipment to be able to work together, the failure to include ICT as a key element is not only wasteful of scarce public funds but will make it very difficult for all schools to be able to take part in shared education.

Our research showed that when teachers are obliged to do something, such as assess pupil use of ICT, they are more likely to support work that includes sharing; shared education will not work unless teachers support it and stick with it over the long-term.

The Department may argue that these are matters for implementation by the Education Authority; I disagree. Unless the bill uses your own committee's definition, schools may choose to ignore the potential of ICT.

I hope this is helpful,  
Best wishes,

Roger Austin

Kevin

I want to confirm that my previous email to you with comments on the draft bill should be treated as evidence for your committee.

I understand that the Minister takes the view that the use of ICT should merely be an option for schools. Given all the pressure that teachers are under already, they will be more likely to support shared education if it also helps them to fulfil the new requirements around the use of ICT, which as you know become statutory next year and include the use of ICT for exchange.

Can you confirm that this email and my previous response to the draft bill are taken as evidence?

Thank you

Roger Austin

Sent from my iPhone

**Response from Dr D. A. Wilson, Emeritus Reader in Education (Restorative Practices and Community Relations), Ulster University.**

da.wilson@ulster.ac.uk

I am happy to give oral evidence if asked.

In responding to the Shared Education Bill proposal currently out for consultation, I write as the first teacher / youth worker appointed to the first Schools Community Relations Programme from 1970-73. The model developed prefigured the model on which a number of the current 'Shared Education' approaches have taken, albeit in a 1970 style. I also chaired the Youth Committee for Northern Ireland from 1986-88, in an unpaid capacity.

The then Schools Community Relations Project, directed by Mr John Malone, the former Head of Orangefield School, was an innovative partnership between a visionary Ministry of Education, the local providers of education (Belfast Education & Library Board and the Diocesan School system), the Northern Ireland Community Relations Commission, core philanthropic funding from the KGVI Trust and the local Northern Ireland Council of Social Service, and residential 'in kind' support from the Corrymeela Community.

Four schools serving Sandy Row / the Village and Roden Street; The Markets and Short Strand; The Shankill; and Ardoyne were eventually developed as an interdependent shared education programme of intervention with young school leavers and given additional staff and programme resources. The project was independently and positively researched for the three year period and this was published by Queens University- S. Jenvey. (1973), *To Be Called Stupid*, QUB Institute of Education.

Whilst successful as an intervention, it had limits that are relevant to the current proposals.

- a) There was only a tacit, not formal, engagement between the Principals of the different schools to support this work.
- b) The school staff bodies were not, as groups, bought into the programme and committed to seek new opportunities to expand co-operation.
- c) The main teaching / youth work was undertaken by relatively recent qualified professionals
- d) There was no back up from the Ministry or dedicated training support from the Universities and Teacher Training Colleges to assist professionals work in a shared manner.
- e) There was no requirement that professional teachers or youth workers undertook a Mutual Understanding Module as part of their basic or professional development.

***Specifically referring to the "Shared Education" Bill Draft section para 1.***

The focus of the first Schools Community Relations Programme was explicit on both:

- building trust and ease with different others across the religious, political and cultural backgrounds of the diverse areas;
- as well as being focused on offering the young people, and their extended families and carers, improved home support, enhanced school links, pupil support and motivation.

The intervention used improved curriculum materials, informal youth and community work methods, residential learning programmes and challenging and diverse and shared 'community service experiences' in city wide civil society agencies, hospitals and caring facilities.

**1. While welcoming the Shared Education Proposals as an additional, and long due, approach in our differentiated education system, little will be gained if the schemes envisaged as becoming possible are not explicit about linking the growth of mutual understanding and promoting higher attainment levels as mutually interweaving themes.**

I do not consider this is stated strongly in the documentation available.

Lessening antagonism and fear between pupils and their families and the adults responsible for their education, can create new space, beyond antagonism and distrust.

In such a new atmosphere all can imagine more opportunities, a greater landscape on which to support young people grow their motivation and talents. In the other direction, when people gain more confidence through being able to access wider opportunities, they can develop new understandings about what may have been limiting ways of living separately and decide to opt for living in a more open and shared manner.

It is essential that the dual goals of enhancing wider community understanding between adults as educators and parents / carers and young people are explicit and linked to approaches that address pupil attainment.

**2. Where relevant, tackling poverty and issues of social inequality that impact on pupils and their families is an important strategic goal.**

Such approaches are evidenced through best practice and educational research.

**3. It is important that shared education models are promoted across pupils of all social backgrounds.**

**Drawing from this experience and applying it to the current Draft Bill.**

*Specifically referring to: Power to encourage and facilitate shared education 2.—(1) The bodies listed in subsection (2) may encourage and facilitate shared education etc.*

**4. The creative synergy between a Central Ministry; the school providers; and the charitable and philanthropic interests with a commitment to promote new ways of addressing community distrust and community disadvantage was central to the success of the programme.**

The creative relationships established between the statutory, voluntary and community, and philanthropic support appears to be distinctly ruled out in the current drafting. I urge the political parties to re-consider this narrowing of the partnership envisaged.

**5. Additional Governance and Management Issues not mentioned in the proposed Bill**

**There is a need to formally stitch the Governance, Management and Staff of all schools together in a common enterprise in order that the full potential of such a shared education approach might gain its full potential.**

It is important that Senior Staff are integrated into overseeing such Shared Education models.

**In conclusion,**

It is important that these schemes are supported by dedicated staff training resources that explicitly assist staff undertake this imaginary work at initial, post qualifying, Headship and Senior management levels as well as with Governance Boards.

Such a 'shared education' scheme needs welcomed.

Within the underpinning statements, or in section 1 of the proposed Bill, I suggest a statement is required that explicitly locates and links the proposed programmes to the wider raft of educational initiatives such as the 'integrated education approaches' mandated in the Belfast Agreement and re-asserted in the various agreements since including the most recent on 17 November 2015; 'mixed school developments' and 'Irish medium developments'.

Whilst I believe that such 'shared education' approaches have their limits, it is important that such developments are more actively supported now, until a time when a wider political and social momentum might develop and permit even more innovative approaches.



**COMMENTS ON THE SHARED EDUCATION BILL FROM THE CENTRE FOR  
SHARED EDUCATION AT QUEEN'S UNIVERSITY TO THE COMMITTEE FOR  
EDUCATION, NORTHERN IRELAND ASSEMBLY**

## **The Centre**

The Centre for Shared Education was established by the School of Education in Queen's University in May 2012.

## **Vision**

We are an applied and interdisciplinary Centre committed to researching and promoting evidence based practice in all areas of shared education. Shared education is broadly defined as,

***Collaborative activity between schools from different sectors that is underpinned by a commitment to reconciliation objectives and can contribute towards school improvement, access to opportunity and more positive intergroup relations in divided societies.***

We are particularly interested in the role of shared education in societies that are divided on ethno/religious lines, and our work is underpinned by a commitment to the principle that all schools have role to play in promoting social harmony.

## **Mission**

Our mission is to promote shared education as a mechanism for the delivery of reconciliation and educational benefits to all children. This mission is delivered through 3 core strands of interlinked activity:

## **Research**

The Centre supports a programme of comparative national and international research that aims to enhance understanding of school-based sharing, the collaborative process, and associated outcomes. Our work is theory driven and empirically based, and we work in partnership with leading experts from a range of academic disciplines.

## **Programme**

A major Programme for Sharing Education (SEP) in Northern Ireland was delivered through the Centre. SEP offers a model for exploring the possibilities of sharing in a deeply divided society that is seeking to build peace after a long period of violent conflict. The model can be shared globally and we are currently working with academics, policy makers and practitioners in other divided jurisdictions to develop similar programmes.

### ***Education and training***

We have an established training programme for practitioners in Northern Ireland, and we have offered in-country courses to other jurisdictions. Our aim is to consolidate and extend existing training provision and to develop a short course programme that can be tailored to meet the requirements of practitioners in a range of sharing contexts. In addition, we are in the process of developing a Masters pathway Intercultural Education. We anticipate that this programme will be delivered in regular and online formats.

## **Response to the Current Draft of the Shared Education Bill**

The Centre for Shared Education has previously provided the Committee briefing notes presenting the rationale for shared education in divided societies and a summary of our own research and programme activities. Drawing on our experience and knowledge of shared education we now present the Education Committee feedback on the current draft of the Shared Education Bill introduced to the Assembly on Monday 2 November 2015.

The Centre for Shared Education welcomes the introduction of the Shared Education Bill. As the Bill progresses to the Committee Stage, we would request that the following points regarding the contents of the Bill are taken into consideration.

### **Appropriate Designation of Groups**

#### ***Community Background***

For shared education to have a positive impact within divided societies it is paramount that the individuals involved in intergroup contact are representative of the communities in conflict. In Northern Ireland various arguments have been advanced as to the nature of division, relating to for example, socio-economic status (Smith & Chambers, 1991), ethnonational differences (McGarry & O'Leary, 1995), and religion (Hickey, 1984). The use of one line of demarcation however simplifies a much more complex dynamic with multiple social groupings interlocking and mutually reinforcing one another (Cairns & Darby, 1998; Darby, 1995; Ruane & Todd, 1996).

In Section 1, point 2a, Shared education is defined as,

**..the education together of – (a) those of different religious belief including reasonable numbers of both Protestant and Roman Catholic children or young persons**

We would argue that 'religious belief' is not the most relevant categorisation to use within the Shared Education Bill and instead advocate the use of the term 'community background'. This reflects a number of considerations, the first being that 'religious belief' implies a level of religiosity that may not be relevant in a portion of the population. While 'religious identity' may more accurately capture the feelings of association with a particular religious group, there is a lack of clarity about what is implied within this in Northern Ireland – that is, whether it is conceived principally in terms of belief and practice or is

taken to indicate, more broadly, one's cultural and political affiliation (Wolffe, 2010).

Further, religious identity is fluid and what it means to ascribe to a particular religious group is influenced by wider social and political dynamics. There can be little doubt for example, that traditional cultural and religious identities are often eroded by secularization. In Northern Ireland, between 2010 and 2014 results from the Young Life and Times Survey reveal a marked increase in the number of young people that report that they do not regard themselves as belonging to any particular religion. While these individuals may not identify with a particular religious identity this is not to say that religion remains socially insignificant.

We would argue that the term 'community background' references a broader social identity, that moves beyond the confines of individual religiosity and more accurately addresses self-categorisation within a divided society, encompassing religious, cultural, and political elements, among others. As noted by Demerath, an individual does not have to be involved in religious participation or have a personal sense of involvement per se to identify with a wider cultural religious heritage of a community (2000).

The term 'community background' reaches across multiple domains and, moreover, takes into account the changing demography of Northern Ireland. We believe it more accurately captures the defining variables that compromise identity in this society. Belonging to a particular community background is based on an understanding that individuals generally perceive themselves and are perceived by others to belong to a larger group and not a fixed, homogenous entity. What it means to be a member of this wider group may change over time as individuals adapt to what they believe being a member entails (Tajfel, 1978, 1981; Tajfel & Turner, 1979); for some it may mean regular religious attendance, for others it may mean particular national identities, and for others it may be defined by parental background.

### ***Proportions***

Additionally, we believe that with the substantial variations in pupil body populations in schools across Northern Ireland that a focus on 'reasonable numbers' is inappropriate. Instead we would argue that it is more appropriate to refer to the proportions of children and young people from different community backgrounds.

Taking these points into consideration we suggest the following amendments to Section 1, point 2a,

***Those of different community and cultural backgrounds, including a reasonable proportion of children and young people from Protestant and Catholic community backgrounds.***

### ***Clarification***

In addition to the education together of children from differing community backgrounds, Section 1, point 2b states that shared education will also include,

**Those who are experiencing socio-economic deprivation and those who are not**

It is unclear how socio-economic deprivation is being defined in this context, and why it is deemed relevant in the context of sharing between schools ALL of which will comprise a proportion of pupils from lower and higher socio-economic groups - albeit that these proportions will vary significantly depending on school location and type. We cannot propose an alternative here but would ask that the following questions are considered: How will socio-economic deprivation be appropriately measured, and what practical measures can be taken to ensure that this will be carried out? In Section 1, point 2a stress is placed upon 'reasonable numbers'. A similar emphasis is not apparent here and it is unclear why.

### **Appropriate Designation of Providers**

Section 1 concludes by stating that shared education is,

**...secured by the working together of two or more relevant providers**

Point 3 further states that relevant providers means a person providing,

**(a) education at a grant-aided school, or**

**(b) services of any kind including youth services which provide educational benefit to children or young persons or which are ancillary to education.**

The Centre for Shared Education defines shared education broadly as, "Collaborative activity between schools from different sectors that is underpinned by a commitment to reconciliation objectives and can contribute

towards school improvement, access to opportunity and more positive intergroup relations in divided societies.” We feel it is crucial that relevant providers must also come from the differing school sectors including schools which are predominately Catholic, predominately Protestant, integrated, special schools, and youth services.

Therefore, we would suggest the following amendment to the closing statement of Section 1, point 2,

***... secured by the working together and co-operation of two or more relevant providers of different sectors***

With sectors defined in the Bill as those schools which are comprised of predominately Catholic pupils, predominately Protestant pupils, integrated schools, youth services, and special schools.

### **Stronger Language**

We would also suggest amending the language in Section 2 from “Power to encourage and facilitate shared education” to,

***Duty to promote, encourage, and facilitate shared education***

The use of stronger language reflects the support of the Department of Education and reflects language used in Section 64 of the 1989 Education [Northern Ireland] Order which placed a statutory duty on the Department of Education to encourage and facilitate integrated education.

A final note, on 4 November 2015 the Department of Education proposed the possible inclusion of an additional paragraph to the Shared Education Bill which would establish a body to support ownership and governance arrangements for shared campus schools and other schools wishing to create a shared entity. On the whole we support the establishment of such a body and will welcome sight of final wording of the proposed additional paragraph. We will be happy to provide further feedback at that time.

## References

- Cairns, E., & Darby, J. (1998). The conflict in Northern Ireland: Causes, consequences, and controls. *American Psychologist*, *53*, 754-760.
- Darby, J. (1995). Conflict in Northern Ireland: A background essay. In S. Dunn (ed.), *Facets of the Conflict in Northern Ireland*. Hampshire: Macmillan.
- Demerath, N. J. (2000). The rise of "cultural religion" in European Christianity: learning from Poland, Northern Ireland, and Sweden. *Social compass*, *47*(1), 127-139.
- Hickey, J. (1984). *Religion and the Northern Ireland problem*. Gill and Macmillan; Totowa, NJ: Barnes & Noble.
- McGarry, J., & O'Leary, B. (1995). Five fallacies: Northern Ireland and the liabilities of liberalism. *Ethnic and Racial Studies*, *18*(4), 837-861.
- Ruane, J., & Todd, J. (1996). *The dynamics of conflict in Northern Ireland: Power, conflict and emancipation*. Cambridge University Press.
- Shuttleworth, I.G., & Lloyd, C.D. (2009). Are Northern Ireland's communities dividing?: Geographically consistent evidence from Census of Population data, 1971-2011. *Environment Planning A*, *41*, 213-229.
- Shuttleworth, I.G., Lloyd, C.D., Martin, D.J. (2011). Exploring the implications of changing census output geographies for the measurement of residential segregation: The example of Northern Ireland 1991-2001. *Journal of the Royal Statistical Society*, *174*, 1-16.
- Smith, D. J., & Chambers, G. (1991). *Inequality in Northern Ireland*. Oxford University Press, USA.
- Tajfel, H. (1978) (ed.). *Differentiation Between Social Groups: Studies in the Social Psychology of Intergroup Relations*. London: Academic Press.
- Tajfel, H. (1981). *Human Groups and Social Categories*. Cambridge: Cambridge UP.

Tajfel, H., & Turner, J. (1979). An integrative theory of intergroup conflict. In W.G. Austin & S Worchel (eds) *The Social Psychology of Intergroup Relations*. Monterey, Cal.: Brooks/Cole.

Wolffe (2013) *Reassessing the Role of Religion in Northern Ireland Community Divisions*. Paper presented as part of the Northern Ireland Assembly's Knowledge Exchange Seminar Series, 24<sup>th</sup> October 2013 [online]. Available at: [http://www.niassembly.gov.uk/globalassets/documents/raise/knowledge\\_exchange/briefing\\_papers/series3/wolffe241013.pdf](http://www.niassembly.gov.uk/globalassets/documents/raise/knowledge_exchange/briefing_papers/series3/wolffe241013.pdf)



## **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.

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## **RCN response to the Education Committee call for evidence on the Shared Education Bill**

Rural Community Network welcomes the opportunity to comment on the content of the Shared Education Bill. We welcome the introduction of the Bill as a signal of intent of a long term commitment to Shared Education in Northern Ireland.

RCN is concerned that the definition of shared education in the Bill is less definitive than many other definitions put forward by various organisations and the Department itself over the past number of years. We also believe that the definition should include reference to integrated education as the type of educational ethos which involves the deepest level of shared education. The report of the Ministerial Advisory Group on Shared Education which reported in 2013 defined of Shared Education was:

“Shared education involves two or more schools or other educational institutions from different sectors working in collaboration with the aim of delivering educational benefits to all learners, promoting the efficient and effective use of resources, and promoting equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.”

In our view this is a more complete definition and should replace the definition currently set out at Clause 1 (2).

The power to encourage and facilitate shared education should state that:

“The bodies listed in subsection 2 should encourage and facilitate shared education in consultation with young people and their parents.”

We believe that the Bill should make explicit the link between shared education and the potential of the area planning process to plan education on an area basis and encourage shared solutions to develop where community support exists.

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The Shared Education in the Roe Valley (SERV) Partnership of Limavady High School and St Mary's fully support the Minister's vision for Shared Education. Over the last forty years shared programmes and good relations have led us to our current provision. In this school year 2015-2016 in excess of five hundred students are taught in shared timetable classes delivering sound educational benefits. The programme promotes "good relations, equality of identity, respect and diversity".

Recent student evaluations undertaken by both schools have shown "that children and young people participating in Shared Education particularly benefit from an increase in self-confidence, self-awareness and self-reflection; being more open to meeting others with differing perspectives; and with improved skills in problem solving, decision making and critical and creative thinking". Furthermore the students have expressed the desire for more sharing to take place.

Within the Roe Valley Learning Community our annual residuals show that at GCSE and A level shared courses provide the learner with the opportunity to achieve a higher outcome (1 grade higher) in subjects of their choice leading to wider career options.

Our co-operation has enhanced Continuous Professional Development within the two schools. It has provided opportunities for capacity building within the Partnership. Joint staff training and shared Department Meetings have provided the expertise to raise educational achievement.

Our partnership believes that working with parents is key to the success of the programme. Joint parents meetings and other events enhance meaningful relationships resulting in improved societal benefits.

We appreciate that the proximity of the two schools has facilitated the success of our programme. More importantly the relationships between the leaders of the two schools is, and has been for many years and through changing leadership, based on mutual trust and respect and this is the key factor contributing to the success of this partnership.

*Shane Laverty*

*Principal, Limavady High School*

*Mary McCloskey*

*St Mary's, Limavady*



## **Transferor Representatives' Council submission to the Northern Ireland Assembly Committee for Education on the Shared Education Bill**

November 2015

The Transferor Representatives' Council (TRC) welcomes the opportunity to comment on the Shared Education Bill.

The three Churches represented by the TRC – the Church of Ireland, Presbyterian Church in Ireland and Methodist Church in Ireland – have each passed resolutions of strong support for the concept of shared education at their highest decision-making bodies. The TRC believes that within shared education there is the potential for much good in terms of educational outcomes, efficient and effective use of resources, and the promotion of good relations and community cohesion.

### **Comments on the Bill**

#### *Clause 1*

The TRC is concerned about the definition of shared education contained within Clause 1 of the Bill. The TRC believes strongly that sharing should provide the opportunity for those of different religious beliefs to share educational experiences, and that this will involve schools of different ownership and sectoral identity. In Northern Ireland, the primary focus should be on enabling those from Protestant and Roman Catholic backgrounds to learn together. We also recognise the need to address socio-economic disadvantage in education. We have been and will continue to be supportive of Departmental programmes and initiatives that are designed to do this. However, the inclusion of socio-economic factors in the definition of shared education has the potential to limit the effectiveness of its primary aim stated above.

This concern is well illustrated by the effect of the wording of subsections (2)(a) and (b) of Clause 1, particularly the use of the word 'and' at the end of Subsection (2)(a). We note the Education Minister's comments during the Second Stage of the Shared Education Bill on 10<sup>th</sup> November 2015, when he said:

*The [Education Committee] Chair also raised the issue of whether, under this definition, children with different socio-economic levels may qualify for shared education if they all come from the one religion. That will not be the case because the legislation is quite clear that shared education is the educating together of those of different religious belief **and** socio-economic deprivation, **so there will have to be a cross-community element.** [emphasis added]*



It follows that there must also be a socio-economic element in any proposal, i.e. projects by schools or other educational institutions involving those of different religious beliefs but of largely similar socio-economic backgrounds will not meet the definition of shared education. Our concern, therefore, is that the definition of shared education proposed in the Bill significantly narrows the potential for sharing.

As we stated in our submission in March 2015 to the Department's consultation on a shared education policy, the TRC prefers the definition proposed by the Ministerial Advisory Group on shared education which reported in 2013. It endorsed a definition of shared education that,

'involves two or more schools or other educational institutions from different sectors working in collaboration with the aim of delivering educational benefits to learners, promoting the efficient and effective use of resources, and promoting equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion'.

### *Clause 2*

The TRC notes that Clause 2 of the Bill contains no reference to the role of Sectoral Support Bodies in shared education. We believe that there is a key role for Sectoral Support Bodies to encourage and promote the potential of shared education by close working with other Sectoral Bodies.

The Controlled Schools Support Council, for example, has within its ministerial remit a duty to build cooperation and engage with other sectors in matters of mutual interest, including the promotion of tolerance and understanding. The TRC believes that Sectoral Support Bodies should be referenced in Clause 2 with other bodies that may encourage and facilitate shared education, or included by reference in a separate clause or subclause.

It is vitally important that the bodies supporting schools are formally recognised as having a role in supporting and encouraging shared education. Considering the proposed aim and definition of shared education, it would be unfortunate if the body supporting controlled schools is not referenced, whilst the body supporting Catholic maintained schools is clearly included in the legislation.

The TRC would also welcome clarification from the Department on why the bodies listed under Clause 2 are authorised to 'encourage and facilitate' but not promote shared education, given that the Education Authority is required to do all three under the Education Act (Northern Ireland) 2014.



**Transferor Representatives' Council**

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## Shared Education Bill Committee Stage

### Comments from UNESCO Centre, Ulster University

17 November 2015

1. The UNESCO Centre at Ulster University welcomes the opportunity to respond to the Committee for Education call for comments on the Shared Education Bill. The Committee Stage is extremely constrained and this is a concern to us, as we believe that the Bill, as presented, does not fully compliment the stated policy intentions outlined in the Departmental strategy, 'Sharing Works', or meet legislative standards of consistency.
2. We also have a concern that the Bill, in its current form, commits schools, in perpetuity, to the associated costs of implementing shared education, though funding has only been secured until 2018. Despite a number of calls for further clarity on this matter, the Department of Education gives no guarantee of future funding beyond a vague commitment to 'mainstream' funding for shared education after 2018. Without a clear commitment of additional funding beyond this date schools will have to make extremely difficult decisions about how to allocate already shrinking budgets in order to fulfil a programme which now has a legislative basis.
3. As the Committee calls only for comments on the '*contents of the Bill*' the UNESCO Centre makes the following observations:

#### Clause 1 – Shared Education

4. The purpose of the proposed Bill is to provide a clear, working definition of Shared Education, but the definition as introduced falls short of this standard.
5. The departmental policy for shared education, '*Sharing Works: A Policy for Shared Education*' clearly sets a context for shared education which the Bill does not reflect. For example, the policy explains that, '*Specifically, Shared Education involves the sustained provision of opportunities for children and young people from different community, as well as social and economic, backgrounds to learn together*' (*Sharing Works, DE, P15*). The definition contained within the Bill does not require any commitment to 'sustained' education together. We believe that this should be amended so that, 1. (2) reads:  
"Shared education" means the **sustained** education together of –
6. We have concerns around the possible future interpretation of parts of the definition of shared education provided in the Bill, not least, what constitutes a '*reasonable number*' of both Protestant and Roman Catholic children or young persons?

7. It could also be argued that various interpretations of ‘*socio economic deprivation*’ could lead to situations where schools that have taken part in shared education initiatives in the past, and who may have a role to play in the future, may be unable to access funding.
8. As raised previously by various stakeholders, the definition of shared education in the Bill is a narrow one, as opposed to the wider definition provided in ‘*Sharing Works: A Policy for Shared Education*’ (p.15),

*‘Shared Education is described as the organisation and delivery of education so that it:*

- *Meets the needs of, and provides for the education together of learners from all Section 75 categories<sup>4</sup> and socio-economic status;*
- *Involves schools and other education providers of differing ownership, sectoral identity and ethos, management type or governance arrangements; and*
- *Delivers educational benefits to learners, promotes the efficient and effective use of resources, and promotes inclusion in terms of equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion involving a number, though not all, of designated section 75 groups.’*

The definition of shared education, as outlined in the Bill, provides no such detail or intent and is open to extremely wide interpretation. It is our understanding that one of the main reasons for a legislative definition of shared education was to bring clarity to those tasked with implementing the policy and the wider educational community. We fear that the definition contained within the Bill is not a helpful enough intervention.

## **Clause 2 – Power to encourage and facilitate shared education**

9. The issue of ‘Power’ versus ‘Duty’ remains confused and confusing.
10. It is not clear on how the decision on the four bodies given the option of using the power to encourage and facilitate shared education was arrived at. If it is the case that Non Departmental Public Bodies meet the criteria, it is surprising that, for example, Comhairle na Gaelscolaíochta or NICIE are not included. The fact that both operate under existing statutory duties should not be a reason to exclude, as the Department of Education and CCMS are included in the list, and they currently have responsibility for existing statutory duties. Therefore it may be appropriate to amend the Bill as follows:

‘2.-(2) The bodies are-

- (a) the Department of Education;
- (b) the Council for Catholic Maintained Schools;
- (c) the Youth Council for Northern Ireland;
- (d) the Northern Ireland Council for the Curriculum, Examinations and Assessment;
- (e) The General Teaching Council for Northern Ireland;**
- (f) the Northern Ireland Council for Integrated Education; and**
- (g) Comhairle na Gaelscolaíochta**

11. It may also be necessary to ensure that accountability, particularly in financial terms and in terms of progress towards targets set for shared education, is ensured when granting this

power to a number of bodies. This is crucial in terms of transparency and public accountability. We would suggest that the Bill be amended to add a subsection to clause 2 stating that:

‘2.-(3) The Department of Education will publish an annual report outlining expenditure and progress towards targets set in the Programme for Government relating to shared education.’

**UNESCO Centre, Ulster University**

**November 2015**



Northern Ireland  
Assembly

Appendix 4

# Memoranda and Papers from the Department of Education

**DEPARTMENT OF EDUCATION**

**EQUALITY AND HUMAN RIGHTS POLICY SCREENING**

**FOR SHARED EDUCATION POLICY**

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# 1. POLICY SCOPING

## 1.1 Title of policy

Shared Education

## 1.2 Type of Policy Development

This is a new policy

## 1.3 Description of policy

The aim of the Shared Education policy is: **To encourage and facilitate collaborative working across educational providers, on a cross sectoral basis, to deliver educational benefits to learners, promote equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.**

The objectives of the policy are to:

- provide all children and young people with an opportunity to participate in a programme of Shared Education;
- provide greater opportunity for teachers to work collaboratively;
- improve access for learners to the full range of the curriculum, to high quality teaching, and to modern facilities;
- improve educational and reconciliation outcomes; and
- contribute to the creation of a more harmonious society.

The intended outcomes of the policy are:

- an increase in the opportunity for young people to learn in a shared environment (both formal and non-formal);
- an increase in the number of children and young people participating in Shared Education;
- an increase in the number of schools participating in Shared Education; and
- an increase in the number of schools sharing facilities and resources.

The policy sets out the key actions and interventions that DE will take to support the development of Shared Education.

**1.4** What factors could contribute to, or detract from the intended aim/outcome of the policy?

|                        |   |
|------------------------|---|
| None                   |   |
| Legislative            | ✓ |
| Financial              | ✓ |
| Others please specify) | ✓ |

Others: Widespread community and political tension and unrest could detract from the intended outcomes of the policy.

**1.5 Main stakeholders affected**

|  |   |
|--|---|
| Pupils (Actual or Potential)               | ✓ |
| Parents                                    | ✓ |
| Teaching Staff                             | ✓ |
| Trade Unions or Professional Organisations |   |
| Other Public Sector Organisations          |   |
| Departmental Staff                         |   |
| Others (please specify)                    | ✓ |

Others: Boards of Governors, Youth Service Management Committees, Youth Work practitioners; Early Years practitioners.

## 1.6 Who is responsible for: (a) Devising the policy

The Department of Education (DE)

## (b) Implementing it

DE, Education Arms Length Bodies, schools and youth work settings.

## (c) Explain the relationship?

DE establishes and monitors the policy. It will also implement a number of the key actions. Other actions will fall to Arms Length Bodies for implementation. On the ground, Shared Education programmes will be delivered by early years settings, schools and youth work settings.

## 1.7 Other policies or objectives with a bearing on this policy

The ***Programme for Government*** sets out three specific objectives relating to Shared Education:

- to establish a Ministerial Advisory Group to advise on advancing Shared Education;
- to ensure all children have the opportunity to participate in Shared Education programmes by 2015; and
- to substantially increase the number of schools sharing facilities by 2015.

The ***Together: Building a United Community Strategy*** undertakes to “*enhance the quality and extent of Shared Education provision, thus ensuring that sharing in education becomes a central part of every child’s educational experience.*”

Shared Education policy has been particularly informed by the ***Report of the Ministerial Advisory Group on Shared Education*** (March 2013).

Shared Education Policy sits within a broader education policy framework designed to improve educational outcomes for young people and tackle the significant tail of educational under-achievement that has characterised our education system by breaking the cycle of social disadvantage, educational failure and restricted life chances.

## 2. EVIDENCE

### 2.1 What evidence/information (both qualitative and quantitative) have you gathered to inform this policy?

| Section 75 Category      | Details of Evidence/Information  |
|--------------------------|--|
| <p>Religious Belief</p>  | <p>Shared Education is designed to promote opportunities for children and young people from different community backgrounds to learn together.</p> <p>The need for and development of this policy has been informed by a range of academic studies and reports from a range of stakeholder organisations which detail the continuing negative impact of religious and political division on the attitudes of children and young people in Northern.</p> <p>For example, the Young Life and Times Survey (2013) reported that twenty-six percent of young people said that they rarely or never socialise or play sport with people from a different religious community. Further, seventy-eight per cent of young people also felt that religion will always make a difference to the way people feel about each other here.</p> <p>In addition, the development of the policy has been informed by the fact that our education system largely reflects traditional divides in society. 92.6% of children and young people here attend either Catholic maintained schools or schools that are either state controlled or voluntary and that are mainly attended by Protestant children and young people.</p> <p>There is an extensive body of international research regarding the effectiveness of collaboration between different types of schools in divided societies.</p> |
| <p>Political Opinion</p> | <p>Shared Education is designed to promote opportunities for children and young people from different community backgrounds to learn together.</p> <p>The need for and development of this policy has been informed by a range of academic studies and reports from a range of stakeholder organisations which detail the continuing negative impact of religious and political division on the attitudes of children and young people.</p>  |

|                       |  |
|-----------------------|--|
|                       | <p>For example, the Young Life and Times Survey (2013) reported that twenty-six percent of young people said that they rarely or never socialise or play sport with people from a different religious community. Further, seventy-eight per cent of young people also felt that religion will always make a difference to the way people feel about each other here.</p> <p>In addition, the development of the policy has been informed by the fact that our education system largely reflects traditional divides in society. 92.6% of children and young people here attend either Catholic maintained schools or schools that are either state controlled or voluntary and that are mainly attended by Protestant children and young people.</p> <p>There is an extensive body of international research regarding the effectiveness of collaboration between different types of schools in divided societies.</p> |
| <p>Racial Group</p>   | <p>Shared Education will be organised and delivered in such a way that promotes equality of opportunity and social inclusion by providing opportunities for children from differing Section 75 groups, including children from different racial backgrounds to learn together at school and in less formal education.</p> <p>Policy development has in part been informed by the increasing diversity of the school population in Northern Ireland.</p> <p>During recent years, schools here have been experiencing a steady growth in their enrolment of children from various parts of the world. The number of Newcomer pupils has increased from 1,366 in 2001/2 to 10,356 in 2013/14.</p>   |
| <p>Age</p>            | <p>It is intended that <b>all children and young people</b> will have the opportunity to learn together through Shared Education. This will include Early Years, Primary, Post Primary and the Youth Sector</p>  |
| <p>Marital Status</p> | <p>Marital status is not a consideration in the development and application of this policy.</p>  |

|                                |  |
|--------------------------------|--|
| <p>Sexual Orientation</p>      | <p>It is intended that <b>all children and young people</b> will have the opportunity to learn together through Shared Education.</p> <p>In seeking to promote good relations, equality of identity and respect for diversity the policy will positively impact on sexual orientation.</p> <p>Representatives of LGB&amp;T communities have raised the issue of the designation of schools as public authorities under Section 75 – the absence of which they argue has a disproportionate impact on LGB&amp;T young people.</p>   |
| <p>Men And Women Generally</p> | <p>It is intended that <b>all children and young people</b> will have the opportunity to learn together through Shared Education. This will promote equality of identity and respect for diversity.</p>  |
| <p>Disability</p>              | <p>, Shared Education is designed to promote opportunities for enhanced collaboration between mainstream schools, special schools and educational support centres,</p> <p>Development of this policy is informed by a wide evidence base highlighting the benefits of inclusion for children with SEN.</p> <p>An example of key local evidence on the benefits of collaboration includes the ETI ‘Guide to Collaborative Practice’, which is based on learning from twenty four special schools that worked collaboratively on a joint curriculum project of their choosing with a neighbouring mainstream school. This guidance sets out the key elements arising from these projects which support and encourage collaborative working. It provides a template, alongside a synopsis of the case study projects, to all schools and Area Learning Communities to use to build their capacity to respond more effectively to a wider range of pupils needs through collaborative working.</p> |
| <p>Dependants</p>              | <p>It is intended that <b>all children and young people</b> will have the opportunity to learn together through Shared Education. This will promote equality of identity</p>   |

|  |                            |
|--|----------------------------|
|  | and respect for diversity. |
|--|----------------------------|

**2.2 Taking into account the evidence gathered at 2.1 what are the needs, experiences and priorities of each of the categories in relation to this particular policy**

| Section 75 category     | Needs/Experiences/Uptake/Priorities   |
|-------------------------|---|
| Religious Belief        | The aim of the Shared Education policy is to promote equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion. These are important priorities for all Section 75 categories. |
| Political Opinion       |   |
| Racial Group            |   |
| Age                     |   |
| Marital Status          |   |
| Sexual Orientation      |   |
| Men And Women Generally |   |
| Disability              |   |
| Dependants              |   |

### 3. SCREENING QUESTIONS

#### 3.1 What is the likely impact of this policy on equality of opportunity for each of the Section 75 equality categories?

\*No negative impact

| Section 75 category     | None | Minor | Major | Details of policy impact Level of impact? |
|-------------------------|------|-------|-------|---|
| Religious belief        | ✓    |       |       |   |
| Political opinion       | ✓    |       |       |   |
| Racial group            | ✓    |       |       |   |
| Age                     | ✓    |       |       |   |
| Marital status          | ✓    |       |       |   |
| Sexual Orientation      | ✓    |       |       |   |
| Men and women generally | ✓    |       |       |   |
| Disability              | ✓    |       |       |   |
| Dependants              | ✓    |       |       |   |

### 3.2 Are there opportunities to better promote equality of opportunity for people within the Section 75 equality categories?

| Section 75 category | NO | Yes | Provide Details   |
|---------------------|----|-----|---|
| Religious belief    |    | ✓   | <p>Shared Education policy is specifically intended to promote equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.</p> <p>Shared Education involves the provision of opportunities for children and young people from different community backgrounds to learn together.</p> <p>Against the background of a segregated education system, Shared Education is a crucial way to break down barriers and improve community relations.</p> |
| Political opinion   |    | ✓   | <p>Shared Education policy is specifically intended to promote equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.</p> <p>Shared Education involves the provision of opportunities for children and young people from different community backgrounds to learn together</p> <p>Against the background of a segregated education system, Shared Education is a crucial way to break down barriers and improve community relations.</p>  |
| Racial group        |    | ✓   | <p>Shared Education policy is specifically intended to promote equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.</p> <p>It is expected that Shared Education will be organised and delivered in such a way that promotes equality of opportunity and social inclusion by providing opportunities for children and young people from differing Section 75 groups (including those from different racial backgrounds</p>               |
| Age                 | ✓  |     |   |

|                         |   |   |   |
|-------------------------|---|---|---|
| Marital status          | ✓ |   |   |
| Sexual Orientation      |   | ✓ | <p>Shared Education policy is specifically intended to promote equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.</p> <p>It is expected that Shared Education will be organised and delivered in such a way that promotes equality of opportunity and social inclusion by providing opportunities for children and young people from differing Section 75 groups (including those of differing sexual orientation)</p>    |
| Men and women generally |   | ✓ | <p>Shared Education policy is specifically intended to promote equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.</p> <p>It is expected that Shared Education will be organised and delivered in such a way that promotes equality of opportunity and social inclusion by providing opportunities for children and young people from differing Section 75 groups (including gender)</p>                                   |
| Disability              |   | ✓ | <p>Shared Education policy is specifically intended to promote equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.</p> <p>It is expected that Shared Education will be organised and delivered in such a way that promotes equality of opportunity and social inclusion by providing opportunities for children and young people from differing Section 75 groups (e.g. including those with and without disabilities)</p> |
| Dependants              |   | ✓ | <p>Shared Education policy is specifically intended to promote equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.</p> <p>It is expected that Shared Education will be organised and delivered in such a way that promotes equality of opportunity and social inclusion by providing opportunities for children from differing Section 75 groups (including children who are carers or school age mothers)</p>             |

**3.3 To what extent is the policy likely to impact on good relations between: people of different religious belief, political opinion or racial group?**

| <b>Good relations category</b> | <b>No impact</b> | <b>Minor impact</b> | <b>Major impact</b> | <b>Details of policy impact</b> |
|--------------------------------|------------------|---------------------|---------------------|---------------------------------|
| Religious belief               | ✓                |                     |                     |                                 |
| Political opinion              | ✓                |                     |                     |                                 |
| Racial group                   | ✓                |                     |                     |                                 |

**3.4 Are there opportunities to better promote good relations between people of different religious belief, political opinion or racial group?**

| <b>Good relations category</b> | <b>NO*</b> | <b>YES*</b> | <b>Provide Details</b>  |
|--------------------------------|------------|-------------|---|
| Religious belief               |            | ✓           | <p>Shared Education promotes equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.</p> <p>Shared Education involves the provision of opportunities for children and young people from different community backgrounds to learn together.</p> <p>Against the background of a segregated education system, Shared Education is a crucial way to break down barriers and improve community relations.</p> |
| Political opinion              |            | ✓           | <p>Shared Education promotes equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.</p> <p>Shared Education involves the provision of opportunities for children and young people from different community</p>  |

|              |  |   |  |
|--------------|--|---|--|
|              |  |   | backgrounds to learn together.<br>Against the background of a segregated education system, Shared Education is a crucial way to break down barriers and improve community relations. |
| Racial group |  | ✓ | Shared Education promotes equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.   |

### **3.5 Additional considerations - Multiple identities**

**Please provide details of data on the impact of the policy on people with multiple identities and specify relevant Section 75 categories concerned.**

## 4. SCREENING DECISION

**Not to conduct an equality impact assessment because no equality issues have been identified.**

Please provide details which support the decision

Shared Education is specifically intended to increase equality of opportunity and good relations. Consequently, no adverse equality issues have been identified.

Shared Education is the organisation and delivery of education so that it:

- Meets the needs of, and provides for the education together of learners from all Section 75 categories and socio-economic status;
- Involves schools and other education providers of differing ownership, sectoral identity and ethos, management type or governance arrangements; and
- Delivers educational benefits to learners, promotes the efficient and effective use of resources, and promotes equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion.

Shared Education involves the provision of opportunities for children and young people from different community backgrounds to learn together.

It is expected that Shared Education will be organised and delivered in such a way that promotes equality of opportunity and social inclusion by providing opportunities for children from differing Section 75 groups (e.g. children from different racial backgrounds, children with and without disabilities, children who are carers or school age mothers) and from differing socio-economic backgrounds to learn together at school and in less formal education.

The Department of Education has published [consultation proposals](#) on the Shared Education Policy and accompanying Shared Education Bill. The Consultation will last until Friday 6 March 2015.

**5. TIMETABLING AND PRIORITISING**

**5.1 If the policy has been ‘screened in’ for equality impact assessment, then please answer the following questions to determine its priority.**

On a scale of 1-3, with 1 being the lowest priority and 3 being the highest, assess the policy in terms of its priority for equality impact assessment.

| <b>Criterion</b>                                     | <b>Priority Rating</b> |
|--|------------------------|
| Effect on equality of opportunity and good relations |                        |
| Social need  |                        |
| Effect on people’s daily lives                       |                        |
| Relevance to a public authority’s functions          |                        |
| <b>Total</b>   |                        |

Details of the Department’s Equality Impact Assessment Timetable will be included in a Quarterly Screening Report.

**5.2 If the policy is affected by timetables established by other relevant Public Authorities please provide details**

**6. MITIGATION**

If you conclude that the likely impact is ‘**minor**’ and an equality impact assessment is not to be conducted, you should consider: mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity or good relations.

**Why and how will the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity and/or good relations?**

## 7. MONITORING

**Effective monitoring will help identify any future adverse impact arising from the policy, as well as help with future planning and policy development.**

**Please detail what data you will collect in the future in order to monitor the effect of the policy on any of Section 75 equality categories.**

A series of outcome measures have been agreed for monitoring and evaluation purposes. These include specific measure on attitudinal change and reconciliation. Additionally the Education and Training Inspectorate will be engaged to evaluate shared education partnerships.

Where schools and other educational institutions are in receipt of a Shared Education funding, the Education and Training Inspectorate will explicitly review the use of that funding in its inspection reports.

The Chief Inspector's Report, which is published biennially, will make specific comment on the current range and extent of Shared Education activities across the education sector, highlight good practice and make recommendations regarding how these could be extended and improved.

Additional information will be collated from a number of surveys. A series of questions have been developed and are included in the schools omnibus survey. This is completed by the head of the school annually and the available information used to setup baseline data. It will continue to be run on a yearly basis to access the numbers etc involved in sharing in education.

DE contributes questions to the Young Life and Times Annual Survey. At present shared education questions will be included every 2 years to measure the increase in sharing in education partnerships over the next few years. These questions focus on the experiences of 16 year old young people.

## **8. DISABILITY DISCRIMINATION**

### **8.1 Please state if the policy/decision in any way discourages persons with disabilities from participating in public life or fails to promote positive attitudes towards persons with disabilities.**

No - the policy aims to encourage and facilitate collaborative working across educational providers, on a cross sectoral basis and will be equally applied to pupils with or without any form of disability.

### **8.2 Please state if there is an opportunity to better promote positive attitudes towards persons with disabilities or encourage participation in public life by making changes to the policy/decision or introducing additional measures.**

Yes –It is expected that Shared Education will be organised and delivered in such a way that promotes equality of opportunity and social inclusion by providing opportunities for children with and without disabilities to learn together at school and in less formal education. Notably, Shared Education will provide opportunities for enhanced collaboration between mainstream schools, special schools and educational support centres

### **8.3 Please detail what data you will collect in the future in order to monitor the effect of the policy with reference to the disability duties.**

The Education and Training Inspectorate will be engaged to evaluate shared education partnerships.

Where schools and other educational institutions are in receipt of a Shared Education funding, the Education and Training Inspectorate will explicitly review the use of that funding in its inspection reports.

# 9 CONSIDERATION OF HUMAN RIGHTS ISSUES

## 9.1 How does the policy/decision affect anyone’s Human Rights?

I.E.

The Human Rights Act (1998)

The United Nations Convention on the Rights of the Child (UNCRC)

The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

The United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

|   |   |
|---|---|
|   |   |
| Positive Impact   | ✓ |
| Negative Impact (human right interfered with or restricted) |   |
| Neutral Impact  |   |

## 9.2 If you have identified a negative impact who is affected and how?

*At this stage you should determine whether to seek legal advice and to refer to the issue to the Equality Team to consider:*

- *whether there is a law which allows you to interfere with or restrict rights*
- *whether this interference or restriction is necessary and proportionate*
- *what action would be required to reduce the level of interference or restriction).*

**9.3 Outline any actions which could be taken to promote or raise awareness of human rights or to ensure compliance with the legislation in relation to the policy/decision.**

## 10 CONSIDERATION OF RURAL IMPACTS

10.1 Is there potentially a direct, or indirect, impact on rural areas?

|     |   |
|-----|---|
| YES |   |
| NO  | ✓ |

***Guidance on Rural Impact Assessment can be found in [Thinking Rural: The Essential Guide to Rural Proofing](#)***

**10.2 If YES please attach a DARD Rural Issues Statement Pro-forma  
(A Pro-forma can be found in TRIM Document DE1/14/117152)**

# 11. APPROVAL AND AUTHORISATION

|                     |   |             |
|---------------------|---|-------------|
| <b>Screened By:</b> | <b>Position</b>                                   | <b>Date</b> |
| Suzanne Kingon      | DP, Shared Education and Community Relations Team | 01/10/14    |
| <b>Approved BY:</b> | <b>Position</b>                                   | <b>Date</b> |
| Andrew Bell         | G7, Shared Education and Community Relations Team | 01/10/14    |

**Note:** A copy of the Screening Form must be approved and 'signed off' by a senior manager responsible for the policy.

|                        |               |                |
|------------------------|---------------|----------------|
| Quality Assured by:    | Edith Preston | Date: 4/2/2015 |
| Screening Decision     | Agreed        |                |
| Placed on Internet by: | _____         | Date: _____    |
| Consultees Informed by | _____         | Date: _____    |



Department of  
**Education**

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Fax No: (028) 9127 9100

Email: [russell.welsh@deni.gov.uk](mailto:russell.welsh@deni.gov.uk)

Your ref: 2393

1 December 2015

Dear Peter

## **SHARED EDUCATION BILL**

The Department currently use different established measures to identify socio-economic deprivation in each of the following areas:

- School Sector - Free School Meals is the accepted measure of socio-economic deprivation.
- Pre-school providers - While admissions criteria are set by pre-school providers, legislation requires that the top criterion prioritises children from socially disadvantaged backgrounds. In this setting children from socially disadvantaged circumstances are defined as a child whose parent is in receipt of income support, income-based Jobseekers Allowance, or Employment Support Allowance where an award of income-based Jobseekers Allowance has been converted and the amount of the award remains unchanged.
- Youth Sector - There are a range of different measures used to identify socio-economic deprivation, including the most deprived Super Output Areas as defined by the NI Multiple Deprivation measure, population, rurality, minority groups and historical evidence. The Department is working to agree a composite and regional measure that will be used in respect of Priorities for Youth. It would be appropriate that the same measure is used for Shared Education.

With regard to “reasonable numbers” qualification to the socio-economic aspect of the Shared Education definition is not included in the Bill. The reference to reasonable numbers relates only to the two main communities, which is a subject of religious belief.

Individual funding streams will specify the criteria by which socio-economic deprivation will be considered. Currently schools applying to the DSC Shared Education Signature Project are required to include % of Free School Meals as part of their application. Each application is examined on a case by case basis

Yours sincerely

*Russell*

**RUSSELL WELSH**  
**Departmental Assembly Liaison Officer**



Northern Ireland  
Assembly

**Committee for Education**

Russell Welsh  
Departmental Assembly Liaison Officer  
Department of Education  
Rathgael House  
Balloo Road  
Bangor  
BT19 7PR

27 November 2015

**Our Ref:2393**

Dear Russell

**Shared Education Bill**

At its meeting on 25 November 2015, the Committee for Education heard oral evidence from the Northern Ireland Council for Integrated Education; the Integrated Education Fund and the Centre for Shared Education at Queen's University, Belfast as part of the Committee Stage of the Shared Education Bill.

The Committee agreed to write to the Department to seek clarification as to how it intends to define and measure socio-economic deprivation in the context of the Shared Education Bill. The Committee also agreed to seek an explanation as to why a "reasonable numbers" qualification to the socio-economic aspects of the Shared Education definition is not included in the Bill.

A response at your earliest convenience and prior to the Departmental oral briefing on 9 December 2015 would be greatly appreciated.

*Committee for Education*

*Room 375, Parliament Buildings, Ballymiscaw, Stormont, Belfast, BT4 3XX*

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*E-mail: peter.mccallion@niassembly.gov.uk*

Yours sincerely

*Signed Peter McCallion*

**Peter McCallion  
Clerk  
Committee for Education**

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3 December 2015

Dear Peter

### **SHARED EDUCATION BILL – PROPOSED ADDITIONAL CLAUSE**

You will be aware that in briefing the Committee on 4 November, Departmental officials alerted members to the potential need for an additional clause which if required the Minister would seek to introduce at consideration stage.

The proposed additional clause is to give specific power to the Department and the Education Authority to establish and participate in a company formed specifically for the ownership and management arrangements for Shared Education Campuses.

The Catholic Trustees already use the mechanism of a company (although in practice they commonly refer to it as a 'Trust'). The Department has identified this as the most appropriate method to address ownership and management arrangements for Shared Education Campuses.

While there is provision under the general power of section 19 of the Interpretation Act 1954, it would be preferable to have specific legislative authority. All Shared Education Campuses, including the Strule Campus, would benefit from having a specific legislative reference in place.

The Minister has now agreed to seek to introduce the additional clause, as drafted in annex 1, at consideration stage. In including this clause within the Shared Education Bill, the scope would be limited to the functions under Section 2 of the Bill.

I would be grateful if you could bring this to the attention of the Committee in advance of next week's informal deliberation on the Shared Education Bill. Departmental officials will be able to further brief the Committee at that stage.

Yours sincerely

*Russell*

**RUSSELL WELSH**  
**Departmental Assembly Liaison Officer**

Amendment to be moved by the Minister of Education  
at Consideration Stage

**New clause**

After clause 2 insert—

**‘Power to form company**

**2A.**—(1) For the purposes of its functions under section 2, the Department of Education may form, or participate in the formation of, a company under the Companies Act 2006.

(2) For the purposes of its functions under section 2(3) of the Education Act (Northern Ireland) 2014, the Education Authority may form, or participate in the formation of, a company under the Companies Act 2006.’



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Your ref: 2406

7 December 2015

Dear Peter

## **SHARED EDUCATION BILL**

Your correspondence of 2 December refers.

### **Compliance with Human Rights Legislation**

The Department has extensively considered the practical implications in referencing all Section 75 groups in the legislative definition, including the significant additional administrative burden that this would place on schools, youth and early year's settings. At present, data on all S75 categories is not collected at an individual pupil level.

The Department's overriding concern relates to the potential exclusion of a number of schools, youth and early years settings, particularly those which are small and in rural areas, being able to satisfy the legislative definition if it referenced all S75 categories. Account has also been taken of the different starting points of educational settings and the Department wishes to ensure all relevant educational settings are able to deliver Shared Education in a way that broadens and deepens the learning opportunity. It is as a direct consequence of the challenging demands referencing all S75 categories would place on education settings which led to DE's determination that the legislative definition needed to be restricted to religious belief and socio-economic deprivation.

Consequently we have set out the Bill the minimum essential requirements for Shared Education. This does not prevent settings from educating together children and young people of different race, sexual orientation, disability, gender, etc through

Shared Education. Indeed the Sharing Works policy, supported by the continuum framework, sets out the Department's expectation that Shared Education will broaden and deepen to include other S75 groups relevant to the individual setting.

Case law quoted in the NIHRC's written evidence indicates that limiting the categories is acceptable providing there is "*reasonable and objective justification*". DE is of the view that such justification is applicable for the following reasons:

- Article 2 of the First Protocol of the European Convention on Human Rights guarantees a right to education. The legal definition of Shared Education places no limitation or restriction on that right;
- Shared Education reflects a particular mode of delivering education, it has its genesis in the historical divisions and conflict in the North of Ireland;
- the definition is evidence based;
- the legislative definition must reflect a workable, achievable and purposeful definition. There is little point in providing a legislative definition which would be non-viable or merely aspirational in practice. Accordingly, the legal definition represents minimum characteristics, "the core components";
- Shared Education is not denying any of the groups mentioned in S75 a right to Shared Education, those groups are not however being singled out for explicit mention. It is self evident that children and young people of different beliefs will additionally fall within at least two, (if not more), of the other S75 categories, e.g. age, gender etc;
- "Education at a grant-aided school" as outlined in clause 1(3)(b) of the Bill, includes education at a special school. The definition therefore includes within its sphere education together of "persons with a disability and those without";
- it would be neither suitable nor appropriate to include reference to the marital status, sexual orientation, dependents of children, who could be children as young as 2 years old, (as per the definition of pre-school education which is encompassed at clause 1(3)(b) of the Bill);
- schools do not collate or record information at pupil level regarding sexual orientation or political orientation of children. This is potentially sensitive information which parents and or children and young people do not want to be divulged. Similar considerations apply in relation to children and young people who have children. Children and young people, as well as parents/carers, may not wish such sensitive information to be widely disseminated.

The NIHRC's written evidence to the Committee makes clear that "*Human Rights law is not prescriptive about how this should be delivered rather it focuses on outcomes*". The outcome is to build upon solid foundations already established in NI, to raise educational standards and reduce underachievement.

The Committee may wish to note that the NIHRC did not respond to the public consultation but at their request, officials met with representatives after the consultation closed. At that stage they outlined concerns in respect of the Bill not referencing all S75 groups and at official's request agreed to detail these in writing. Despite a number of follow-up requests, the Department has not received any formal response from NIHRC. The Department remain open to engagement with NIHRC.

## **Further Education Colleges**

Regarding Further Education Colleges, these are non-sectoral, attracting those of different religious belief and socio-economic status and are outside the scope of DE. Engagement is limited to schools, and almost exclusively post-primaries in respect of the entitlement framework. The Bill as currently drafted would not preclude an FE college engaging with schools in a partnership. Consequently there has not been any engagement with the Department of Employment and Learning. However, along with other Executive Ministers, the DEL Minister had early sight of both the policy and Bill.

Yours sincerely

*Russell*

**RUSSELL WELSH**  
**Departmental Assembly Liaison Officer**



Northern Ireland  
Assembly

**Committee for Education**

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Departmental Assembly Liaison Officer  
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2 December 2015

**Our Ref:2406**

Dear Russell

**Shared Education Bill**

At its meeting on 2 December 2015, the Committee for Education heard oral evidence from the Council for Catholic Maintained Schools; the Northern Ireland Human Rights Commission (NIHRC); the Equality Commission; the Northern Ireland Commissioner for Children and Young People (NICCY); the Rural Centre for Shared Education; and the Transferors' Representative Council as part of the Committee Stage of the Shared Education Bill.

In oral evidence, representatives from NIHRC indicated that they believed that as a consequence of the Department's decision to not include a wider range of Section 75 groups in the definition of Shared Education in the Shared Education Bill, the Bill was not compliant with human rights legislation.

The Committee agreed to write to the Department seeking commentary on the above.

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The Committee also noted a suggestion by NICCY that the Department for Employment and Learning be included in the listed bodies in Clause 2 in order to ensure the participation of Further Education Colleges in Shared Education.

The Committee agreed to write to DE seeking information on any discussions that it has had with the Department for Employment and Learning in respect of the participation of Further Education Colleges in Shared Education and the inclusion of DEL in the listed bodies in the Bill.

A response at your earliest convenience and prior to the Departmental oral briefing on 9 December 2015 would be greatly appreciated.

Yours sincerely

*Signed Peter McCallion*

**Peter McCallion**  
**Clerk**  
**Committee for Education**

*Committee for Education*

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Your ref: 2423

15 December 2015

Dear Peter

## **SHARED EDUCATION BILL**

Your correspondence of 11 December refers.

The Minister has noted the Committee's request to provide assurance at consideration stage on the interpretation of the 'reasonable numbers' in respect of rural or other schools or areas with low numbers of children from a minority community. The Minister has indicated that he is content that a flexible approach will be taken in respect of reasonable numbers so as not to disadvantage any school, especially small rural schools. He has signalled that he is content to do so.

### **Religious Belief/Community Background**

The term 'Religious Belief' in paragraph 1(2)(a) of the Bill reflects the wording of the relevant S75 category.

Statistics on 'religion' are routinely collected at individual pupil level by schools and other educational providers. Community background is not routinely collected– to do so would impose further administrative burden on educational providers.

Equality Commission S75 monitoring guidance indicates that there are two options for monitoring religious belief – that of current stated religion or community background.

The guidance goes on to say that “*for the purpose of S75, the current stated religion question is more appropriate as it better recognises the increasing diversity of society here*”.

The Equality Commission’s guidance indicates that community background is designed for the specific purpose of Fair Employment monitoring and only distinguishes between Roman Catholics and Protestants.

Yours sincerely

*Russell*

**RUSSELL WELSH**  
**Departmental Assembly Liaison Officer**



Northern Ireland  
Assembly

Appendix 5

# List of Witnesses

## List of Witnesses

| Date              | Name                           | Organisation  |
|-------------------|--------------------------------|---|
| <b>04/11/2015</b> | Mrs Faustina Graham            | Department of Education                                     |
|                   | Mr Andrew Bell                 | Department of Education                                     |
| <b>25/11/2015</b> | Dr Danielle Blaylock           | Queen's University Belfast                                  |
|                   | Mr Michael Arlow               | Queen's University Belfast                                  |
|                   | <b>Professor Joanne Hughes</b> | Queen's University Belfast                                  |
|                   | Mrs Tina Merron                | Integrated Education Fund                                   |
|                   | Mr Sam Fitzsimmons             | Integrated Education Fund                                   |
|                   | Ms Lorna McAlpine              | Northern Ireland Council for Integrated Education           |
|                   | Ms Bernie Kells                | Northern Ireland Council for Integrated Education           |
| <b>02/12/2015</b> | Dr Peter Hamill                | Transferor Representatives' Council                         |
|                   | Mr Gavin Norris                | Transferor Representatives' Council                         |
|                   | Rev Colin McClure              | Transferor Representatives' Council                         |
|                   | Ms Catherine Ward              | Fermanagh Trust   |
|                   | Mr Lauri McCusker              | Fermanagh Trust   |
|                   | Ms Eileen Lavery               | Equality Commission for Northern Ireland                    |
|                   | Dr Michael Wardlow             | Equality Commission for Northern Ireland                    |
|                   | Dr David Russell               | Northern Ireland Human Rights Commission                    |
|                   | Ms Fiona O'Connell             | Northern Ireland Human Rights Commission                    |
|                   | Mr Michael Graham              | Council for Catholic Maintained Schools                     |
|                   | Mr Gerry Lundy                 | Council for Catholic Maintained Schools                     |
|                   | Ms Mairead McCafferty          | Northern Ireland Commissioner for Children and Young People |
|                   | Ms Natalie Whelehan            | Northern Ireland Commissioner for Children and Young People |
|                   | <b>09/12/2015</b>              | Mrs Faustina Graham   |
| Ms Joanne Maxwell |                                | Department of Education                                     |
| Ms Jacqui Durkin  |                                | Department of Education                                     |
| Dr Suzanne Kingon |                                | Department of Education                                     |
| <b>16/12/2015</b> | Mr Andrew Bell                 | Department of Education                                     |
|                   | Dr Suzanne Kingon              | Department of Education                                     |
|                   | Ms Joanne Maxwell              | Department of Education                                     |

|  |                  |                         |
|--|------------------|-------------------------|
|  | Ms Jacqui Durkin | Department of Education |
|--|------------------|-------------------------|