



Northern Ireland
Assembly

Rural Needs Bill

Notice of Amendments tabled on
10 February 2016 for Consideration Stage

New Clause

After clause 2 insert -

Training

2A. The Department may take such steps as appear to it to be appropriate to ensure all staff who develop, adopt, implement or revise policies, strategies and plans receive training connected with identifying and meeting rural needs.'

Mrs Jo-Anne Dobson

Mr Robin Swann

Clause 3, Page 2, Line 6

At end insert -

'(aa) include this information in its Annual Report; and'

Mrs Jo-Anne Dobson

Mr Robin Swann

Clause 3, Page 2, Line 9

At end insert -

'(aa) its assessment of how each public authority considered rural needs; and'

Mrs Jo-Anne Dobson

Mr Robin Swann

Clause 4, Page 2, Line 14

Leave out from second 'with' to 'securing' on line 15 and insert 'to secure'

Mrs Jo-Anne Dobson

New Clause

After clause 4 insert -

‘Presumption against rural school closures

- 4A.**—(1) This section applies in relation to any closure proposal with respect to a rural school.
- (2) The education authority may not decide to implement the proposal (wholly or partly) unless the authority—
- (a) has complied with section 4B (*Factors for rural closure proposals*), section 4C (*Preliminary requirements in relation to rural school closures*) and section 4D (*Additional consultation requirements*)
 - (b) having so complied, is satisfied that such implementation of the proposal is the most appropriate response to the reasons for formulating the proposal identified by the authority under subsection (2)(a) of section 4C (*Preliminary requirements in relation to rural school closures*).
- (3) The authority must publish on its website notice of—
- (a) its decision as to implementation of the proposal, and
 - (b) where it decides to implement the proposal (wholly or partly), the reasons why it is satisfied that such implementation is the most appropriate response to the reasons for formulating the proposal identified by the authority under subsection (2)(a) of section 4C (*Preliminary requirements in relation to rural school closures*).
- (4) In this section “education authority” means the Education Authority and/or the Council for Catholic Maintained Schools’

Mrs Sandra Overend

Mrs Jo-Anne Dobson

Mr Robin Swann

New Clause

After clause 4 insert -

‘Factors for rural closure proposals

- 4B.**—(1) Subsection (2) applies in relation to any closure proposal with respect to a rural school.
- (2) The education authority must have due regard to the factors mentioned in subsection (3).
- (3) The factors are—
- (a) the likely effect on the local community in consequence of the proposal (if implemented),
 - (b) the likely effect caused by any different travelling arrangements that may be required in consequence of the proposal (if implemented).
- (4) For the purpose of subsection (3)(b), subsection (2)(c)(ii) of section 4C (*Preliminary requirements in relation to rural school closures*) and subsection (5)(b)(ii) of section 4D (*Additional consultation requirements*), the effect on the community is to be assessed by reference (in particular) to—
- (a) the sustainability of the community,
 - (b) the availability of the school's premises and its other facilities for use by the community.
- (5) For the purpose of subsection (3)(b), subsection (2)(c)(iii) of section 4C (*Preliminary requirements in relation to rural school closures*) and subsection (5)(b)(ii) of section 4D (*Additional consultation requirements*) the effect caused by such travelling arrangements includes (in particular)—

- (a) that on the school's pupils and staff and any other users of the school's facilities,
- (b) the availability, and likely cost, of transport to other schools, and
- (c) any environmental impact.’

Mrs Sandra Overend
Mrs Jo-Anne Dobson
Mr Robin Swann

New Clause

After clause 4 insert -

‘Preliminary requirements in relation to rural school closures

4C.—(1) This section applies where the education authority is formulating a closure proposal with respect to a rural school.

(2) The authority must—

- (a) identify its reasons for formulating the proposal,
- (b) consider whether there are any reasonable alternatives to the proposal as a response to those reasons,
- (c) assess, for the proposal and each of the alternatives to the proposal identified under paragraph (b) (if any)—
 - (i) the likely educational benefits in consequence of the implementation of the proposal, or as the case may be, alternative,
 - (ii) the likely effect on the local community (assessed in accordance with subsection (4) of section 4B (*Factors for rural closure proposals*)) in consequence of such implementation,
 - (iii) the likely effect that would be caused by any different travelling arrangements that may be required (assessed in accordance with subsection (5) of section 4B (*Factors for rural closure proposals*)) in consequence of such implementation.

(3) For the purposes of this section and section 4D (*Additional consultation requirements*), reasonable alternatives to the proposal include (but are not limited to) steps which would not result in the school or a stage of education in the school being discontinued.

(4) The authority may not publish a proposal paper in relation to the proposal unless, having complied with subsection (2), it considers that implementation of the closure proposal would be the most appropriate response to the reasons for the proposal.

(5) In this section and section 4D (*Additional consultation requirements*), the references to the reasons for the proposal are references to the reasons identified by the education authority under subsection (2)(a).’

Mrs Sandra Overend
Mr Robin Swann
Mrs Jo-Anne Dobson

New Clause

After clause 4 insert -

‘Additional consultation requirements

- 4D.**—(1) This section applies in relation to any closure proposal as respects a rural school.
- (2) The proposal paper must additionally—
- (a) explain the reasons for the proposal,
 - (b) describe what (if any) steps the authority took to address those reasons before formulating the proposal,
 - (c) if the authority did not take such steps, explain why it did not do so,
 - (d) set out any alternatives to the proposal identified by the authority under subsection (2)(b) of section 4C (*Preliminary requirements in relation to rural school closures*),
 - (e) explain the authority's assessment under subsection (2)(c) of section 4C (*Preliminary requirements in relation to rural school closures*),
 - (f) explain the reasons why the authority considers, in light of that assessment, that implementation of the closure proposal would be the most appropriate response to the reasons for the proposal.
- (3) The notice to be given to relevant consultees under section 6(1) must—
- (a) give a summary of the alternatives to the proposal set out in the proposal paper,
 - (b) state that written representations may be made on those alternatives (as well as on the proposal), and
 - (c) state that written representations on the proposal may suggest other alternatives to the proposal.
- (4) When carrying out its review of the proposal, the education authority is to carry out—
- (a) for the proposal and each of the alternatives to it set out in the proposal paper (if any), a further assessment of the matters mentioned in subsection (2)(c)(i) to (iii) of section 4C (*Preliminary requirements in relation to rural school closures*), and
 - (b) an assessment, in relation to any other reasonable alternative to the proposal suggested in written representations on the proposal, of—
 - (i) the likely educational benefits in consequence of the implementation of the alternative,
 - (ii) the likely effect on the local community (assessed in accordance with subsection (4) of section 4B (*Factors for rural school closures*) in consequence of such implementation,
 - (iii) the likely effect that would be caused by any different travelling arrangements that may be required (assessed in accordance with subsection (5) of section 4B (*Factors for rural closures*) in consequence of such implementation.
- (5) The consultation report must additionally explain—
- (a) the education authority's assessment under subsection (5)(a),
 - (b) how that assessment differs (if at all) from the authority's assessment under subsection (2)(c) of section 4C (*Preliminary requirements in relation to rural school*),
 - (c) the authority's assessment under subsection (5)(b),
 - (d) whether and, if so, the reasons why the authority considers that implementation of the proposal (wholly or partly) would be the most appropriate response to the reasons for the proposal.’

Mrs Sandra Overend

Mrs Jo-Anne Dobson

Mr Robin Swann

New Clause

After clause 4 insert -

‘Designation of rural schools

4E.—(1) In this Act, a “rural school” is a school which is designated as such by its inclusion in the list of rural schools maintained by the Department of Education.

(2) In determining the question of rurality when considering whether a school falls to be included in or excluded from the list of rural schools, the Department of Education is to have regard (in particular) to—

- (a) the population of the community (or settlement) in which the school is located,
- (b) the geographical circumstances of that community (or settlement) including its relative remoteness or inaccessibility.

(3) The list of rural schools is to be accompanied by an explanation of how the Department of Education devised the list—

- (a) by reference to subsection (2), and
- (b) if it considers it appropriate, by reference to any recognised criteria available from a reliable source.

(4) The Department of Education is to—

- (a) monitor the list of rural schools (and update it as regularly as it considers necessary),
- (b) publish it (including as updated) in such way as it considers appropriate.

(5) An education authority must provide the Department of Education with such information as it may reasonably require of it in connection with the list of rural schools.’

Mrs Sandra Overend
Mrs Jo-Anne Dobson
Mr Robin Swann

Clause 5, Page 2, Line 19

After ‘appoint’ insert ‘but no later than 1 June 2017’

Mrs Jo-Anne Dobson
Mr Robin Swann