

# **Integrated Education Bill**

[AS INTRODUCED]

## LEGISLATIVE COMPETENCE

At Introduction the Member in charge of the Bill, Ms Kellie Armstrong, has made the following statement under Standing Order 30:

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



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*Integrated Education*

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**BILL**

TO

Make provision about integrated education; and for connected purposes.

**B**E IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

*Integrated education*

**Meaning of “integrated education”**

1.—(1) “Integrated education” means the education together, in an integrated school, of—

- 5 (a) those of different cultures and religious beliefs and of none, including reasonable numbers of both Protestant and Roman Catholic children or young persons;
- (b) those who are experiencing socio-economic deprivation and those who are not; and
- 10 (c) those of different abilities.

(2) An “integrated school” is a school which intentionally promotes, protects and improves an ethos of diversity, respect and understanding between those of different cultures and religious beliefs and of none, between those of different socio-economic backgrounds and between those of different abilities.

15 (3) Subsections (1) and (2) apply for the purposes of—

- (a) this Act;
- (b) the Education Reform (Northern Ireland) Order 1989;
- (c) section 2(3A) of the Education Act (Northern Ireland) 2014 (inserted by section 5 of this Act);
- 20 (d) the Shared Education (Northern Ireland) Act 2016; and
- (e) any other provision of Northern Ireland legislation (unless it contains a different definition).

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### **Purpose of integrated education**

2. The purpose of integrated education is—

- (a) to deliver educational benefits to children and young persons;
- (b) to promote the efficient and effective use of resources;
- 5 (c) to promote equality of opportunity;
- (d) to promote good relations; and
- (e) to promote respect for identity, diversity and community cohesion.

### **Advisory body**

3. In exercising its functions (whether or not under this Act) the Department of  
10 Education must consult with any body which—

- (a) includes in its objectives the provision of support and advice to the Department in its promotion of integrated education, and
- (b) is recognised by the Department for the purposes of this section.

### *Statutory duty to promote*

### 15 **Promotion etc of integrated education**

4.—(1) In Article 64(1) of the Education Reform (Northern Ireland) Order 1989 (Department's duties in respect of integrated education) for "to encourage and facilitate" substitute "to encourage, facilitate and promote".

(2) In section 2 of the Education Act (Northern Ireland) 2014 (functions of  
20 Education Authority) after subsection (3) (Authority's duties in respect of shared education) insert—

"(3A) It is the duty of the Authority (so far as its powers extend) to encourage, facilitate and promote integrated education."

### **Meaning of promotion**

25 5.—(1) A reference to the promotion of integrated education is a reference to—

- (a) identifying, assessing, monitoring and aiming to increase the demand for the provision of integrated education (including, in particular, monitoring the number and success of applications for integrated education), and
- (b) providing sufficient places in integrated schools to meet the demand for  
30 integrated education (including expected future demand, and without treating the religious demographics of an area or spare places in existing schools as evidence of lack of demand for integrated education).

(2) In subsection (1)(a) "monitor" means monitor by reference to data collected in respect of relevant catchment and other areas.

### 35 *Planning and strategy*

### **General duty**

6. Education bodies must include provision for integrated education when—

- (a) developing, adopting, implementing or revising policies, strategies and plans; and

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- (b) designing and delivering public services.

### **New schools**

7.—(1) When planning for the establishment of a new school, education bodies must apply a presumption that it will be an integrated school unless that would be  
5 inappropriate by reason of special circumstances.

(2) The following are not to be treated as special circumstances for the purpose of rebutting the presumption in subsection (1)—

- (a) the religious demographics of an area;
- (b) the existence of spare places in existing schools.

### 10 **Integrated education strategy**

8.—(1) The Department of Education must prepare, publish and maintain a strategy for the encouragement, facilitation, promotion and provision of integrated education (“the integrated education strategy”).

(2) The integrated education strategy must, in particular—

- 15 (a) include provision for resources (including personnel) to encourage, facilitate and promote integrated education;
  - (b) include provision designed to facilitate the maintenance and protection of the ethos of existing and new integrated schools;
  - 20 (c) include arrangements for full access for integrated schools to training and resources provided by the Education Authority and other services accessible by publicly funded schools;
  - (d) identify funding commitments and resources made available for the promotion and provision of integrated education (including resources for facilitating the establishment of new integrated schools, the expansion of  
25 existing integrated schools and the transformation of existing schools into integrated schools);
  - (e) include an action plan, which must—
    - 30 (i) be prepared in consultation with persons with knowledge and experience of integrated schools including teachers, governors, pupils, families, and sectoral and community bodies;
    - (ii) include targets (including timetables); and
    - (iii) include measurable benchmarks against which the success of the strategy (including progress towards meeting targets) can be assessed; and
  - 35 (f) include provision for reviews to provide a clear indication of how education bodies are delivering integrated education.
- (3) Targets and benchmarks may, in particular, refer to—
- 40 (a) percentages of pupils granted or denied their choice of education in an integrated school;
  - (b) numbers of development proposals created and delivered for expansion of existing integrated schools;
  - (c) numbers of schools transforming into integrated schools;
  - (d) numbers of new integrated schools established;

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- (e) numbers of consultations issued in respect of transformed or new integrated schools;
  - (f) support provided for ensuring the success of integrated education (including training and other resources designed to facilitate teaching within the integrated education system).
- 5
- (4) The integrated education strategy must be published during the period of 6 months beginning with the date on which this Act comes into force.
- (5) The Department of Education must—
- (a) lay the strategy, and each revision, before the Assembly; and
  - 10 (b) cooperate with any post-legislative scrutiny exercise carried out by the Assembly or any Committee of the Assembly in relation to the strategy or a revision.

### **Biennial reporting**

- 15 **9.**—(1) The Department of Education must prepare and publish a report on integrated education—
- (a) during the period of 2 years beginning with the date on which this Act receives Royal Assent; and
  - (b) at subsequent intervals of not more than two years.
- (2) A report must include, in particular, an assessment of performance of functions relating to integrated education under—
- 20
- (a) this Act;
  - (b) the Education Reform (Northern Ireland) Order 1989;
  - (c) section 2(3A) of the Education Act (Northern Ireland) 2014 (inserted by section 5 of this Act); and
  - 25 (d) any other provision of Northern Ireland legislation.
- (3) A report must include, in particular, an assessment in relation to the reporting period of—
- (a) the manner in which, and the extent to which, the Department of Education has performed its functions in respect of integrated education;
  - 30 (b) the manner in which, and the extent to which, other education bodies have performed their functions in respect of integrated education;
  - (c) the levels of demand for and supply of integrated education;
  - (d) increase or decrease in levels of demand for and supply of integrated education since the previous reporting period;
  - 35 (e) successes and failures in respect of the provision of integrated education; and
  - (f) the extent to which the purpose of integrated education has been achieved.
- (4) Wherever possible, the assessments in the report must operate by reference to benchmarks identified in the action plan in the integrated education strategy.
- 40 (5) The Department of Education must—
- (a) lay each report before the Assembly; and



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(b) cooperate with any post-legislative scrutiny exercise carried out by the Assembly or any Committee of the Assembly in relation to the report.

(6) As soon as is reasonably practicable after the publication of a report the Department of Education must review and where necessary revise the integrated education strategy.

## *Final provisions*

### **Regulations**

**10.**—(1) The Department of Education must make regulations supplementing the provisions of this Act.

10 (2) The regulations may, in particular, include—

- (a) provision designed to ensure consistency and effectiveness in the capture of data (including in relation to area-based data capture);
- (b) provision about the formulation and measuring of targets;
- (c) provision about the formulation and measuring of benchmarks;
- 15 (d) provision about the designation of catchment or other areas for area-based data capture;
- (e) provision about other aspects of assessments and monitoring;
- (f) provision about steps to be taken in pursuit of a duty to promote integrated education (including the provision and deployment of resources designed to support schools in providing effective integrated education and the provision to parents of information about integrated education as an option);
- 20 (g) provision about training provided and other steps taken to facilitate teaching within the integrated education system (which may include requirements for training in diversity and other matters related to integrated education to be incorporated in training provided as part of initial teacher training and in teachers' continuing professional development programmes);
- 25 (h) provision about mandatory and standard initial and continuing professional development for all teachers, school governors, non-teaching school staff and education bodies in respect of inclusive and diverse classes;
- 30 (i) provision about inclusion of matters relating to the provision of integrated education in the school inspection regime;
- (j) provision designed to encourage and enhance coordination and collaboration between public bodies providing services in relation to integrated education;
- 35 (k) provision designed to encourage and enhance coordination and collaboration between persons using integrated education services;
- (l) provision designed to encourage and enhance collaboration and coordination between other stakeholders in relation to integrated education;
- 40 (m) provision designed to integrate assessment of demand for and supply of integrated education in systems for the planning and development (including housing development) or regeneration of urban and rural areas.

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(3) Regulations under this section may include provision amending other Northern Ireland legislation.

(4) Regulations under this section are subject to negative resolution.

### **Guidance**

5 **11.**—(1) The Department of Education may give guidance about—

(a) the implementation or application of a provision of this Act (including a provision amending another enactment);

(b) any matter in respect of which regulations under section 11 have been, or could be, made.

10 (2) An education body, and any other public authority with functions relating to education, must have regard to any guidance issued under subsection (1).

(3) An education body may give guidance about any matter relating to the body's functions in respect of integrated education.

### **Consequential amendments**

15 **12.**—(1) In Article 64(1) of the Education Reform (Northern Ireland) Order 1989 (Department's duties in respect of integrated education) omit “, that is to say the education together at school of Protestant and Roman Catholic pupils”.

20 (2) In Article 66(2) of that Order (management of grant-maintained integrated schools: scheme of management) for “are such as are likely to attract to the school reasonable numbers of both Protestant and Roman Catholic pupils” substitute “are such as are likely to ensure the provision of integrated education”.

(3) At the end of section 6 of the Shared Education (Northern Ireland) Act 2016 (duty of education bodies to consider shared education) insert—

25 “(3) Section 8 of the Integrated Education Act (Northern Ireland) 2021 (planning and strategy: new schools) creates a rebuttable presumption that new schools should be integrated.”.

### **Interpretation: general**

**13.** In this Act—

“education bodies” means—

30 (i) the Department of Education;

(ii) the Education Authority;

(iii) the Council for Catholic Maintained Schools;

(iv) the Northern Ireland Council for the Curriculum, Examinations and Assessment; and

35 (v) the Youth Council for Northern Ireland;

“integrated education” has the meaning given by section 1;

“integrated education strategy” has the meaning given by section 9; and

“integrated school” has the meaning given by section 1.

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### **Commencement**

**14.** This Act comes into operation at the end of the period of 6 months beginning with the day on which it receives Royal Assent.

### **Short title**

<sup>5</sup> **15.** This Act may be cited as the Integrated Education Act (Northern Ireland) 2021.



# **Integrated Education Bill**

[AS INTRODUCED]

A Bill to make provision about integrated education; and for connected purposes.

Introduced by: Ms Kellie Armstrong

On: 01 June 2021

Bill Type: Non-Executive Bill

## **ACCOMPANYING DOCUMENTS**

**An Explanatory and Financial Memorandum is printed separately as  
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