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Assembly

Committee for Education

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Inquiry into Integrated and Shared Education:
Department of Education Briefing

2 July 2014

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Mervyn Storey (Chairperson)
Mr Danny Kinahan (Deputy Chairperson)
Mrs Jo-Anne Dobson
Ms Maeve McLaughlin
Mr Stephen Moutray
Mr Robin Newton
Mr Seán Rogers

Witnesses:

Mr Andrew Bell	Department of Education
Mrs Faustina Graham	Department of Education
Ms Eve Stewart	Department of Education

The Chairperson: Faustina, you are welcome back. Andrew, it is good to see you again and, Eve, thank you for being with us. Faustina, I take it that you will give the first part of the briefing.

Mrs Faustina Graham (Department of Education): Thank you very much, Chair. We welcome the opportunity to brief the Committee on the Department's work to advance shared education in line with the Programme for Government (PFG) commitments and the related actions identified in the Together: Building a United Community (TBUC) strategy.

Shared education has been defined as education that will provide opportunities for children and young people from different community backgrounds to learn together. Additional detail of the definition, which was agreed by the ministerial advisory group, includes education that meets the needs of and provides for the education together of learners from all section 75 categories and every socio-economic status. It involves schools and other education providers of differing ownership, sectoral identity and ethos, management type or governance arrangements.

Ultimately, it is a form of education that will deliver educational benefits to learners in the context of efficient and effective use of resources, promotion of equality of opportunity, good relations, equality of identity, respect for diversity and community cohesion. That is a lot of detail on what shared education covers, but, at the same time, it is hugely important that the detail is there to ensure that all elements of the work are encompassed in the definition.

The Department has been involved in education on a collaborative and shared basis for a number of years through its various policy initiatives, such as community relations; extended schools provision and the entitlement framework. Latterly, the Department has been involved as managing agent for the 22 International Fund for Ireland (IFI) shared education projects. Shared education forms an

important pillar of the Minister's policy for community relations, equality and diversity. It is important to see it under that umbrella term when one looks at the definition that we have just provided.

A ministerial advisory group was established in July 2012 to inform the Minister's decision on how best to advance shared education. Its report, which drew on the experience of existing shared education projects, was published in March 2013 and contained 20 separate recommendations. In accepting the report, the Minister encouraged a public debate on how best to advance shared education. Then, after a period of reflection, the Minister accepted the recommendations of the report in his 22 October statement to the Assembly. Work to take forward the recommendations has been ongoing across various teams in the Department. Our directorate is coordinating that work as well as delivering on some of the specific recommendations.

You will have received a paper in advance of this morning's briefing that outlines the current position against each of the 20 recommendations, so I do not intend to address each of those, but it may be useful to provide a summary of some of the key actions in which members will have an interest, given your planned inquiry into shared and integrated education.

A number of the ministerial advisory group's recommendations were made in the expectation that the Education and Skills Authority (ESA) would be in place. That would have ensured a central focus on shared education. In the absence of ESA, the recommendations will be addressed in light of the Minister's proposal to replace the current five education and library boards with a single board from April 2015. In the interim, the Minister has made it clear that he expects education and library boards to take a consistent regional approach to encourage and facilitate shared education.

The first recommendation is for funding for shared education. In accepting the ministerial advisory group's recommendation that provision needs to be made to address the additional cost to schools engaging in shared education — that is recommendation 3 — the Minister has indicated his intention to mainstream funding in the longer term. While the ministerial advisory group recommended a shared education premium within the common funding formula, the Minister has reserved his position on whether that is the most appropriate way to fund shared education. The Minister previously indicated that discussions were ongoing with the Office of the First Minister and deputy First Minister (OFMDFM) and Atlantic Philanthropies to establish a shared education programme that would provide funding for schools to embed shared education. The Minister has indicated that he will use the shared education programme to determine how best to mainstream shared education funding for schools. Work on that programme is at an advanced stage, and it is expected that an announcement will be made over the coming weeks. That would allow funding to commence early in the 2014-15 academic year. I will brief the Committee later on the detail of the programme.

The programme, which will be delivered through the education and library boards, has been designed to address a number of the ministerial advisory group recommendations. They include encouraging and facilitating shared education, which is the ministerial advisory group's recommendation 2; developing a framework supporting the early and continuing professional development of teachers that encourages its delivery through shared education, which relates to recommendations 6 and 7; evaluation by the Education and Training Inspectorate (ETI), which will facilitate the sharing and dissemination of good practice, as referred to in recommendations 4 and 5; and looking at how best to engage with and meet the needs of parents, care givers and pupils, as referred to in recommendations 9, 11 and 14.

The programme will provide an opportunity to trial practices and approaches that will facilitate the longer-term direction of work to advance shared education in other relevant bodies. As with schools, opportunities will be taken to see how this pilot work can influence the work of the education and library boards and the Education and Training Inspectorate.

Members will be aware that proposals for Peace IV include a significant investment in shared education. Discussions are ongoing with the Special European Union Programmes Body (SEUPB) on how Peace IV funding for advancing shared education can be best used. That remains subject to the outcomes of their public consultation. I will provide the Committee with more information on that later.

Three of the recommendations, numbers 1, 12 and 13, related to legislation for shared education and to designating schools as public authorities. It was intended that they, too, would be taken forward via the draft Education Bill, but, in the absence of the Bill, the Minister is considering alternatives, including the possibility of a stand-alone Bill to define shared education. The Education Committee will, of course, be briefed on that at the appropriate juncture.

The legislation to designate schools and other educational institutions as public authorities is, in the first instance, for OFMDFM. The Minister will write to the First Minister and deputy First Minister to communicate the detail of the recommendations and to seek their views on the practicalities of designating schools for section 75 purposes. To assist in that process, the Department is undertaking a review of approaches to equality legislation for education settings in other jurisdictions. That work is ongoing.

Three of the ministerial advisory group recommendations, 6, 7 and 8, related to teacher education. As part of the work to finalise a new teacher development strategy, the Department will ensure that it includes provision for teachers to learn together and preparation for teaching in a shared education setting. Account will also be taken of the outworking of the independent review of the teacher education infrastructure, which was commissioned by the Department for Employment and Learning (DEL) and published yesterday.

I turn now to area planning and its role in delivering shared education solutions. Committee members will wish to note that area planning terms of reference and subsequent guidance already encourage shared education options to be put forward. A prerequisite for any shared model is that a proposal must have the support of its community, be sustainable and be capable of delivering high-quality education. This morning, you have already received a separate briefing on the shared education campuses programme. Consequently, I do not plan to say anything additional, other than that it will complement the work on advancing shared education by targeting those infrastructure projects aimed at improving or facilitating sharing initiatives in local schools. In addition, the Minister has indicated his intention to produce guidance on sharing options for schools and communities. This will be in the form of practical advice on implementing types of shared education models. A number of schools have expressed interest in a jointly managed model, one that would provide shared education within a Christian ethos in a school managed by a joint board of governors representative of the two main communities. Positive discussions have been ongoing with the Transferors Representatives' Council and Catholic trustees on the potential for this model. It is anticipated that the guidance will be published during the period of your inquiry.

Given that the Committee's inquiry will address both shared and integrated education, it may be helpful for me to say a few words about integrated education and how it aligns with shared education. Shared education, by definition, involves schools and other education providers of differing ownership, sectoral identity and ethos, management type or governance arrangement. That, in short, is what I explained in more detail at the beginning of the briefing. Sharing across schools is at different levels along a continuum, and integrated education should be at the upper end of that continuum. As with schools of any other management type, integrated schools will be expected to partner with a school of differing management type to meet the Programme for Government commitment. This will provide opportunities for sharing the good practice developed in the integrated sector and collaborative opportunities that can equally benefit pupils attending integrated schools.

I trust that this provides members with an overview of our work to progress shared education, and we are very happy to take any questions.

The Chairperson: Thanks, Faustina. I have a couple of points for clarification. When the Department talks about management type, does that include FE? I worry that, with this very defined view of shared education, there is a risk that it is all about getting two religious traditions together, namely Roman Catholic and Protestant. Shared education, for me, is more about the type of school because we have all-ability schools, grammar schools, integrated schools, single-sex schools and further and higher education.

Area planning is a shambles. There is an area plan for post-primary provision, but, in some areas, FE is outside the loop and is doing its own thing. FE is going ahead and deciding to spend money and, by pulling out of areas, leaving a deficit in the entitlement framework. Is there an expansion of the remit of shared education to include FE?

Mr Andrew Bell (Department of Education): The ministerial advisory group report specifically mentioned the FE sector, and, as you know, that is not the responsibility of the Department. We will engage with colleagues in DEL. In fact, we have had some preliminary engagement, but we need to have further engagement on how we make sure that there is some alignment. How this rolls out is for the Department for Employment and Learning rather than us, but it is included in the ministerial advisory group recommendations.

The Chairperson: The two Ministers have discussed the issue, and I welcome the fact, Faustina, that you referred to the announcement by the Minister for Employment and Learning yesterday on initial teacher training. Clearly, if shared education is to mean anything, it has to commence in the facilities that currently train our teachers. There is the community relations, equality and diversity (CRED) programme and work on collaboration, but it is clear from the comments in the House on Monday that there are some who believe that we should still have segregated teacher training provision in Northern Ireland. They support that, yet they want to talk about shared education and how we can collaborate.

Recommendations 18, 19 and 20 of the ministerial report were not accepted by me or my party, nor will they be. That is not a Committee view but a personal view, and others can make their own decision. If the Minister is introducing proposals in relation to those recommendations and has accepted the recommendations in their entirety, what work is being done on those three recommendations that we should be made aware of?

Mrs Graham: You have the paper that we sent to you, which explains the Minister's position on that. Andrew, do you want to share that with the Committee? I have it here, but I would have to —

Mr A Bell: The Minister, in his statement to the Assembly in October, made his position clear. He accepted the recommendations and, as members will know, he also welcomed and endorsed them. He said that, until the Assembly ends academic selection, he will continue to promote all-ability schools in which academic and vocational learning is the norm. That is the Minister's position on the recommendations.

The Chairperson: Andrew, I hope that that is not code for discriminating against selective schools.

Mr A Bell: That is certainly not the policy intention. Shared education has to be about sharing with all schools.

The Chairperson: One of the challenges in how we square that circle comes in recommendation 16, which deals with area-based planning in the school estate. These things are always heavily caveated depending on who the author of a report is, but it states:

"Where there is sufficient, viable and consistent parental demand, the Department of Education should actively support the establishment of schools and other educational institutions with a particular religious, philosophical or cultural ethos."

If that happens to be a grammar school, what will the Minister do? He said that he accepts three recommendations in the report that we end academic selection. That is code for saying that grammar schools will not be allowed, but, if it suits you to have "grammar" in the title of your school so that you get funding, we will be quite happy to allow you to have that. There clearly is:

"sufficient, viable and consistent parental demand"

for grammar schools, which I use as an example. There are other examples in our educational provision. So how does the Minister square recommendation 16 with his position of supporting and promoting only non-selective schools?

Mr A Bell: As you know, the ministerial advisory group addressed that in its considerations, as it felt it was key to part of the whole sharing picture. However, it made it clear that, while it recognised that those recommendations were controversial, the other recommendations could be taken forward in their absence. We are working on the other recommendations, and I do not envisage any impact on those schools. In fact, when we ran the IFI programme, schools from across all sectors, including the grammar sector, were involved. Our experience is that, in some cases, it can be easier to get Catholic and Protestant schools to share than grammar and secondary schools.

The Chairperson: Andrew, you are making an assumption that grammar schools do not educate pupils from both traditions. I would nearly go so far as to say that some grammar schools are better examples of integrated schools than some integrated schools with "integrated" above their door. Let us play the numbers game in which the threshold is 30%: over 30% of pupils in the one voluntary grammar school in my town come from the Roman Catholic community. It is more integrated than an "integrated school" six miles down the road.

Mr A Bell: It is not about the intricacies within schools. The policy is very clear that it is about schools across different sectors sharing. From that point of view, I agree. We have the statistics and know that a number of grammar and other schools have very representative pupil communities, but they are not integrated schools.

The Chairperson: Yes, controlled schools.

Mrs Dobson: Thank you for your second briefing today, Faustina. You have had a busy morning. I understand that DE will work to develop the role of area learning communities so that they can encourage the participation of special schools and pupils with disabilities in shared education. Area learning communities do a fantastic job. How do you envisage the development of that role?

Mrs Graham: For special schools, in particular?

Mrs Dobson: Yes.

Mrs Graham: One of the pieces of work referred to in the recommendations is the work that has been ongoing over a number of years between special schools and mainstream schools. Dr John Hunter, who spoke to the Committee two weeks ago, led work on developing the projects that allow the mainstream and special schools to work together and, subsequently, guidance on how best those partnerships can be developed. We have a copy of that here if you are interested. The interesting thing with regard to mainstream and special school partnerships is that it is probably good practice for all partnering arrangements. So, very interesting work has been done, and there is recognition from the last piece of work, which involved 24 partnerships of special and mainstream schools and recognition of the learning benefits for all the pupils who were involved in those examples. Really solid work has already happened. Other schools will be able to build on that as this work develops.

Mrs Dobson: There are such rewards for both schools. They gain so much from that collaboration.

Mrs Graham: Absolutely.

Mrs Dobson: The withdrawal of entitlement framework funding from schools has, however, hit the ability of special schools in my constituency to engage in sharing. What specific measures can area learning communities bring forward? Do you plan to provide additional funding to help special schools? It would be so detrimental to lose that ability to work together, and I know, as I said, from speaking to principals and teachers in special schools in my constituency that they have gained so much. Losing it is a very real fear.

Mrs Graham: We recognise very clearly that in all of this work at present there is that need for additional financial support and, in some instances, where people have not started their journey, for incentives also but with the longer-term aim of all this becoming part of the fabric and ethos of all schools. So, it is important to look at additional financial resources as something that allows those partnerships to develop in the first instance. What you have described there is that, where there is a withdrawal of funding, it can almost make people feel like that will come to a stop. I would like to think that, in the schools that you are referring to, that will be now engendered to find a way to continue that.

In the programmes that we are talking about this morning — we referred to them briefly but will talk about them in more detail subsequently — there will be clear opportunities for schools that have demonstrated very clear learning outcomes and benefits for all their pupils to access that money, whether it is on a school-to-school partnership basis or, indeed, on an area learning community basis. My one caveat is that it needs to be about sharing in the broadest sense and in the sense of the definitions that we have provided you with this morning, because it cannot just be a replacement for entitlement framework funding; it needs to further those learning outcomes that you described and the benefits that you have seen for all the children involved.

Mrs Dobson: There certainly is that willingness to continue; it is just about the issues and the funding. Do you plan to provide additional funding to help special schools?

Mrs Graham: I said in the briefing that, if the announcements that we anticipate take place, we hope to have that money available to schools early in the autumn term, and, from our perspective, it is about ensuring that the actions by other people now happen with the speed that they need to happen to allow the schools to progress. So, we are ready to go with that.

Mrs Dobson: Great. Thank you.

Mr Kinahan: I am fascinated at seeing it all being pushed and working forward. The question I asked previously, Faustina, was this: how will we push forward so that every school is looking at it all? You mentioned that you will produce sharing options at some stage in the future. Will that then go to every school to show them all the different ways of doing things?

Mrs Graham: To progress this, the really important thing from an education perspective is, first and foremost, how we build on the successes of the work that has already happened. You had a briefing on the work of the 22 International Fund for Ireland projects. In my former role, I led that work for the Education and Training Inspectorate. At that time, we set out to try — and we were successful — to work at empowering schools with regard to that work rather than it being something that, in the longer term, would continue to be an add-on and a separate piece of work for the schools. Historically, that is what happened. We have seen some good pieces of work begin, but once the funding is withdrawn, they become something that was almost a luxury as opposed to an integral part of what the school does.

In that work, we tried to work with all of the project leaders and the schools to create a common language of evaluation that all of the participants could share, so that we would build capacity in the system with regard to identifying what was good about the work they were doing and where they still needed to travel on that journey towards full sharing, if you want to look at the longer-term goal, particularly that of jointly managed schools, as we are beginning to see.

Our schools are a microcosm of our society broadly, so all of our schools are at different starting points. It really is about trying to see where the school or the partnership that we are looking at is at and trying to encourage those schools to move along what we have described as a continuum to help them identify where they are. I would like to think that that is something that we can encourage the schools to do as opposed to being something that is in some way prescriptive.

The Northern Ireland curriculum has all of the elements that are required for shared education, and if we can continue to ensure that people are really clear about how shared education can contribute to the realisation of the Northern Ireland curriculum, we will win hearts and minds.

Mr Kinahan: That is excellent.

When it comes to the funding of this, one school has asked whether the Delivering Social Change budget will still be a part of it as we move forward in each of the library board areas.

Mrs Graham: I said in the briefing that the Minister has reserved judgement on the whole mainstreaming of the funding, because the ministerial advisory group advised a premium that would go towards that. However, again, whatever the issues are around the common funding formula, the intention was to try to streamline the process. Certainly from my experience of working with schools, sometimes the money that was going into schools for separate pockets of work was either not always utilised in that way or people were not always clear about the multiple funding streams that were coming into schools.

So, in reserving judgement, the intention is try and see how this work develops over the next three to four years and use that as a basis to do something that is practical and sensible from the school's perspective and ensures that the money is getting to the schools.

Mr Kinahan: The Chair mentioned including FE colleges. We had a very interesting document from Professors Borooah and Knox about six months ago, which indicated that there is more sharing between the voluntary schools than others. Is that within the scope of what you are doing?

Mrs Graham: Between who?

Mr Kinahan: I am trying to think about how to put it. I am talking about your grammar schools, where you have suitable people, and secondary schools nearby, and creating more sharing between those schools.

Mrs Graham: Absolutely. That is key to both of the programmes that we referred to this morning: Delivering Social Change and Peace IV. It is fundamental to the programme that there is sharing at

the level that a school or the partner schools can accommodate. So, the expectation is, in any of these funding arrangements, that schools will be able to demonstrate clear outcomes on improvement over the time that they will be involved. But, again, there should be realistic expectations about the starting point for each of the schools.

With reference to FE, we can still do better. There is still work to be done there. The FE sector has done some very good work in community relations, and we need to move towards clearer partnership arrangements between FE and schools in that area.

Mr Kinahan: Thanks for the hard work. Thank you.

Mr Newton: I thank the witnesses for coming today. I have two questions, if that is OK.

I go back to the issue of the previous panel. Mrs Dobson asked a probing question about encouraging a geographical spread of campuses and so on. I sought clarification on that and got an assurance that we are not going for geographical spread and instead are going for a grass-roots initiative, where the schools and community can support such an initiative. I am glad that you are reinforcing that that is the position. In the Minister's 22 October statement on advancing shared education, he indicated that his Department would:

"bring forward ... guidelines on the development of area plans to ensure that shared education is encouraged".—[Official Report, Vol 88, No 8, p4, col 1].

Is there not a contradiction in terms there, in that the area plan is being constructed in such a way to encourage shared education, yet we are looking for an ethos of it coming from grass-roots initiatives?

Mrs Graham: You have to approach any type of work like this both ways. As I said earlier, it is important to try and avoid prescription for schools on the one hand, but, equally, area planning has to take into account the efficient and effective use of our resources. So, there is the grass-roots work that, as you say, will inform the area plan, but area planning, in its entirety, should include all of the options and opportunities that are there. I do not see encouraging sharing as contradictory; to be honest, I think that that can be facilitated in the area-planning process.

Mr Newton: Would I be cynical in describing the dividing line between being encouraging and prescriptive as a huge chasm?

Mr A Bell: Having run projects with the International Fund for Ireland (IFI) over the past six years, we know from experience that that is extremely difficult to do unless you have the support of the communities. When the Minister made his announcement about shared education, he called for communities to bring forward their proposals and ideas, and some communities have done so. So, it is that bottom-up approach. It also reflects the fact that area plans need to take into account proposals from communities. Again, like Faustina, I do not see any contradiction between the two.

Mr Newton: I am glad that you have reassured me on that. Thank you. May I refer to the management arrangements for the shared campus, once the model is agreed? Will you consider it to be a single campus, even though its parts may be on separate sides of the road? Will you consider that to be "a campus"? You used the expression "jointly managed". What would that look like?

Mr A Bell: Shared education is not just —

Mr Newton: Will it be "campuses" or "campus"?

Mr A Bell: Shared education is not just about schools coming together on a shared education campus; it is about all schools sharing with another school. Those on a single campus are easier to do because they are located next to one another. From that point of view, there should not be any difference between the two in relation to the campus.

Mrs Graham: I referred to one particular model, which was that of jointly-managed schools. That work is ongoing. We have met various representatives of the transferors' council and the Catholic trustees, where they have instigated those discussions. As I said, we are hopeful that that guidance may come to fruition in the duration of the inquiry. The truth is that we are trying to work through that whole process, because it is a process and not something to which we would automatically have

answers. Otherwise, we would have been in that space before now. We have found those discussions helpful in throwing up issues that will be difficult or complicated, but, most importantly, how we have worked together has given a sense that there is a will to overcome any obstacles. That always makes for a process that you think can come to useful fruition.

Mr Newton: If you end up with 10, do you envisage having 10 different management models?

Mrs Graham: I was talking about a particular approach. Under the educational campuses that Diarmuid talked about this morning, how that would move forward would come down to the bid that comes in for a project. Obviously, at the moment, we have Lisanelly under development. Again, in that situation, we will have a number of schools that are, at the moment, independent of each other but there will be the basics of how a huge campus will be managed where there will be elements of sharing. Sharing, in that sense, is something that is defined differently in the sense that it is how you manage a process. How far you go along the continuum that we talked about would be down to the individual schools concerned in conjunction with their employing authorities.

We are keen to push that sharing as far as we can in the interests of children and young people, but we have to look practically at what can work for people. It is not the case that there would be 10 different management types; there may be lessons that each group, as it is established, can learn from the others. Technically there could be, but I do not envisage that being the case; I would think that we should be able to accommodate ways of learning from one another, but it is a developing process, and we all have to learn from it.

Mr A Bell: The key thing for us in this particular programme is that where they are on shared campuses, the schools do not wait until they arrive on the shared campuses before they start doing the necessary work ahead of that. This programme will give those schools that will be moving to shared campuses the opportunity to be sharing before they arrive on the campus and to resolve some of the issues that might otherwise occur.

Mr Newton: Whose responsibility is it to arrive at that management issue? Is it the Department or the schools?

Mr A Bell: Are you talking about the jointly-managed schools? It would be where two or more schools would want to come together. They would discuss that model with the boards and bring forward development proposals on that basis. The concept that we are talking about is in relation to a school that would have representation of both communities on the board of governors. You would be talking, potentially, about two schools of different management types coming together to form a jointly-managed whole.

Mr Newton: Is that concept written down somewhere?

Mr A Bell: That is what we are working on with the transferors and the Catholic trustees, who have been very supportive of the whole concept. We are quite clear that they can work together on that model. It came about because when the Minister invited schools and communities to bring forward proposals, some schools came forward to the Department saying that they would like to explore the idea, and we have been working with those schools. However, it has proved to be more complex than originally thought, because it touches on such a wide range of different issues from admission policy to transport. For schools that wish to look at that model, our guidance will be around the practical aspects that they need to consider so that schools and communities are fully informed of the issues ahead of their decision.

Mr Newton: Are you able to share that work with the Committee even though it is not complete at the moment?

Mr A Bell: I am sure we could do that.

Mrs Graham: As long as it is on the understanding that we are still working on it with the groups concerned.

Mr Rogers: Most of my points have been addressed, but I have just one or two more to make. What special help or consideration is being given to rural schools, isolated rural schools in particular, that are keen to promote shared education?

Mrs Graham: Again, that would form part of their proposal in the sense that isolated rural schools in particular, in forming a partnership with another school, would articulate what their issues are and how those can be met through the project. That is where we are trying to look at customising any of those partnerships to what the schools need in that particular situation. If there is a will to work with another school, and there are justifiable reasons, such as the obvious one of transport, for schools working together, that will be facilitated through the programmes that we are talking about. Obviously, we can talk in a little bit more detail about that shortly.

Mr Rogers: You mentioned Peace IV funding. What consideration has been given to cross-border sharing?

Mr A Bell: As you know, Peace IV will involve cross-border sharing. We have already had preliminary discussions with the Department in the South about those and, indeed, as of this week, we are planning to have further meetings to take that forward. This is obviously in light of the fact that Peace IV is still under public consultation. Therefore, we need to have those conversations, because their proposals could change as result of the public consultation. Certainly, we are working with our colleagues in the South on some examples of that. When we had the shared education programmes funded by the IFI, we had a number of schools in border areas that were working on a cross-border basis because it made sense geographically. We had maintained schools in Fermanagh that were working with schools across the border and in a number of different areas. There are some examples of how that can operate.

The Chairperson: In conclusion, with regard to the recommendations from the ministerial advisory group, recommendation 12 said:

"The necessary legislation should be brought forward for schools and other educational institutions to be designated as 'public authorities' under Section 75 of the Northern Ireland Act 1998".

According to the briefing,

"The Minister has accepted the ... recommendations and agrees that schools have an important role in promoting equality of opportunity ...

The matter of legislation to designate schools as 'public authorities' is one for OFMDFM in the first instance and the Minister is writing to FM and dFM to communicate the detail of these recommendations and to seek their views on the practicalities of designating schools for Section 75 purposes."

Has there been approval from the bishops and the Transferor Representatives' Council (TRC) on this? If you take the current position that the trustees have in relation to the Fair Employment and Treatment Order (FETO), they believe that the element that allows them to use the certificate in religious education falls under that remit. Ironically, the current Minister of Education is the only Minister who oversees an organisation that has an exemption from equality legislation. Given all the cries that we hear about having equality, treating everybody the same and so on, how is all that practically? I get the sense that this is shifting this over to OFMDFM and saying, "Well really, equality is your responsibility, we do not want to get involved in all this". Is there buy-in to that idea? What discussions have there been with the managing authorities around the whole concept of designating schools as public bodies in this way? That would be a monumental shift in the way in which schools are governed or designated under legislation.

Mrs Graham: I will hand over to Andrew for the detail on that, because it is quite complex. First and foremost, I think that it would be hugely important to ensure that we look at the practicalities of this and that we look at what schools are already required to do. In particular, from our perspective, it is about looking at the administrative burden and what that means for schools. Those are the areas that are key in all of this. With regard to OFMDFM, observing the protocols of that is the first port of call that the Minister needs to go to. I do not think that that is in any way absolving ourselves of responsibility, because we have to look at what this will actually mean for schools and how it fits with the curriculum and the curriculum requirements that are already there. Most importantly with the administrative burden, we are trying to meet the responsibilities that we have. Andrew will talk about the detail of the work that has been done.

Mr A Bell: As Faustina said, this will be a complex area. We have been focusing on trying to understand and reduce the administrative burden on schools because that was one of the specifics

that the ministerial advisory group looked at. It talked about a light version of the equality scheme. We have been looking at other jurisdictions. We have looked at the position in England, Scotland, Wales and the South of Ireland. We have looked further afield to the Asian economies, Canada and Finland, all of which have issues. Understandably, the most common systems are those that are closest to us. However, there have been issues with those individual systems, some of which we have already addressed through the likes of the community relations, equality and diversity (CRED) policy. In the South, there are issues around educating pupils to have self-respect and respect for others, which is what our CRED policy already does. There are versions of the scheme — England is one model that we have been looking at, and schools there are required to publish equality objectives under the equality duty placed on schools. We are looking at those models to see what is key.

The other factor in all of this, which also involves the Office of the First Minister and deputy First Minister, is the fact that the Equality Commission has around 200 public authorities listed on its database. If we add 1,200 schools to that, it would have a significant impact on the Equality Commission as well. Therefore, all of those factors need to be taken into account.

The Chairperson: It would certainly be an administrative burden for the Equality Commission if that were placed in its responsibility. Thank you for that.