

## **IEF Response to Consultation re Integrated Education Bill, 08 October 2021**

### **IEF responses in *bold italics***

1. How would you like your response to be published?

(Required) I would like my response to be published. I would like to request my response not be published, and I understand this will only be accepted in exceptional circumstances.

If my request is turned down I understand that I can choose to withdraw my submission or agree to my response being published in full or as amended by me.

Please note you will not be able to move through the survey until this question has been answered. However you may change your answer before submission if you choose.

***I would like my response to be published.***

2. Are you content that any of your suggestions which have been published to the Committee or the Assembly may inspire the text of an amendment?

**Yes** No

3. What is your name

***Paul Collins - Head of Public Affairs and Advocacy***

4. What is your email address?

If you enter your email address then you will automatically receive an acknowledgement email when you submit your response.

Email

***pcollins@ief.org.uk***

5. Please indicate if you are providing a response:

As an individual On behalf of an organisation or business

If on behalf of an organisation or business, please state its name:

***On behalf of an organisation: Integrated Education Fund (IEF)***

6. Do you agree with the policy objectives of the Bill?

Yes No Unsure

Please elaborate.

*The Integrated Education Fund supports the policy objectives of the Bill because, despite an existing statutory duty on the Department of Education (DE) through the 1989 Education Reform Order to ‘encourage and facilitate’ integrated education, this has not led to any strategic commitment or significant action by DE to pro-actively support the growth and development of integrated schools.*

*Moreover, as recently as 2014, a High Court Judgment concluded that current area planning for schools could actually be a further impediment to integrated education because it did not take into consideration the potential for growth in integrated schools in response to parental demand.*

*To quote Mr Justice Treacy:*

*“ ‘Integrated Education’ is a standalone concept (para 50) ... (An) integrated school strives to achieve an equal balance in relation to worship, celebration and exposure to both faiths. ... (It is) education that is integrated throughout and not education that is delivered by a partisan board (para 53)”*

<https://www.judiciaryni.uk/sites/judiciary/files/decisions/Drumragh%20Integrated%20College%E2%80%99s%20Application%20and%20in%20the%20matter%20of%20a%20decision%20of%20the%20Department%20of%20Education.pdf>

*In 2021, the former Education Minister, Peter Weir, used ‘impact on other schools’ as a reason to turn down a Development Proposal from Strangford Integrated College for additional places in its efforts to meet parental demand. The Minister went on to reverse that decision following a Pre-action Protocol Letter from the College supported by the Public Interest Litigation Support (PILS) project.*

<https://www.belfasttelegraph.co.uk/news/education/peter-weir-grants-student-number-increase-to-co-down-integrated-school-after-legal-challenge-40367810.html>

*In short, the DE does not plan for the growth and development of integrated education.*

*Therefore, the IEF agrees with the policy objectives of this Bill because:*

- *Integrated education needs to be planned for effectively*
- *There is a significant gap between the clear public support for more integrated school places and what is presently available*

- *The DE have not acted in response to the clear aspirations of the wider community for further integrated education, an aspiration endorsed by Article 13 of the Good Friday/Belfast Agreement*
- *More than one in five first preference applications to integrated colleges currently cannot be accepted due to lack of places*
- *Many communities in Northern Ireland do not have the choice of an integrated Nursery, Primary and Post Primary School*
- *Parents are not asked what type of education provision and choices they would prefer to have available to them*
- *When parents are given the choice to vote on whether their school should become integrated, the majority vote Yes:*

*Schools that have recently voted to become integrated include:*

1. *Carrickfergus Central Primary School – transformed September 2021*
  2. *Harding Memorial Primary School, East Belfast - transformed September 2021*
  3. *Seaview Primary School, Glenarm - transformed September 2021*
  4. *Brefne Nursery School, North Belfast - transformed September 2021*
  5. *Glengormley High School – development proposal decision pending*
  6. *Bangor Central Nursery School - development proposal decision pending*
- *Public support for integrated education means the time has come for the DE to promote this model of education, and not leave this work to charities alone*
  - *The DE already promotes shared education which has been largely driven by academics and some schools, unlike integrated education which is driven by parents*

*This Bill will place a duty on the Department of Education and other education bodies to promote rather than simply encourage and facilitate integrated education.*

If the Bill is passed:

*The IEF believes this Bill will be a significant step forward for integrated education as the DE will be required to audit demand, develop an integrated strategy, and provide additional resources for this work whilst ensuring that they report on a biannual basis. This has never before been a requirement.*

7. Do you think the provisions of the Bill will be effective in achieving the policy objectives?

Yes No Unsure

Please elaborate.

*The Bill will encourage the proactive and intentional education together in integrated schools, of those of different cultures and religious beliefs and of none, including reasonable numbers of both Protestant and Roman Catholic children and young persons. Whilst there are a small number of schools in Northern Ireland which have a significant mix of pupils from different cultures and religions, this diversity does not necessarily extend, in those schools, to the teaching staff or the Boards of Governors, as evidenced by recent Ulster University research.*

*The Bill will place a duty on the DE and other education bodies to promote rather than simply encourage and facilitate integrated education.*

*If the Bill is passed it will:*

- 1. Place a duty on the DE and other education bodies to promote – not merely encourage and facilitate – the development of integrated education.*
- 2. Require the DE to audit the demand for integrated education on a biennial basis.*
- 3. Require the Education Authority to audit demand, report to the Department, and publish the audit results as well as take account of these in budget and planning decisions.*
- 4. Establish a presumption in overarching area based planning that all new schools should be either integrated or otherwise non-single identity schools.*
- 5. Require the DE to develop an Integrated Education Strategy to be published six months after the commencement of the Act; it will report on the implementation of the Act, along with regular biennial reporting on the implementation of the provisions of the Act.*
- 6. Dedicate funding from the DE to facilitate integrated education and resource a dedicated team in the Department.*
- 7. Standardise and accredit a diversity and all-inclusive model on how to teach in a truly inclusive and integrated classroom and for a corresponding PGCE in initial teacher training provided by the teacher training education providers.*
- 8. Ensure dedicated education resources to help schools to strengthen their ethos and to make sure that all integrated schools put an integrated ethos at the heart of everything they do. There will be additional resources allocated to the DE to achieve these policy objectives including staff costs, for example one additional Staff Officer and one additional Executive Officer II. (Assembly's Research and Information Services [RaISe]).*

*It should be noted that the potential long term financial benefits alone of supporting this Bill are significant – an Ulster University study in 2016 found that the cost of division in education in Northern Ireland was between £16.5m - £95m a year.*

8. Please note which (if any) of these objectives you consider to be ineffective.

**None**

9. Do you foresee any unintended consequences of any of the policy objectives of the Bill?

**Yes** No Unsure  
Please elaborate.

***A fully integrated education system will create significant savings by reducing the distance that children have to travel to be educated.***

***In the Ulster University Transforming Education in Northern Ireland Report "Home-School Travel in a Divided Education System: At What Cost? (March 2021) quoting research undertaken by Thornwaite (2014), Table 21 p203 stated:***

***"Selection and segregation add an additional £20million to the education transport budget. It was estimated in 2014 that the current average distance travelled to school by NI pupils was 5.11 miles; if selection had not been a feature of the system, distance travelled to school would have been reduced to 3.03 miles. In a fully inclusive, non-selective system, where pupils attend the nearest post-primary school to their home, the average mileage travelled by each pupil would have been just 2.34 miles and nearly one third of all learners would live within a mile of their post primary school."***

**[https://www.ulster.ac.uk/ data/assets/pdf\\_file/0003/828903/TEUU-Report-12-Additional-Costs.pdf](https://www.ulster.ac.uk/data/assets/pdf_file/0003/828903/TEUU-Report-12-Additional-Costs.pdf)**

10. The definition of "integrated education" comprises education together of pupils reflecting diversity in cultural and religious belief (including reasonable numbers of Protestant and Catholic pupils); socio-economic diversity; and diversity of ability. Do you feel this definition of "integrated education" is sufficient?

Yes **No** Unsure

11. Please describe and explain any amendments you would propose to this definition of "integrated education".

***Clause 1: defines "integrated education" and "integrated school". In essence, integrated education is educating children and young persons in schools which promote an ethos of diversity, respect and understanding between those of different cultures and religious beliefs and of none in the same school on a daily basis.***

### Clause 1: Meaning of "Integrated Education"

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

- (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
- (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.

(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);
- (d) the Shared Education (Northern Ireland) Act 2016; and
- (e) any other provision of Northern Ireland legislation (unless it contains a different definition).

### **Suggested amendment:**

***"1. (2) An "integrated school" is an integrated school (as per current legislation to set up a new integrated school and as per current legislation to transform an existing non-integrated school and legal process outlined in that legislation) 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."***

12. An “integrated school” is defined as a school which promotes, protects and improves an ethos of diversity, respect and understanding of culture, religious belief and none, socio-economic experience and all abilities. Do you feel the definition of an “integrated school” is sufficient?

Yes **No** Unsure

13. Please describe and explain any amendments you would propose to this definition of an "integrated school".

**Suggested amendments:**

***Delete “none” and insert “other ethical beliefs and worldviews”.***

***In order to be recognised as integrated, a school should have to go through a Development Proposal process.***

14. Please provide any other comments in relation to Clause 1.

***The suggested amendments to the proposed new definition of integrated school in the draft Bill is in keeping with the spirit of the Bill; it will clarify the intention of such legislation and assist in protecting the unique nature of integrated schools.***

## Clause 2: The purpose of integrated education

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;
- (c) to promote equality of opportunity;
- (d) to promote good relations; and
- (e) to promote respect for identity, diversity and community cohesion.

15. Would you amend this list of purposes?

Yes **No** Unsure

16. Please describe and explain any amendments you would propose in the Clause 2 list of purposes. List any proposed amendments and why.

***No amendments proposed***

17. Please provide any other comments in relation to Clause 2.

***Integrated schools bring together children and adults from Catholic, Protestant and other backgrounds in each school. The schools strive to achieve a religious balance of pupils, teachers and governors, and acknowledge and respect the cultural diversity they represent.***

***Integrated schools educate children in an environment where self-esteem and independence are developed as priorities; supporting the development and improvement of their understanding of and respect for diversity and difference.***

***Self-respect and respect for others are strongly encouraged. The integrated ethos is nurtured to ensure inclusion of people from different religions, cultures, genders, abilities and socio-economic backgrounds.***

***Integrated education encourages open-minded attitudes among pupils as well as building the confidence and ability to question, observe, listen and make informed decisions.***

***Integrated education recognises the value of active parental involvement in all aspects of school life and this is actively encouraged, for example in the governance of the school and the Parents' Council.***



### Clause 3: Advisory Body

Clause 3: requires the Department of Education to consult with a recognised body which includes in its objectives the provision of support and advice to the Department in relation to integrated education. The Northern Ireland Council for Integrated Education, a registered charity incorporated as a company limited by guarantee, would appear to qualify for recognition under this provision.

### Clause 3: Advisory Body

In exercising its functions (whether or not under this Act) the Department of 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.

18. Do you consider this consultation to be a reasonable duty?

**Yes** No Unsure

19. Please describe and explain any amendments you would propose to this Clause 3 provision. List any amendments and why.

***No amendments proposed***

20. Please provide any other comments on Clause 3.

***DE has a duty “to encourage and facilitate” integrated education under the Education (Northern Ireland) Order 1989.***

***The Northern Ireland Council for Integrated Education (NICIE) is the organisation tasked by the Department of Education (DE) with promoting, supporting and growing integrated education by providing advice to parent groups and existing schools on the development and provision of integrated education. NICIE, which was established in 1987, and is now a registered charity incorporated as a company limited by guarantee, has been funded by DE since 1989.***

***The role of NICIE is to assist the development of integrated education in Northern Ireland.***

***This role is increasing, with four new schools becoming integrated in 2021/22 as well as development proposals from two further schools currently under consideration with the Department of Education and over 30 schools currently expressing an interest in exploring integration.***

***NICIE can only do this work if it is sufficiently funded; currently it is underfunded.***

#### Clause 4: Promotion etc of Integrated Education

Clause 4: amends the Education Reform (Northern Ireland) Order 1989 to include a duty to promote integrated education as well as encouraging and facilitating it, and amends the Education Act (Northern Ireland) 2014 so as to require the Education Authority to encourage, facilitate and promote integrated education.

#### Clause 4: 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 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."

21. Clause 4 extends the existing statutory requirements on the Department and the Education Authority to "encourage and facilitate integrated education", to that to "encourage, facilitate and promote" it. Please give your comments on this and describe and explain any amendments on the proposed new requirements you would put forward.

#### ***No amendments proposed***

22. Please provide any other comments on Clause 4.

***All integrated schools in Northern Ireland were set up by the direct action of local parents in either setting up a school or voting to have their children's existing school transform to integrated status.***

***This Bill places the onus on the Department of Education to promote integrated education and to have additional resources to ensure they fulfil this duty.***

***DE currently advises that they cannot promote one type of school over another and this clause will ensure that integrated education is promoted.***

***Currently the Integrate My School website provides parents with a chance to voice their preference for an integrated school for their child. DE did provide some financial support for the launch of this website, and directs parents to it in their publication 'Integration Works: Transforming Your School'. Such support is welcome but the IEF believes that much more could be done by the DE to encourage and facilitate integrated education.***

## Clause 5: Meaning of "Promotion"

Clause 5: defines promotion of integrated education.

### Clause 5: Meaning of "Promotion"

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 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.

23. As per Clause 5's definition of the term “promotion”, do you consider the duty to promote to be a reasonable duty?

Yes No Unsure

***The DE has a statutory duty to “encourage and facilitate” integrated education through the 1989 Education Reform Order, however this has not led to any strategic commitment or significant action by DE to pro-actively support the growth and development of integrated schools.***

***In fact all 68 integrated schools in Northern Ireland (four opened in the last month alone); have resulted from the actions of parents and schools alone, supported by charitable bodies such as the IEF and Northern Ireland Council for Integrated Education (NICIE).***

**<https://www.irishnews.com/paywall/tsb/irishnews/irishnews/irishnews//news/northernirelandnews/2021/09/01/news/four-ni-schools-transform-to-integrated-status-2434832/content.html>**

24. Please describe and explain any amendments you would propose to this Clause 5 provision.

***No amendments proposed***

25. Please provide any other comments on Clause 5.

*The promotion of integrated education over the last 40 years has been through the efforts of parents who want an integrated education and integrated schools for their children, backed by charitable bodies such as IEF and their supporters.*

*This clause will now place the onus on the Department of Education to not only be alive to the demand for integrated education but to promote integrated education and underwrite this with additional resources.*

*In addition, the Department must monitor and report back on demand for integrated school places.*

*This demand can be illustrated by the integrated school, Lagan College, during the Academic Year 2020 /21.*

*Approved Admissions: 211*

*Total applications (all preferences): 518*

<http://www.lagancollege.com/wp-content/uploads/2021/01/Lagan-College-Admissions-2021-January-2021-1.pdf>

*This demand for integrated school places is Northern Ireland wide. The lack of integrated schools, and insufficient places in many of the existing integrated schools, can make a parent feel there is no point in putting an integrated school as their first choice.*

*This demand was illustrated in the growth in demand for integrated places in the most recent Good Relations indicators.*

<https://infogram.com/northern-ireland-good-relations-indicators-annual-update-2019-infographic-1h7q6k1ol1j04oy?live>

## Clause 6: General Duty

Clause 6: requires a range of education bodies (defined in clause 14) to include provision for integrated education in their strategies, plans and policies

## Clause 6: General Duty

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

- (a) developing, adopting, implementing or revising policies, strategies and plans; and
- (b) designing and delivering public services.

26. Do you consider this to be a reasonable requirement?

**Yes** No Unsure

27. Please describe and explain any amendments you would propose to this Clause 6 requirement.

***No amendments proposed***

28. Please provide any other comments on Clause 6.

***Very few pupils actually attend their nearest school, and many post-primary pupils commute considerable distances.***

***Hence, if there were more integrated schools there would be less need for pupils to travel. The Ulster University (UU) Report 'Isolated Together: Pairs of Primary Schools Duplicating Provision' (December 2019) makes the case for rationalisation of designing and delivering services:***

***Each of the 32 pairs of schools identified here requires sufficient teachers to deliver the curriculum to 4 to 11-year olds. Even in very small schools, and 10 of these schools have fewer than 50 pupils, there must still be a principal with responsibility for running the school. (Page 05)***

***In 2019, the Northern Ireland Affairs Committee found "...an acknowledgement that there was a large amount of wasted capacity in the [education] system". Giving evidence to the committee, Sir Robert Salisbury contrasted duplicated provision in his local town in Northern Ireland with a similarly sized town in England, and concluded "...if you replicate that across the whole of Northern Ireland, you have your funding crisis in one view".***

***There is also duplication of teaching – again as evidenced in the UU ‘Isolated Together’ report, “... in 94% of the unsustainable schools ..... pupil-teacher ratios (are) higher than the Northern Ireland average for primary schools of 22.3 in 2018-19. In some cases, ratios are as high as 1 teacher for 8 pupils. A classroom in a school just a few hundred yards away may well have a similar ratio.***

***“There is also duplication in ancillary staff. Sometimes on-site catering is provided at each school which requires a cook and other staff. Schools invariably have a number of classroom assistants, a secretary, a building supervisor/caretaker and a range of other staff. ....***

***“Of course, small schools require these staff to service the curriculum and to support the children in myriad ways, but these particular schools are close neighbours with other schools providing identical services.”***

***[https://www.ulster.ac.uk/\\_\\_data/assets/pdf\\_file/0007/506878/TEUU-Report-03-Isolated-Pairs-REVISED-VERSION-08-JANUARY-2020.pdf](https://www.ulster.ac.uk/__data/assets/pdf_file/0007/506878/TEUU-Report-03-Isolated-Pairs-REVISED-VERSION-08-JANUARY-2020.pdf)***

## Clause 7: New Schools

Clause 7: establishes a presumption that new schools which are proposed to be established should be integrated schools.

### Clause 7: 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 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

29. Do you consider this Clause 7 measure to be reasonable?

**Yes No Unsure**

30. Please describe and explain any amendments you would propose to this Clause 7 measure.

***No amendments proposed***

31. Please provide any other comments on Clause 7.

***Realistically, it is unlikely that there will be a large number of new schools in the near future.***

***However, we think this provision is important symbolically as it signifies a change of direction and could be the precursor to a more fundamental reform of the system.***

***We think it is right to use the word “presumption” rather than a more prescriptive term. This ensures that local views and alternatives can be considered.***

***There is an increasing oversubscription of integrated schools as referenced in the 'Good Relations' report, which stated that 21% of children who had put down Integrated Education as their first preference were unable to get a place in an integrated school.***

**<https://infogram.com/northern-ireland-good-relations-indicators-annual-update-2019-infographic-1h7q6k1ol1j04oy?live>**

***Current provision does not meet this demand.***

***In terms of planning new schools we are not talking about equality but equity; it is only right and proper that we support a movement that is young, small, supported by parents and fast growing. As stated earlier:***

***A recent survey shows that 71% of people in Northern Ireland believe an integrated education should be the norm, this LucidTalk NI-wide attitudinal poll also reveals that a further 73% of people here would support their child's school becoming integrated.***

**<https://www.ief.org.uk/2021/08/03/lucid-talk-ief-poll-released/>**

***Yet only 7.5 % can actually attend an integrated school, as there are insufficient integrated school places in their area, or no integrated school at all.***



## Clause 8: Integrated Education Strategy

Clause 8: requires the Department of Education to publish a strategy for encouraging, facilitating, promoting and providing integrated education.

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—

- (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;
- (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 existing integrated schools and the transformation of existing schools into integrated schools);
- (e) include an action plan, which must—
  - (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
- (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—

- (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;
- (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).

(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
- (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.

32. Do you consider this to be a reasonable measure in attaining the policy objectives of the Bill?

**Yes** No Unsure

33. Please describe and explain any amendments you would propose to this Clause 8 measure.

***No amendments proposed***

34. Please provide any other comments on Clause 8.

***The Independent Review of Integrated Education was published in November 2016.***

***<https://www.ief.org.uk/wp-content/uploads/2017/03/Integrating-Education-Report.pdf>***

***The Review, instigated by previous Education Minister John O'Dowd and released by outgoing Minister Peter Weir, contained 39 recommendations for developing and supporting the growth of integrated education in NI including reconsidering the official definition of the term and extending the current legal duty "to encourage and facilitate"***

*the development of integrated education to include a requirement to “promote” the model.*

*The 130-page report, produced by Mr Colm Cavanagh and Dr Margaret Topping, was submitted to the Department stating:*

*“We submit these proposals in the certain knowledge that understanding and friendship across our community divisions are strengthened by our young people going together to school; and that offering parents this choice is in everyone’s interest.”*

*To date, only 8 of these 39 recommendations have been implemented so it is important that DE will be accountable to the Education Committee for its implementation of the Integrated Education Strategy – i.e. an Integrated Education Strategy will be formulated within six months of this Bill being passed and will be resourced within the Department which will report back to the Education Committee every two years.*

### Clause 9: Biennial reporting

Clause 9: requires the Department of Education to publish a biennial report

### Clause 9: Biennial reporting

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—

- (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
- (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;
- (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;
- (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.

(5) The Department of Education must—

- (a) lay each report before the Assembly; and
- (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.

35. Do you consider this to be a reasonable measure in monitoring implementation of the Bill?

**Yes** No Unsure

36. Please elaborate regarding Clause 9.

Please tell us more about why you consider this to be a reasonable measure or not.

***Only by the Strategy being implemented by Department of Education staff and by the Department being made accountable to the Education Committee can we be sure that there will be progress in providing sufficient integrated schools and integrated school places as demanded time and time again by all those concerned including parents, schools, teachers, school governors, academics and other bodies and individuals.***

37. Please provide any other comments on Clause 9.

***Politicians made a case to wait until the Independent Review of Education is completed but the Review is in the early stages, with members of the Panel still being appointed and the full report not expected until 2023 at the very earliest, and with implementation of any recommendations even further into the future.***

***"<https://www.education-ni.gov.uk/independent-review-education>***

### Clause 10: Regulations

Clause 10: requires the Department of Education to make regulations supplementing the provisions of the Bill. Subsection (2) sets out a list of particular matters that may be covered by the regulations.

#### Clause 10: Regulations

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

(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;
- (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);
- (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);
- (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;
- (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;
- (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; and
- (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.

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

(4) Regulations under this section are subject to negative resolution. [Negative resolution is explained here](#) (opens in a new window).

38. Do you agree with the power delegated to the Department to make regulations?

**Yes** No Unsure

39. Do you consider that the subsection 2 list of matters in Clause 10, on which regulations can be made, is sufficient?

**Yes** No Unsure

40. Do you consider that this level of Assembly control is appropriate for regulations about these matters?

A link to an explanation of Negative Resolution is given in the Clause 10 information (within the dropdown section above).

**Yes** No Unsure

41. Please describe and explain any amendments you would propose in these Clause 10 elements?

***No amendments proposed***

42. Please provide any other comments on Clause 10.

***The Department of Education is the rightful owner of this role as outlined on the website noted below:***

***“The Department is accountable through its Minister to the Assembly for the effective delivery of its statutory functions and for the effective use of the public funds for which it is responsible. It is supported in delivering its functions by a range of ‘Arm's Length Bodies’, each of which is accountable to the Department.”***

**<https://www.education-ni.gov.uk/about-department-education#toc-2>**



### Clause 11: Guidance

Clause 11: allows the Department of Education to give guidance about the implementation or application of provisions of the Bill.

#### Clause 11: Guidance

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.

(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.

43. Do you consider this Clause 11 provision to be reasonable in supporting the policy objectives of the bill?

**Yes** No Unsure

44. Please describe and explain any amendments you would propose to this Clause 11 provision.

***No amendments proposed***

45. Please provide any other comments on Clause 11.

***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.***

***Integrated education is the statutory responsibility of the Department of Education, although the Department has had to be challenged to ensure it complies with its duty. For example, a High Court judgment, delivered in May 2014 in Belfast, had far-reaching implications for education planning and delivery in Northern Ireland and represents a significant step forward for the campaign to grow integrated education provision.***

***However, even with the 2014 High Court Judgment, a number of decisions made by the Department of Education continue to cast doubt on how well the Department is fulfilling its duty, including the recent decision to initially turn down the Development Proposal for Strangford Integrated College to increase its enrolment in response to increased demand in the local area.***

## Clause 12: Consequential Amendments

Clause 12: makes consequential amendments.

### Clause 12: Consequential Amendments

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”.

(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—

“(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.”.

46. Do you agree that this is a minor and technical provision?

**Yes** No Unsure

47. Please describe and explain any amendments you would propose to this Clause 12 provision.

***Suggested amendment (as stated earlier at Q. 11):***

***"1. (2) An "integrated school" is an integrated school (as per current legislation to set up a new integrated school and as per current legislation to transform an existing non-integrated school and legal process outlined in that legislation) 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."***

48. Please provide any other comments on Clause 12.

***No amendments proposed***

### Clause 13: Interpretation: General

Clause 13: defines “education bodies” and lists definitions found elsewhere in the Bill.

#### Clause 13: Interpretation: General

13. In this Act—

“education bodies” means—

- (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
- (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.

49. Do you agree that this is a minor and technical provision?

**Yes** No Unsure

50. Please describe and explain any amendments you would propose to this Clause 13 provision.

***No amendments proposed***

51. Please provide any other comments on Clause 13.

***None***

Clause 14: Commencement and 15: Short Title

Clause 14: provides for the Bill to come into force six months after Royal Assent.

Clause 15: gives the Bill its short title of Integrated Education Act (Northern Ireland) 2021.

Clauses 14: Commencement and 15: Short Title

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.

15. This Act may be cited as the Integrated Education Act (Northern Ireland) 2021.

52. Do you agree that six months is a reasonable period in which necessary regulations, guidance and other arrangements can be made to prepare for the provisions of the bill to be implemented?

**Yes** No Unsure

53. Please describe and explain any amendments you would propose to this Clause 14 provision.

***No amendments proposed***

54. Please provide any other comments on Clause 14.

***None***

55. Do you agree that this is a reasonable title for the subject matter of the bill?

**Yes** No Unsure

56. Please describe and explain any amendments you would propose to, or about, the short title as per Clause 15.

***No amendments proposed***

57. Please provide any other comments on Clause 15.

***None***

**END**