

Education Inspections Bill

[AS INTRODUCED]

LEGISLATIVE COMPETENCE

At Introduction the Minister of Education had made the following statement under section 9 of the Northern Ireland Act 1998:

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

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BILL

TO

Amend the Education and Libraries (Northern Ireland) Order 1986 with respect to inspections of schools, colleges and certain other providers of education.

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by His Majesty as follows:

Extension of system to further type of provider

1.—(1) The Education and Libraries (Northern Ireland) Order 1986 is amended as follows.

(2) In Article 102, in paragraph (2)—

5 (a) omit “or” where immediately preceding sub-paragraph (d), and

(b) after sub-paragraph (d) insert “; or

(e) an institution or establishment (not falling within sub-paragraphs (a) to (d))—

(i) providing education; and

10 (ii) established, maintained or managed by a Northern Ireland department.”.

(3) In Article 102, after paragraph (7) insert—

15 “(7A) Apart from a case where the Department is the department responsible for an institution or establishment, no inspection of an institution or establishment is to be conducted by virtue of falling within paragraph (2)(e) without the consent of the department responsible for it (and that consent may be given subject to conditions relating to matters such as the date, nature and extent of the inspection).”.

Removal of exemption for religious education

2.—(1) The Education and Libraries (Northern Ireland) Order 1986 is amended as follows.

(2) In Article 102, paragraph (7) is repealed.

5 Power of officials and disciplinary measures

3.—(1) The Education and Libraries (Northern Ireland) Order 1986 is amended as follows.

(2) In Article 102, in the opening words of paragraph (2), for “and Article 102A” substitute “, and in Articles 102A and 102B,”.

10 (3) After Article 102A insert—

“Power of officials in conducting inspections

102B.—(1) A designated official has the power to take all reasonable steps in conducting, or in connection with, an inspection of a relevant establishment under Article 102.

15 (2) In particular, the power conferred by this Article includes authority for such an official to take such steps by way of or for the purpose of—

(a) entering such an establishment or gaining access to different places in or at such an establishment,

20 (b) getting information about or obtaining documents pertaining to such an establishment, or

(c) observing or assessing teaching or other—

(i) activities carried out at such an establishment, or

(ii) facilities belonging to such an establishment.

25 (3) For the avoidance of doubt, the power conferred by this Article does not—

(a) entitle such an official to use force when taking such steps, or

(b) affect when such an establishment is to be open to such an inspection.

Liability of teachers to disciplinary measures

30 **102C.**—(1) It is unacceptable professional conduct by a teacher if the person intentionally—

(a) impedes a designated official in the exercise of the power conferred by Article 102B, or

35 (b) obstructs such an official while the official is conducting, or acting in connection with, an inspection under Article 102.

(2) It is unacceptable professional conduct by a teacher if the person—

(a) fails to co-operate with a designated official while the official is conducting, or acting in connection with, an inspection under Article 102, and

(b) intends by the failure to hinder or prevent the conducting of the inspection.

(3) It is unacceptable professional conduct by a teacher if the person—

(a) encourages someone else to do something, or refrain from doing something, during the course of an inspection under Article 102, and

(b) intends by the encouragement to cause the conducting of the inspection to be hindered or prevented.

(4) Nothing in this Article specifying what is unacceptable conduct by a teacher—

(a) limits anything else in this Article specifying what is unacceptable professional conduct by a teacher, or

(b) affects anything outside this Article specifying (or for specifying) whatever else is unacceptable professional conduct by a teacher.

(5) See Schedule 1A to the Education (Northern Ireland) Order 1998 for the disciplinary powers in relation to unacceptable professional conduct by a teacher, including such conduct as specified in this Article, which the Department may by regulations confer on the General Teaching Council for Northern Ireland.

(6) A reference in this Article to a teacher is to any person who at the relevant time is—

(a) engaged to teach at a grant-aided school, and

(b) named in the register maintained by the General Teaching Council for Northern Ireland under Article 35 of the Education (Northern Ireland) Order 1998.

Expressions used in Articles 102B and 102C

102D.—(1) A reference in Articles 102B and 102C to a designated official—

(a) is to any—

(i) inspector appointed by the Department, or

(ii) other officer of the Department, but

(b) extends to any lay person assisting in the inspection in question by virtue of having been assigned to do so under Article 102A.

(2) A reference in Articles 102B and 102C to an inspection under Article 102 includes any aspect or part of the inspection in question.”.

(4) Until the first regulations under Schedule 1A to the Education (Northern Ireland) Order 1998 come into operation, a reference to unacceptable professional conduct in Article 102C(1) to (4) of the Education and Libraries (Northern Ireland) Order 1986 is to be read as a reference to misconduct as mentioned in Article 36(3)(f)(iii) of the Education (Northern Ireland) Order 1998 (and Article 102C(5) of the Education and Libraries (Northern Ireland) Order 1986 is to be ignored until then).

Commencement and short title

4.—(1) This Act comes into operation on the day after the day of Royal Assent.

(2) This Act may be cited as the Education Inspections Act (Northern Ireland) 2026.

Education Inspections Bill

[AS INTRODUCED]

A Bill to amend the Education and Libraries (Northern Ireland) Order 1986 with respect to inspections of schools, colleges and certain other providers of education.

Introduced by: Ms Joanne Bunting, Junior Minister, the Executive Office, on behalf of Mr Paul Givan, Minister of Education

On: 19 May 2026

Bill Type: Executive Bill

ACCOMPANYING DOCUMENTS

An Explanatory and Financial Memorandum is printed separately as NIA Bill 34/22-27 EFM.



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For more information please contact:

Northern Ireland Assembly
Parliament Buildings
Ballymiscaw
Stormont
Belfast BT4 3XX

Telephone: 028 90 521137

Textphone: 028 90 521209

E-mail: info@niassembly.gov.uk