
Consultation on Proposal for a draft Education
(Northern Ireland) Order

RESPONSE BOOKLET

December 2005

**Responses will not be accepted after
TUESDAY, 7 MARCH 2006**

Please note that to ensure that your comments are taken into account you **MUST** fully complete **SECTIONS 1 and 2** if you are making an individual response, or **SECTIONS 1 and 3** if you are responding on behalf of an organisation.

It is important that you write clearly and legibly. We would ask you to use black pen and **BLOCK CAPITALS** at all times.

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SECTION 1

Name of Organisation: Conservative Party NI Area

PART III – MISCELLANEOUS AND SUPPLEMENTARY

Admissions

Articles 27 to 29 provide for all post-primary schools to use similar arrangements for admitting pupils. All grant-aided schools must have admissions criteria, and where schools receive more applications than they have places, they will use their admissions criteria to determine who shall be admitted. All post-primary schools will draw up their admissions criteria from a menu of criteria specified in regulations made by the Department. Schools will be prohibited from using any form of academic selection based on the ability or aptitude of the child. The regulations may specify criteria which may, or may not, be used, and may also specify the order in which criteria must be used. The Department is required to consult post-primary schools and other bodies before making such regulations.

The Department will also make regulations about the admission to post-primary schools of pupils with exceptional circumstances. The regulations will specify the meaning of exceptional circumstances and provide for a body to be established to consider such admissions. Pupils with exceptional circumstances who are admitted to a school will be regarded as additional to the admissions number for the school.

(A) If you support what these Articles are designed to do, please say why:

(B) If you do not support all or part of what these Articles are designed to do, please say what your objections are and give your reasons:

'We object to the government ending academic selection by Order in Council.

Academic selection works. Northern Ireland's children consistently out-perform their peers in (largely comprehensive school based) England at GCSE and A-level – and a larger percentage of our children stay in full-time education beyond 17.

Northern Ireland has the highest proportion of working class entrants to university of any UK region. Grammar schools provide ladders of educational opportunity for all children – including the poorest – and many schools perform well for our children across the board at GCSE and A Level because of specialised teaching staff at both types of school. The Government should focus its energy on bringing up standards in the small number of failing schools and encouraging children in areas of social deprivation to 'opt-in' to education.

We would also point out that many children opt-out of the current selection system at age 11. We do not see why children who choose to opt-in to the academic selection system should be denied their rights to attend a grammar school if they have the academic aptitude to attend one. The proposed system removes choice and it is wrong. Under the current system, children who want a mixed ability schooling experience can obtain one by opting out of the 11 Plus. Why should children who want a specialised grammar school education be denied the right?

We accept that the current form of selection at age 11 needs to be amended. However we do not accept that the proposed system of pupil profiles is a tested system and we cannot understand why the Department insists that grammar schools will be retained when it is clear that the draft Order will require that ALL schools accept an all-ability intake. The removal of the ability of grammar schools to select based on academic aptitude will remove the fundamental ethos of the grammar schools.

Many grammar schools will be massively over-subscribed if the proposed Order is passed. This will result in wealthier parents clustering around the best performing former grammar schools. This is what has happened in England - studies have indicated that house prices in the immediate vicinity of 'good schools' tend to rise disproportionately.

Moreover, we believe that several of Northern Ireland's best grammar schools will turn private if the proposed legislation is passed. Schools that are located in wealthy, middle class areas will almost certainly 'go private'. We accept that not all grammar schools will be in a position to opt out. However several will – and for the first time in Northern Ireland's history we will see the creation

of an elite set of fee-based private schools. This will be a very ironic result for a Labour government to oversee.

In addition we do not understand why certain schools will be able to select children on the basis of religion (e.g. so-called Integrated Schools will, we would assume, be able to quota-control on the basis of the religion of the children, but grammar schools will not be permitted to quota control on the basis of proven academic aptitude).

Despite what the Department claims, the changes proposed in the draft Order will destroy our system that embraces choice and replace it with a comprehensive system. This educational system has demonstrably failed in England and Wales. (Few government ministers seem willing to send their children to their local comprehensives). The government is (rightly) beginning the process of dismantling comprehensive education in England and Wales. We do not believe that Northern Ireland deserves to be saddled with a failed system.

(C) If you have made comments in (B), or for some other reason think that these Articles need to be changed, please state below what changes should be made:

'We believe that schools that wish to continue using academic ability (as determined by examination or some other form of assessment) should be permitted to do so. Any decision to discontinue selection should be a matter for the Principal and the Board of Governors of any school.

The Order gives far too much power to DENI ministers. Ministers should not be given, in effect, the power to legislate. Legislative changes should be made by Orders in Council properly laid before Parliament, or by the New Northern Ireland Assembly (if sitting). Ideally we would like to take politics out of this area of education and allow each school to set its own admissions criteria, subject only to appropriate anti-discrimination legislation.

PART III – MISCELLANEOUS AND SUPPLEMENTARY

Suspension and expulsion of pupils from grant-aided schools

Articles 30 to 33 require the Department to prepare a common scheme for the suspension and expulsion of pupils in all grant-aided schools, which must be followed by Education and Library Boards and Boards of Governors. Education and Library Boards will become the expelling authority for all grant-aided schools in their area. Regulations made by the Department will provide arrangements for the consideration of appeals against suspensions and for a tribunal to be set up to consider appeals against expulsions. The education of a suspended pupil will be the responsibility of the school and, in circumstances determined by the Department, the Education and Library Board can provide assistance to the school in providing that education.

(A) If you support what these Articles are designed to do, please say why:

(B) If you do not support all or part of what these Articles are designed to do, please say what your objections are and give your reasons:

'These proposals prevent schools from taking power over which pupils to expel and yet place a burden on schools for the education of excluded and expelled pupils.

(C) If you have made comments in (B), or for some other reason think that these Articles need to be changed, please state below what changes should be made:

'Schools and their governing bodies should have the authority to exclude and expel pupils. These powers should be exercised subject to agreed guidelines and anti-discrimination legislation.

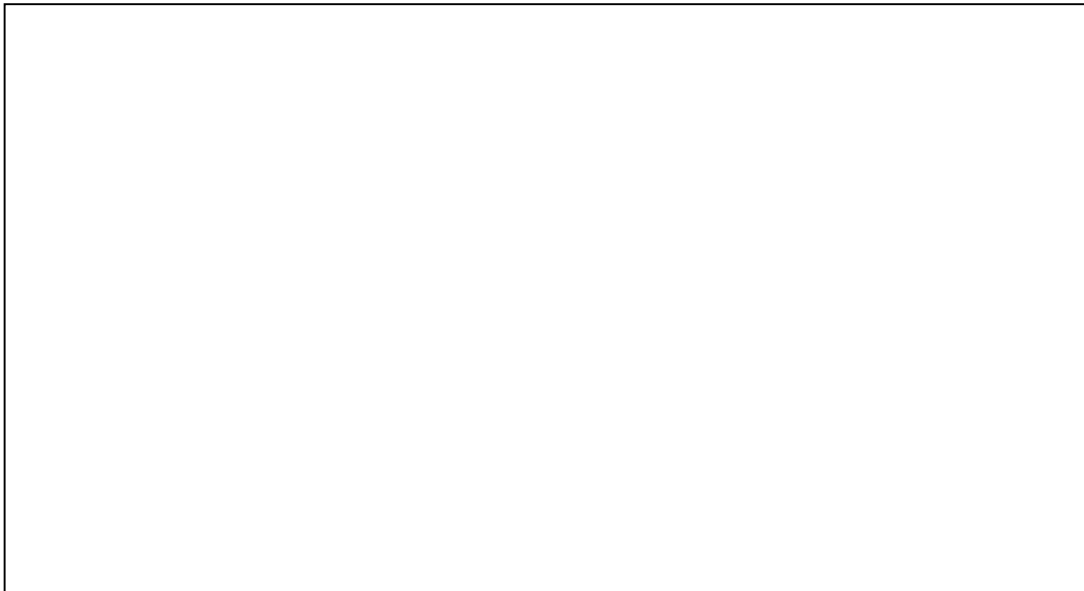
The education of expelled pupils should be the responsibility of the E&LBs, not the schools from which they have been expelled.

PART III – MISCELLANEOUS AND SUPPLEMENTARY

Institutions of further education

Articles 37 and 38 enable the Department for Employment and Learning to make an order to amend the membership of the governing bodies of institutions of further education; and provide for members of those governing bodies to be paid for their service as members.

(A) If you support what these Articles are designed to do, please say why:



(B) If you do not support all or part of what these Articles are designed to do, please say what your objections are and give your reasons:

'We are not convinced that there is evidence for the need to spend tax-payers' money remunerating governors. We would like the government to provide evidence that, for example, there is a difficulty in obtaining governors of sufficient calibre for the FE colleges in Northern Ireland before we could support such a measure.

(C) If you have made comments in (B), or for some other reason think that these Articles need to be changed, please state below what changes should be made:

'Until such evidence is produced, the current arrangements should be retained

PART III – MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous

Article 40 removes the existing requirement on Boards of Governors of schools to hold an annual parents' meeting.

(A) If you support what this Article is designed to do, please say why:



(B) If you do not support all or part of what this Article is designed to do, please say what your objections are and give your reasons:

We believe that the annual meeting is a valuable opportunity for parents to hold governors to account and prevents the governors from being seen as a remote elite. It also has the potential for more parents to take an active part in the governance of the school.

(C) If you have made comments in (B), or for some other reason think that this Article needs to be changed, please state below what changes should be made:

The requirement for an annual meeting should be retained.