

Response to Draft Education (NI) Order
2006
Northern Ireland Council for Integrated
Education

24th February 2006



This response from the Northern Ireland Council for Integrated Education (NICIE) is the result of discussions between people from the integrated sector. We have only commented on those articles which we had a concern about or those that we felt needed to be amended. We are grateful for the chance to submit our response.

Consultation:

Whilst NICIE would acknowledge the wide consultation for Education for the 21st Century, we would like to emphasise the importance of consulting with parents, children and young people on the subordinate legislation that is the details on the implementation of the Education Order 2006. In particular, we would like to stress the importance of consulting with the most vulnerable members of society.

Equality Impact Assessment:

NICIE assume that the Equality Impact Assessment (EQIA) will have more of an impact on the implementation of the Order. See comments later on EQIA for some aspects of draft.

Main element of the Order

Part II The Curriculum

Article 4

The context of the curriculum has the power to ensure the government policy and strategic framework for good relations in NI 'A Shared Future' (ASF) becomes a reality within Northern Ireland schools.

In keeping with ASF, NICIE would suggest that Article 4a) should read:

- a) **'...promotes the spiritual, emotional, moral., cultural, intellectual and physical development of pupils at the school in order that every child leaves school with a direct and sustained engagement with diversity and is better equipped to meet the challenges of being an adult in a shared society.'**

Article 5

1 a)

We believe there is an ambiguity here. We would like to draw attention to the fact that the draft Order might require amendment following consultation on the Religious Education Curriculum.

NICIE would suggest that the term 'Religious Education' is substituted for 'Religious Study' in order to clarify the distinction between parental right to education according to a particular ethos and the role of the curriculum to ensure that all children are educated about world religions

Article 6

NICIE would like to be reassured that sufficient funding is given to foundation stage, in particular, the enriched curriculum.

Article 7 Minimum Content

1b) NICIE welcomes the minimum requirements. However, given Northern Ireland's particular circumstances in relation to the pre-post conflict situation, NICIE would like to point out that the minimum content could replicate the insufficiencies of the Cross Curricular Themes of the Northern Ireland Curriculum (1990). In other words people could avoid dealing with particular aspects of the curriculum or dealing with them as a tick box exercise.

Article 8 Again NICIE would suggest that the term 'Religious Education' is substituted for 'Religious Study'.

Article 11

1b. NICIE query the relevance of **Article 21 (2) of 1986 Order**.

NICIE would suggest a re-wording of this article from the 1986 order.

This is based on a Christian ethos and is not sufficiently embracing for other faith traditions including Catholicism. This is referring back to an old order that does not reflect the mix faith traditions and other religions in controlled schools. NICIE feel this would need to be Equality Impact Assessed.

Article 21 (2) 1986 Order would need to be considered by the drafting group.

NICIE would like to ask the drafting group to consider how other faith groups might perceive this?

If drafting group judged that dated legislation was suitable in today's pluralist society, the representation of the drafting group needs to be impact assessed.

Many of issues raised on the proposed core syllabus may lead to demands of amendments to this Order later on. NICIE would suggest it would be better to do this now.

We note that 2a refers to those who have an interest in the 'teaching of R.E. in grant-aided schools.' Where do those who do not have an interest in the teaching of Religious education have their say? NICIE would like to make sure that there is a statutory duty on DE in service provision to provide for reasonable adjustments for those parents who do not have an interest in the teaching of religious education.

Article 12

4. NICIE suggest that the following is added in to 4 a) ii

The scheme of management for every grant-aided school shall provide for it to be the duty of the Board of Governors-
'...to consider any representations made to it regarding the curriculum by the relevant board, the Catholic Maintained Schools (where the school is a Catholic maintained school) and any other body or person connected with **the ethos of the sector to which the school belongs** and /or the community served by the school.'

5. NICIE would like to query if Draft Order has been gender proofed (him).

Article 16 NICIE would like to draw attention to the fact that there is a legislative bar against special schools being designated 'integrated' in the **1989 Education (NI) Order- Article 90 (2) b**. We would like DE to repeal Article 90 (2) b that precludes these schools from integrated status. Cite: the 1998 Order Article 20 for nursery schools as an example of this being done before.

NICIE is concerned that there is no legislative bar, that we are aware of, that grammar schools cannot continue in an attempt to distinguish themselves on grounds of academic ability and thus would suggest that all schools should be referred to as post primary. In particular, NICIE would like to have the term secondary removed from education in Northern Ireland for the less discriminatory Post Primary title. Integrated schools, in particular, should be referred to as all-ability schools.

Article 21

Legislative provision to guarantee parental involvement is needed when schools are making these decisions.

Article 24

NICIE would query the legislative right of a Board of Governors (BOG) of a school to which a child is applying to require the results of an individual pupil's assessment to be made available. The pupil profile is to help parents make the right decisions for their child not for selection. In circumstances such as the case of a specialist school it is understandable that a BOG might request results of e.g. music exams. However all schools have to provide excellence in terms of the core subjects such as Maths and English. Clarification needed here.

Article 28 Admissions criteria:

This article removes selection but there is no detail about what will follow, just a reference that DE is to 'make regulations about the criteria.' We refer DE to NICIE's response generally on the admissions criteria. NICIE still have specific concerns regarding the community based and geographical based criteria.

Article 29 Exceptional circumstances

NICIE welcomed a central panel but said that governing bodies should be included and Boards of Governors should have the right to appeal.

NICIE feel that DE should provide some guidelines about compelling circumstances/exceptional circumstances. NICIE are aware that the Order states that this is coming- 29 16A (4)

Article 40

Removing the annual parent's meeting

Article 69 (2) 1989 Order states that governors may make a decision without parental involvement. This 2006 Order should be used as an opportunity to ensure parental right to be informed about the approach to consider for example the transformation motion. If the Board of Governors should not be legally obliged to hold a parents meeting, then there should be some legislation in place to ensure that if parents request a meeting as a body they are entitled to it.

The 1989 Order undermines capacity of parental body to choose the designation or ethos of their school. These schools are going to be under enormous change and parents need to be assured legal responsibility of BOG to hold a meeting.

Perhaps there is a need to consider an amendment of the 1989 Order.

There seems to be a lack of democracy about the way Boards of Governors are making decisions around transformation. There is a need for more consultation within the schools let alone between schools. BOG can make these decisions without consultation.

NICIE