
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: Omagh District Council

PART II – THE CURRICULUM


General Duty, Statutory requirements relating to curriculum, Duties relating to the curriculum

Articles 3 to 13, together with **Schedule 1**, are revised requirements on Boards of Governors and Principals as to the curriculum and assessment in grant-aided schools. The curriculum must include religious education (this requirement is unchanged), the relevant areas of learning set out in Schedule 1, and must ensure that pupils acquire and develop the specific cross-curricular skills of communication, using mathematics and using ICT and any other skills specified by the Department. The Department of Education will specify the minimum content for each area of learning, and levels of progression for the cross-curricular skills. The Department will also specify the arrangements for assessing pupils in each school year, which will include a requirement for the cross-curricular skills to be assessed using the levels of progression.

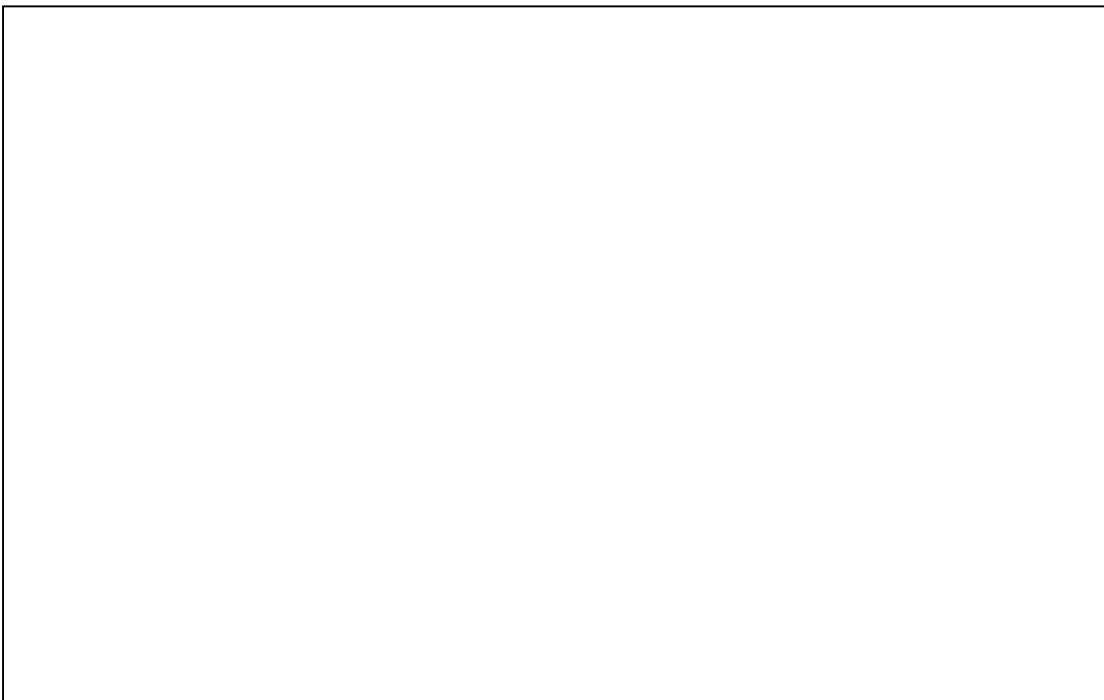
(A) If you support what these Articles are designed to do, please say why:

'Omagh District Council is broadly supportive of articles 3 - 13 in respect of the curriculum and assessment in grant aided schools. It is of the view that reform is necessary in order to prepare young people for the challenges of the 21st Century and to meet the changing needs of the Northern Ireland economy. It particularly welcomes the inclusion of a financial capability aspect within the general area of Maths and the development of local and global citizenship as a learning area.

(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:



(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:



PART II – THE CURRICULUM


Special Cases

Articles 14 to 17 re-enact without amendment Articles 14 to 17 of the Education Reform (NI) Order 1989, which make clear the special cases when the statutory curriculum can be modified or disapplied.

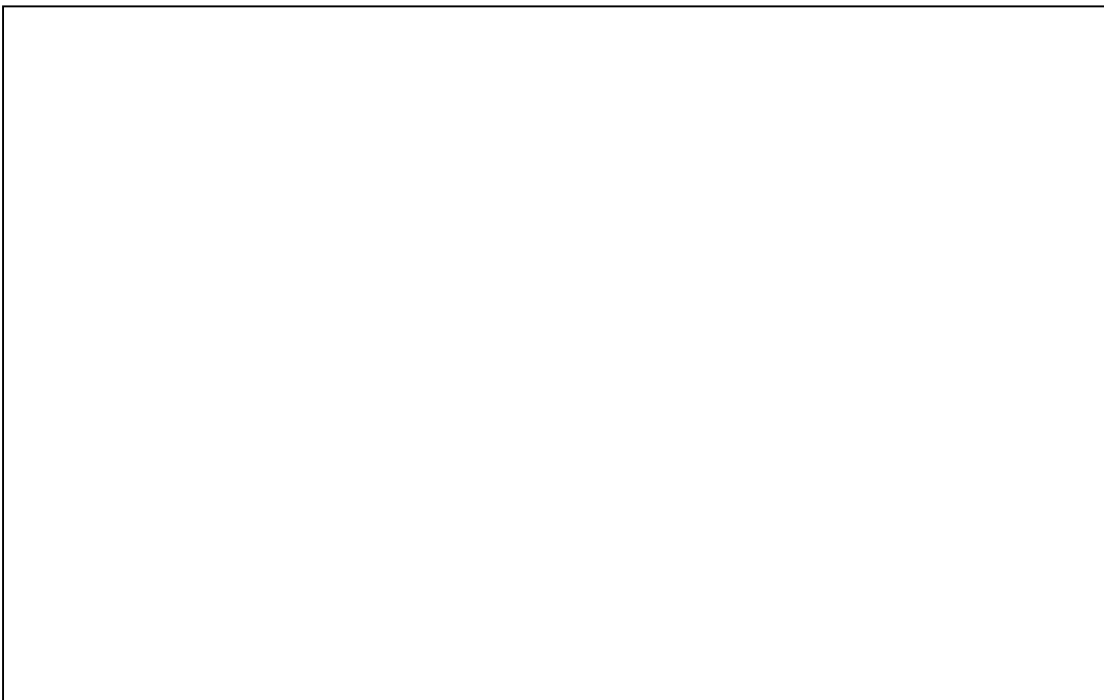
(A) If you support what these Articles are designed to do, please say why:

'Omagh District Council is supportive of the above articles which it feels will provide schools with the necessary level of flexibility in order to pursue the development of specialist opportunities and, furthermore, will allow greater opportunity to make provision for all children to pursue choices where they will achieve greater success.

(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:



(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:



PART II – THE CURRICULUM

Access to Courses for Older Pupils

Articles 18 to 22 are new requirements on schools to provide access to a wider range of courses known as the Entitlement Framework. The number of courses to which schools must provide access for pupils in Key Stage 4 and for those over compulsory school age will be specified by the Department. At least one third of these courses must be general and at least one third applied. The Department will issue lists of general and applied courses and these will be revised as necessary. The Department will be able to modify or disapply these requirements as they apply to individual schools or categories of schools.

Boards of Governors will have a new power to enter into arrangements with other schools, FE colleges and other providers approved by the Department to provide that access. In making such arrangements, Boards of Governors may include specified terms and conditions, and must take account of guidance issued by the Department. Correspondingly, FE colleges will be able to provide secondary education under arrangements entered into with schools.

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

'Omagh District Council is generally supportive of the development of collaborative arrangements between schools to provide a wider range of courses. It is of the view, however, that a degree of flexibility needs to be incorporated into the arrangements in order to meet the needs of a changing education landscape. Furthermore, the opportunities presented by the virtual learning environment need to be fully investigated and utilised where appropriate.

(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:

'Omagh District Council has some concerns surrounding the concept of moving pupils of this age group between different institutions. These relate to the areas of child protection, pastoral care, supervision and health and safety. The possibility of moving teaching staff as opposed to pupils between sites should also be considered as a means of overcoming these issues. However, the consequential impact on teachers' employment terms and conditions as a result of an increase in staff working collaboratively across schools needs to be considered in conjunction with the teaching unions.

(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:

PART II – THE CURRICULUM

Miscellaneous and Supplementary

Article 23 re-enacts without amendment Article 29 of the Education Reform (NI) Order 1989, which requires each Education and Library Board to provide curriculum advice and support for all grant-aided schools in its area in accordance with a scheme prepared by the Board and approved by the Department of Education.

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

'Omagh District Council supports the above Article but would wish to emphasise that Education and Library Boards must provide adequate financial and other resources to support this work.

(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:

'Omagh District Council has some concerns at the impact of development of the new entitlement framework on existing rural high schools. Additional financial assistance and other resources should be provided to assist these schools to overcome those difficulties and to ensure their sustainability and viability into the future. The Council would highlight the important role played by rural high schools within rural communities and would not wish to see educational provision being centralised in the larger centres of population.

Consideration for additional financial support should be given to those areas which have been identified as "deprived" according to the Noble Indicators.

(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:

PART II – THE CURRICULUM


Miscellaneous and Supplementary

Article 24 re-enacts, with minor amendments resulting from the changes in Part II, Article 31 of the Education Reform (NI) Order 1989, which allows the Department to make regulations requiring Education and Library Boards, Boards of Governors or Principals to make available certain information relating to their schools whilst protecting the privacy of certain individuals.

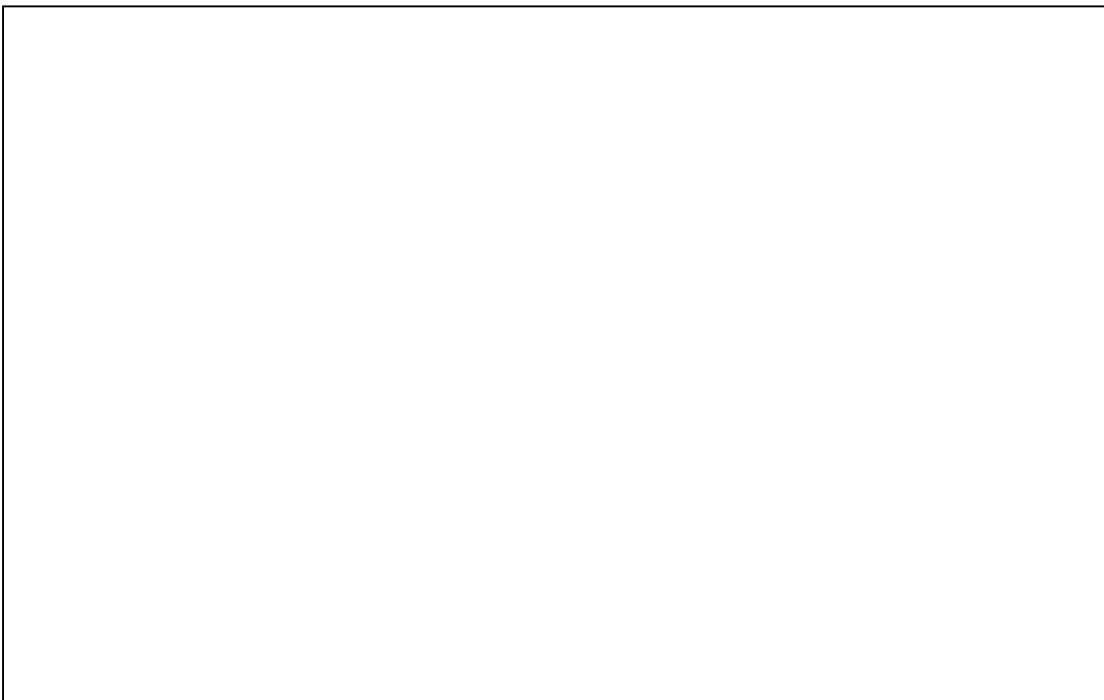
(A) If you support what this Article is designed to do, please say why:

'Omagh District Council supports the access to this information relating to schools which should provide an honest reflection of the strengths and weaknesses of individual schools.

(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:



(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:



PART II – THE CURRICULUM


Miscellaneous and Supplementary

Article 25 re-enacts Article 33 of the Education Reform (NI) Order 1989, with amendments to enable curriculum appeals tribunals to consider complaints against Boards of Governors in carrying out their functions under Articles 18-22.

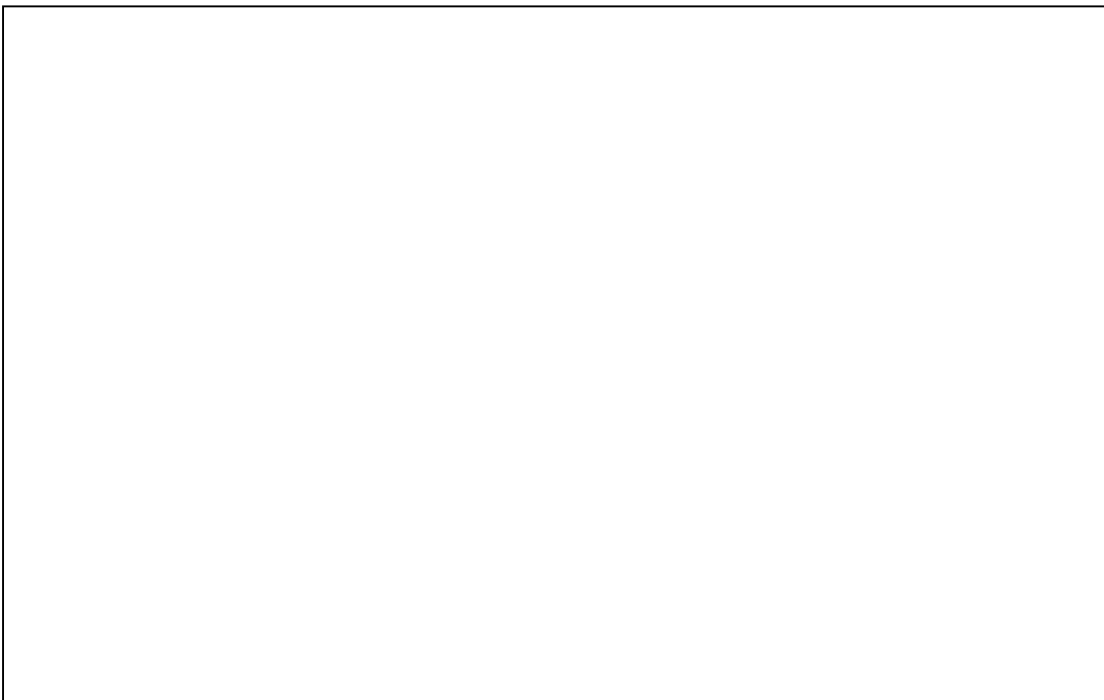
(A) If you support what this Article is designed to do, please say why:

'Omagh District Council supports the proposed appeals tribunals process on the basis of the need to uphold natural justice and inclusivity.

(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:



(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:



PART II – THE CURRICULUM

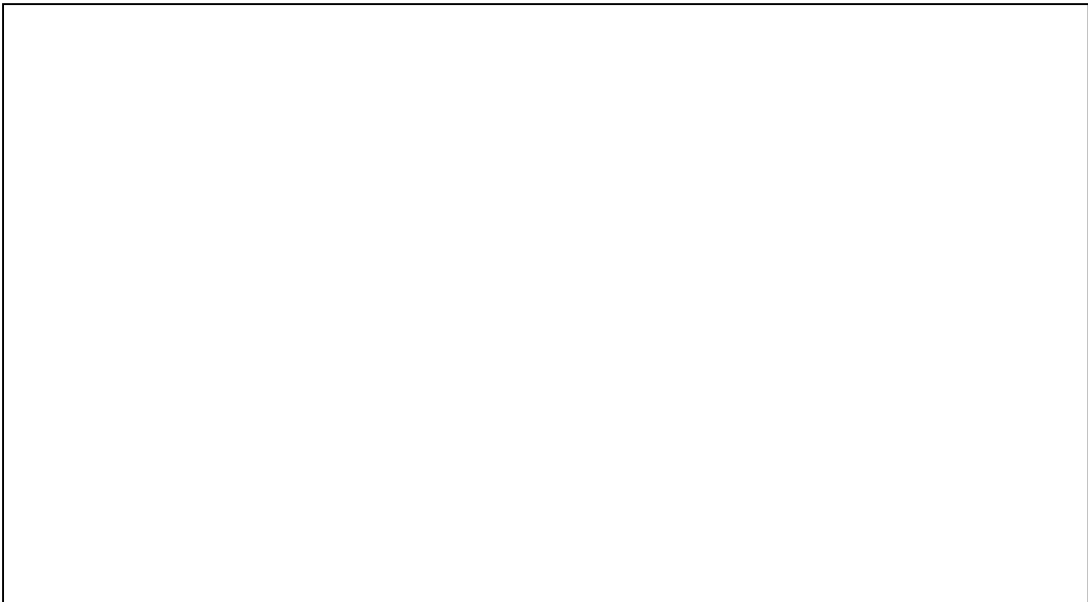
Miscellaneous and Supplementary

Article 26 lists provisions in Part II which do not apply to nursery schools, nursery classes in primary schools, or hospital schools.

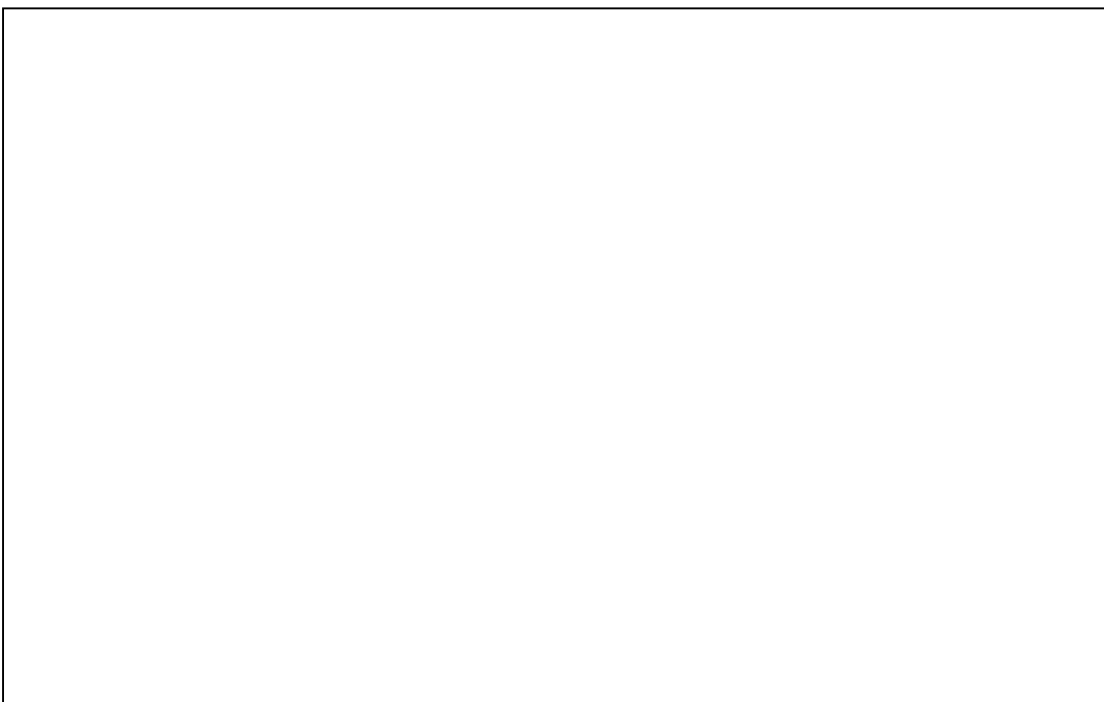
(A) If you support what this Article is designed to do, please say why:

'Omagh District Council supports the above Article which upholds already well established and accepted principles.

(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:



(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:



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:

'Omagh District Council is unable to comment in detail on the proposed admission arrangements due to the lack of clarity in respect of the Department's proposals and regulations. The Council is disappointed and concerned that detailed information has not been provided.

(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:

'Omagh District Council is opposed to the introduction of selection based on geography on the basis that such a process would be inherently unjust and impractical.

Furthermore, the Council is opposed to the use of criteria which gives preference on the basis of sibling/parent having attended a particular school or a member of a child's family working at the school.

(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:

'Omagh District Council is of the view that an agreed local solution to meet the educational needs of a particular area is key to avoiding many of the issues surrounding selection. Under such an arrangement individual schools would be encouraged to develop their own specialisms.

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:

'Omagh District Council would comment that, under the Review of Public Administration arrangements, Education and Library Boards will be replaced by a central authority. The Council is of the view that this body would be too remote from local schools to be of assistance in addressing issues such as these which require immediate attention.

The Council objects to the responsibility for the education of suspended/expelled pupils resting with schools and is of the view that this should be assumed by the Education and Library Board.

(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:

'Omagh District Council is of the view that responsibility for suspending a pupil should rest with the school principal; responsibility for expelling pupils with the school principal in conjunction with the Board of Governors; and that the education authority should have authority over the appeals process

PART III – MISCELLANEOUS AND SUPPLEMENTARY

General Teaching Council for Northern Ireland

Articles 34 to 36 will enable the General Teaching Council to approve the qualifications of persons for registration as teachers; to remove from the register any person found guilty of serious professional misconduct; and to determine the terms and conditions of service of the Registrar.

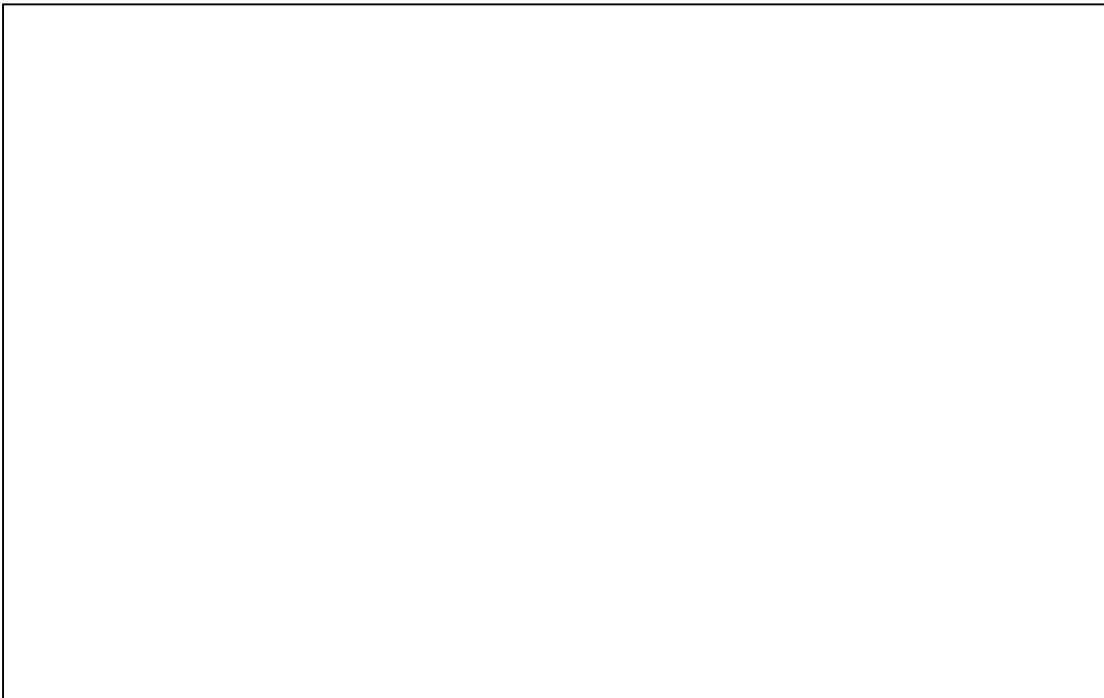
(A) If you support what these Articles are designed to do, please say why:

'Omagh District Council is generally supportive of the principle behind these articles.

(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:

'Omagh District Council is of the view that guidance should be provided by the Department as to what would constitute "serious professional incompetence" and how this will be measured.

(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:



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:

'Omagh District Council does not support the above articles.

(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:

'Omagh District Council is of the view that in order to ensure that Boards of institutions of further education reflect the local community balance and in order to promote accountability then Boards should comprise a majority of local elected representatives.

Omagh District Council questions the need to remunerate only Board members of Further Education institutions and not to extend this to Governors of schools.

(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:

PART III – MISCELLANEOUS AND SUPPLEMENTARY


Miscellaneous

Article 39 removes the existing requirements to carry out baseline assessments of pupils in their first year of compulsory education as a result of the new requirement to assess pupils in each school year (Article 9).

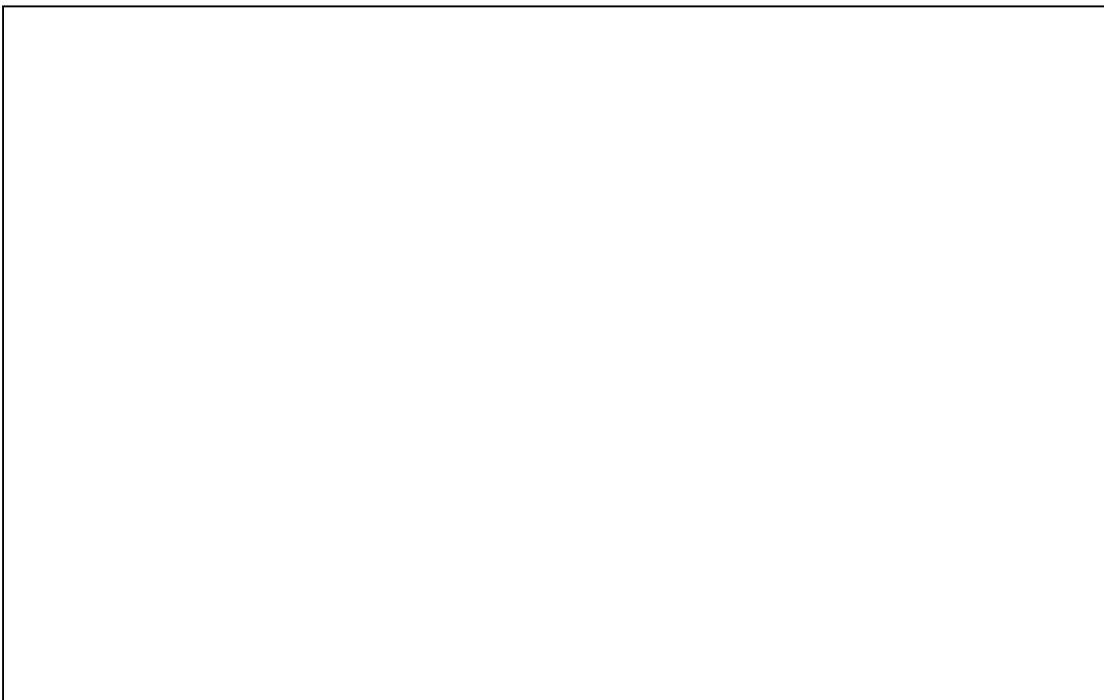
(A) If you support what this Article is designed to do, please say why:

'Omagh District Council supports the above Article

(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:



(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:



PART III – MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous

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

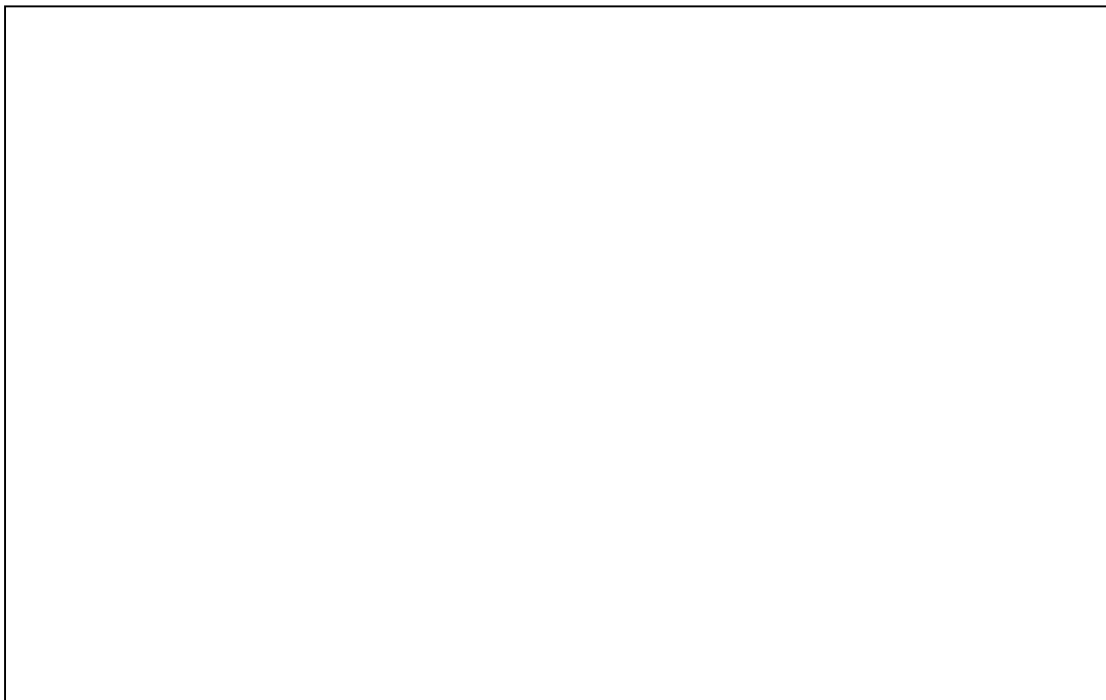
(A) If you support what this Article is designed to do, please say why:

'Omagh District Council does not support the above Article.

(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:

'While the Council accepts that Annual Parents' meetings are often poorly attended it is of the view that the principle of providing an annual meeting whereby parents have an opportunity to ask questions of Governors and to raise any issues of concern should be protected.

(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:



PART III – MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous

Article 41 makes it clear that the Department of Agriculture and Rural Development (DARD) may charge people fees for attending courses of education or instruction that it provides. DARD will specify in regulations how much it will charge and what it will charge for. At the moment, DARD charges fees for students attending higher education programmes at the College of Agriculture, Food and Rural Enterprise (CAFRE). This fee is the same as that paid by students attending other colleges of further and higher education or universities and goes towards the costs of providing the course.

DARD has no immediate plans to introduce fees for other types of course.

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

'Omagh District Council does not support the above Article

(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:

'Omagh District Council is of the view that the above proposal discriminates against rural communities many of which are already recognised as suffering from higher levels of deprivation according to the Noble Indicators. The proposal would impact greatest on farming families whose incomes have fallen greatly and would run contrary to government efforts to encourage the farming community to retrain and to consider diversification opportunities.

(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:

'Omagh District Council is of the view that consideration should be given to funding course fees through rural development monies.

PART III – MISCELLANEOUS AND SUPPLEMENTARY

Supplementary provisions

Article 42 is concerned with the content and approval of orders and regulations made under the Order.


Article 43 and Schedules 2 and 3 amend or repeal a number of provisions which are minor in nature or are required as a result of the changes made by other parts of the Order. The amendments resulting from the introduction of the Entitlement Framework include provisions to:

- make clear that a pupil who may attend another school for part of his education can be registered at only one school;
- clarify the roles and responsibilities of Boards of Governors and Principals under the Education Orders where a pupil is registered at one school and attends another for part of his education; and
- ensure that information is made available about courses being provided in FE colleges and that information about a pupil's attainments in an FE college is made available to the school at which he is registered.

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

'Omagh District Council supports the above Articles and feels that the proposals are necessary from the point of view of child protection and good governance.

(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:



(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:

