



**SDLP Response to the  
Draft Education  
(Northern Ireland) Order 2006**

**March 2006**

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## **Introduction**

Having campaigned since the party's inception for an end to academic selection, the SDLP has expressed broad support for the proposed reforms, as set out in our submissions over recent years to the Burns Review, the Costello Report and the Post-Primary Admissions Criteria Consultation which reflect more fully, the party's views on education.

The party therefore welcomes the publication of the legislation and urges the government to proceed with its early implementation.

As set out in previous submissions, the party places great importance on education, as a fundamental human right as well as a key driver of the economy and a central requirement for personal development. We believe an effective and well-resourced education system must be an essential component of any strategy to create genuine equality of opportunity. While we acknowledge the excellence achieved by many schools and many pupils, the party believes the system requires reform to raise standards, and widen opportunities, for all. Specifically, we have opposed academic selection on the grounds that it is educationally unsound, socially divisive and operates to the detriment of children from disadvantaged backgrounds.

Conscious of the ongoing debate on the subject, we would like to underline a number of general points in support of the reform project and urge the government to counter the misinformation being widely publicised at present and to promote greater understanding of, and support for, the changes proposed.

First and foremost, the party welcomes the move to extend the principle of parental choice beyond the controlled/maintained/integrated/Irish-language sector decision and into the type of education whether academic, vocational or both.

## **Academic Excellence**

The SDLP acknowledges that the current system produces some excellent results; we want to build on that and believe the new system will help us do so. The statistics being relied upon in much of the recent media coverage bear closer scrutiny than is sometimes given.

We have to ask the question why, if our system is so good, is no other country rushing to introduce it and why, even David Cameron MP, the new Conservative Party Leader, has said that he will not support the re-introduction of any selective system? The SDLP would contend that a large part of the reason is that the overall results produced by the system are not encouraging.

While some of the top grades are good, our economy requires a high standard of education across the board and many other countries and systems score higher than we do. Professor Tony Gallagher, of Queen's University Belfast, has highlighted the various analyses that show the inadequacies of Northern Ireland's performance (see Appendix 1).

### **Pupils from a socially disadvantaged background**

The SDLP wants to ensure that all children get the chance to achieve their full potential and have equal access to educational opportunities. This is simply not the case at present

Figures compiled recently by Scope magazine confirm the low numbers of pupils from disadvantaged backgrounds attending grammar schools, on average around 7%, versus 28% of pupils in secondary schools. If the system were fair, we would expect the rates to be similar. The test is blatantly mistreating children from such backgrounds.

We do not believe, however, that the new system will, on its own, create equality of opportunity. There will be an ongoing need to support children from disadvantaged backgrounds to avoid children following an educational pathway that coincides with social and economic background rather than individual preference and potential.

### **The Costello Compromise**

The SDLP regards the Costello proposals as an acceptable compromise between those, like the SDLP, favouring creation of high-quality all-ability schools, and those who seek the retention of academic selection.

Grammar schools will still maintain their academic ethos under the new system. Reform may widen somewhat the range of ability in grammar schools but we believe management and staff have the skills and professionalism to deal with the new situation. In any case, some grammar schools have already been accepting pupils with grades C and D and are gradually widening their intake understanding that in a situation of falling school rolls, it is necessary for their survival.

Moreover, we believe that parents should be trusted not to subject their children to an education that does not suit them. There is evidence in the Dixon plan area around Craigavon, that most children do 'self-select'; in other words, most who sit the test pass it, with the rest voluntarily choosing alternative routes.

### **Parents said they wanted CHOICE instead of selection**

Much has been made of the Department of Education's consultation finding of support for an alternative means of selection, but what is often left unsaid is that an even higher number of parents said they wanted CHOICE instead of selection. This must be communicated more effectively by government. The finding is further backed up by the BBC/MORI survey in 2003, which highlighted a preference for parents to be allowed to choose the type of school their child attends.

The SDLP believes the proposals for ending selection will offer wider options to all children, keeping career options open longer and encouraging broad-based learning, which is the hallmark of a rounded education. Choice can help motivate our young people, addressing under-achievement by promoting respect for all learning pathways and self-respect for all educational achievement.

### **One-size-fits-all**

Far from being the one-size-fits-all approach referred to by critics, we believe the new system has in-built flexibility to respond effectively to the varying needs of their pupils - whether they are gifted academically, wish to follow a vocational pathway or want to combine Technology with Physics or catering with languages.

### **School partnerships can work**

Many schools are already taking a lead, establishing new partnerships with neighbouring schools and FE colleges. Good examples are seen in the Limavady Learning Partnership involving 4 schools and the local FE College, and in Ballycastle where maintained and controlled sectors are co-operating to deliver wider 6th form options.

At a time of falling school rolls, by sharing staff and resources, partnerships may help keep our smaller rural and threatened urban schools open. Admittedly, there are financial and transportation issues arising from partnership, but these are far from insurmountable. We believe it will prove more cost-effective and child-friendly to run a small number of mini-buses between partner schools than to bus whole rural communities into towns.

### **We can avoid selection by post-code and rural disadvantage**

We look forward to engaging further on admissions criteria; we contend that catchment areas should be defined widely to include, for example, the rural hinterlands around urban areas, similar to the catchment areas currently around grammar schools. Within those areas, a lottery system can ensure fair access for all.

### **The case against academic selection**

The case against academic selection has been well made in terms of undue pressure placed on young children; unfair advantage for those who can afford private coaching; the sense of failure and loss of confidence experienced by many pupils; the skewing of the primary school curriculum for up to two years; and the misclassification of pupils by up to three grades.

We submit that the problem is not just with the test itself. Around 12 forms of academic selection have been tried over the years in Northern Ireland and none of them have proved satisfactory because at its heart the process is educationally unsound, economically unnecessary and socially unjust.

## **Comments on the legislation**

### **Admission to Post-Primary Education (A.27,28)**

In terms of the legislation, the main concerns of the SDLP centre on criteria for admission to post-primary school. (We have related concerns about the development of the pupil profile to inform parental choice but will engage on this matter otherwise since it is not covered by the legislation). The party particularly welcomes the proposal to put informed parental choice at the heart of post-primary education. We believe this is good for motivation and self-esteem and reflects the reality that there is no justification in a modern democracy for rationing education.

As referred to above we note that there is evidence in the Dixon plan area of most students 'self-selecting', with only 6-10% of students taking and failing the test and the majority voluntarily choosing alternatives routes.

We also welcome, under article 28, the removal of academic ability as a criterion for selection and look forward to participation in the development of regulations setting out permissible criteria. Such regulations must set out fair and transparent criteria and specifically exclude unacceptable criteria.

The party would oppose a system creating (or exacerbating) a 'post-code lottery' or any differential opportunities for urban and rural populations. We submit, therefore, that catchment areas around all post-primary schools will need to be widely defined, much as they currently are for existing grammar schools. Within these widely defined areas, a lottery system could ensure fair access for all. If feeder primary schools are to be prioritised, similar concerns apply and we would propose a similar approach, involving an extensive list of feeder primary schools embracing the broader catchment area, with a lottery system applying within that area, for over-subscribed schools. In respect of admissions criteria, referred to under Article 28, there is a need to make an exception for Irish-medium education at post-primary level, where, clearly, language skills would be an acceptable pre-requisite.

### **Exceptional Circumstances A.29**

The party has expressed its concerns about the potential for any 'exceptional circumstances' criterion to be abused. We want to see such circumstances tightly defined and consistently applied in the most crucial instances only.

### **Provision of Information A.24**

The SDLP is concerned that Article 24 could be used at some point in the future, to contravene the intent of Article 28 which abolishes academic selection. Article 24 relates to regulations on the provision of information, and could, as drafted, allow the regulations to provide for communication of information on pupil performance from a primary school to a post-primary school in the process of considering applications for entry.

We further submit that information on the performance of a school should be published in tandem with background information on the school intake so that the statistics show the 'value added' or achievement of the school, in context.

### **Access to Courses for older Pupils - A.18**

The SDLP believes that one of the key strengths of reform is in the recognition of the educational – and economic – requirement for young people to have access to a broad range of options, with the flexibility to change direction as they develop and the opportunity to mix and match different types of subjects.

We also supported the emphasis on entitlement in the Costello Report and the notion of a guarantee to all children that, whichever school they attended, they would have the choice of academic or vocational subjects, or a mix to suit their needs. We believe this guarantee should have been set out in the legislation and should be publicised by government. There is also a need to highlight the fact that all post-primary schools already offer the same curriculum from 11-14 and will continue to do so under the new system.

We agree with the decision not to specify 24 or 27 subjects for Key Stage 4 and post-16 respectively. We would like reassurance, however, that the range of subjects required will be broad enough to motivate and challenge young people, whilst still being manageable for smaller and rural schools to offer, through partnership arrangements, if necessary. Over-stretching schools would be counter-productive in the drive to offer a better service to pupils. Schools will require support in establishing the necessary partnerships, in terms of travel and time-tabling arrangements and the sharing of information and good practice as arrangements develop. Irish-medium schools will face particular challenges in providing the requisite range of courses, given that there are only two IM post-primary schools in the North. Government must take all necessary steps to facilitate IME (Irish-medium education) in this respect. The party supports the proposals put forward by CnaG to deal with this situation.

Article 18(1)(d) fails to recognise the status of the Irish language as an official language of the European Community and it means that schools may not offer the Irish language unless another language of the European Community is already on offer.

Because of the pressure on curriculum time this may endanger the position of the Irish language at KS4 and may well also affect the language at KS3 and at AS and A-level level. Children who learn the Irish language at post-primary level, some of whom come from Irish-medium primary schools, want to know that they can study the language not only at KS3 but at KS4 and beyond.

Back in 1989, the then Minister of Education, Brian Mawhinney, said that Irish did not have the status of an official language of the European community. That excuse can no longer be used in the present day. Under the Good Friday Agreement the British Government is obliged to work to develop the Irish language and to remove barriers to its growth. The situation with the Draft Education Order is a clear example of a barrier to the development of the Irish Language – a barrier which must be removed.

The situation can easily be rectified by changing the wording of Art 18-(1) (d) to read, 'at least one shall be a course in an official language of the European Community (other than English and, Irish speaking schools, Irish).' This is the definition used in relation to Key Stage 3 (see Schedule I, Part III, Key Stage 3, Modern Languages).

We look forward to schools developing partnerships with their neighbouring institutions to deliver these options and believe that such arrangements can further the aims of "A Shared Future", building good relations throughout our society. We acknowledge, however, that this will require resources and want to see government's full support to ensure that this important opportunity is grasped. Such partnerships will also help to address difficulties created by falling rolls, in the sharing of teachers and resources and will therefore prove financially efficient in the medium-longer term.

### **Suspension & Expulsion A. 30-33**

The SDLP accepts that there is inconsistency in current arrangements relating to suspension and expulsion, which requires attention. We further acknowledge, however, that schools need a degree of latitude in managing pupil behaviour in order to secure a positive learning environment for all pupils. Schools must be supported in this task.

It seems peculiar, given the impending changes under the Review of Public Administration, to proceed with a transfer of powers to the Education & Library Boards, at this point, and the SDLP believes these provisions should be deferred and introduced at the point when the single education body is being established.

We would welcome in principle, the proposed publication of a common scheme in relation to suspension and expulsion procedures and the creation of an appeals tribunal.

Further detail is required on the conditions in which Boards will offer support to schools dealing with suspended pupils, in order that the student's educational needs are met. Given that schools are struggling to maintain services under diminishing budgets, the Department or new Education body, may be better placed to co-ordinate the delivery of services to suspended or excluded pupils on a temporary basis.

### **Conclusion**

Parents and their children should be entitled to choose the type of education that suits their needs. Our young people deserve it, our economy needs it and in this modern era, there is simply no need and no justification for rationing education (as there may have been in 1947).

We believe passionately that under the new arrangements we can challenge the most able students and offer them enhanced flexibility and subject choice. We can support those progressing at a different pace, giving them the self-respect that goes with choice, rather than the stigma that goes with rejection. We can allow for fits and starts in development, we can cater for changing

preferences, keeping career paths open for longer. Above all we can imbue our children with a love of learning and a respect for all types of educational achievement that will yield dividends for them, for our society and for our economy.

We look forward to engaging further with the Department on the development of admissions criteria and the pupil profile and on resourcing and implementing reform.

# Appendices

## Appendix 1

*Extract from Speech by Professor Tony Gallagher, Queen's University of Belfast, to CIPFA Meeting, 9 February 2006 [emphasis added]*

“One of the current mantras is that the education system in Northern Ireland is the best in the world and that it achieves the best results in the world. Usually this is taken to mean that it gets far better results than anywhere else in the United Kingdom, thereby proving the educational disaster that is an inevitable consequence of comprehensive schools.

The normal basis for this claim is that the proportion of 16 year olds who pass **five or more good GCSEs** is **higher in Northern Ireland than in England or Wales**. These performance figures are correct.

But, if we use as our measure of performance the proportion who achieve **good grades in all the core subjects**, then **Wales does better than Northern Ireland**.

And if we use as our measure of performance the **average GCSE points** achieved by 16 years olds, then **England does better than Northern Ireland**.

And if we use almost **any measure of performance** then 16 year olds in **Scotland do better than in Northern Ireland**.

My point is that the claim that our system is brilliant and all the other systems are awful is without foundation, no matter how many times the claim is repeated, and repeated, and repeated.”

## Appendix 2

*Extract from BBC/MORI Survey 2003*

**BBC Newsline** carried out a survey of over a thousand people in their homes across Northern Ireland. Broadly speaking the MORI-MRC poll found support for academic selection but strong concerns that both the current system of testing and the age at which children are tested, are wrong. Here are [some of] the results.

Should the eleven plus should be abolished?

**55%** said **YES**

**41%** said **NO**

Among those most likely to have school age children: 35 - 44 year olds...

**65%** said **YES**

**31%** said **NO**

The teachers we spoke to had exactly the same opinion.

Is there a better way to select?

**68%** said **YES**

**19%** said **NO**

The Department of Education says grammar schools will continue to exist but rather than them selecting the brightest pupils, parents will **CHOOSE** to send their child to an academic school or to one that has more emphasis on vocational subjects or which specialise in music or computer technology for instance.

Should parents be able to send a child to the school they choose?

**64%** said **YES**

**21%** said **NO**

Should all children go to the same sort of school and then be streamed?

**62%** said **YES**

**25%** said **NO**

Among those most likely to have school age children: 35 - 44 year olds...

**69%** said **YES**

**20%** said **NO**

The announcement that the eleven plus and academic selection is to be scrapped, paves the way for the **government's other new directive**: that **major decisions** on a child's education should be **delayed until 14**.

That was one of the issues we asked about in our survey and the results indicate that you too believe a **child has not developed enough at eleven to make major decisions**.

Is a child developed enough at 11?

**56%** said **NO**

**27%** said **YES**

Should a decision be delayed?

**64%** said **YES**

**25%** said **NO**

Do grammar schools provide a better education?

**42%** said **YES**

**42%** said **NO**

Do already advantaged children get a boost with the present system?

**61%** said **YES**

**27%** said **NO**

Complete results available at:

[http://www.bbc.co.uk/northernireland/bbcnewsline/elevenplus\\_survey.shtml](http://www.bbc.co.uk/northernireland/bbcnewsline/elevenplus_survey.shtml)