

These notes refer to the Integrated Education Act (Northern Ireland) 2022 (c.15) which received Royal Assent on 26 April 2022

Integrated Education Act (Northern Ireland) 2022

EXPLANATORY NOTES

INTRODUCTION

1. These Explanatory Notes relate to the Integrated Education Act (Northern Ireland) 2022 which received Royal Assent on 26 April 2022. They have been prepared by the Northern Ireland Assembly Bill Office in order to assist the reader in understanding the Act. They do not form part of the Act and have not been endorsed by the Assembly.
2. The notes need to be read in conjunction with the Act. They are not, and are not meant to be, a comprehensive description of the Act. So where a section or part of a section or Schedule does not seem to require any explanation or comment, none is given.

BACKGROUND AND POLICY OBJECTIVES

3. The Act makes provision about the support and provision of integrated education. It will also provide for reform and the expansion of integrated education. The sole topic of the Act is education.
4. In essence, integrated education is educating children and young persons in schools which promote an ethos of diversity, respect and understanding between those of different cultures and religious beliefs and of none in the same school on a daily basis.
5. The vast majority of children and young adults in Northern Ireland are educated in the Catholic Maintained or the Controlled sectors. This means that the system separately educates the majority of children and young persons. While the number of pupils in the integrated education sector has been increasing in recent years, total enrolments remain below 10 percent of the overall school system. The proposed Act would help integrated education grow its enrolments.
6. The Integrated Education Act has eight policy objectives
 - a) To place a duty on the Department of Education and other education bodies to support, not merely encourage and facilitate, the development of integrated education. This will require the Department to ensure that resources are dedicated to the sector for this purpose.

- b) To require that the Department ensures proper auditing of demand not more frequently than every three years for integrated education in Northern Ireland by area.
- c) To require the Education Authority to report and publish on the auditing of demand to the Department and take account of it in budget and planning decisions.
- d) To require Education bodies to consider integrated education when planning for a new school, to consult and publish a report on the consultation.
- e) To require the development of an Integrated Education Strategy to be published six months after commencement of the Act, to report on the implementation of the Act, along with regular reporting in line with budget timetable on the implementation of the provisions of the Act - a post-legislative scrutiny section.
- f) To require funding to be dedicated by the Department of Education according to the remit of the strategy, to be available for the facilitation of integrated education and resourcing within the Department itself of a dedicated team for this purpose.
- g) To require the Department to ensure that there is a dedicated departmental resource to help schools strengthen their ethos and to make sure all integrated schools are putting the integrated ethos at the heart of everything they do now and in the future.
- h) To require integrated schools to be inspected by the Education and Training Inspectorate team as part of their usual programme of inspections to ensure they are upholding their integrated ethos.

OVERVIEW

7. The Act has 16 sections and no schedules. A commentary on each of the sections follows below:

COMMENTARY ON SECTIONS

Section 1:

Defines “integrated education” and “integrated school”. In essence, integrated education is educating children and young persons in schools which promote an ethos of diversity, respect and understanding between those of different cultures and religious beliefs and of none in the same school on a daily basis. It ties the definition of an integrated school to the existing legislation, clarifying what a grant-maintained or controlled integrated school is under the Education Reform (Northern Ireland) Order 1989.

Section 2:

Sets out the purposes of integrated education.

Section 3:

Requires the Department of Education to consult with a recognised body which includes in its objectives the provision of support and advice to the Department in relation to integrated education only and any other body the Department considers appropriate. The Northern Ireland Council for Integrated Education, a registered charity incorporated as a company limited by guarantee, would appear to qualify for recognition under this provision.

Section 4:

Amends the Education Reform (Northern Ireland) Order 1989 to include a duty to support integrated education as well as encouraging and facilitating it, and amends the Education Act (Northern Ireland) 2014 so as to require the Education Authority to encourage, facilitate and support integrated education.

Section 5:

Defines support for integrated education.

Section 6:

Defines the duties of Department and Authority relation to the development of integrated education. Which includes seeking information on parental preference and ascertaining demand for integrated education. It inserts a new paragraph (1A) into Article 64 of the Education Reform (Northern Ireland) Order 1989 requiring the Department of Education, in considering what steps it should take for the purposes of its duty under Article 64(1), to take account of the outcome of any relevant consultation undertaken under section 3 of the Act.

Section 7:

Provides clarification of the duties that relate to the Department in relation to the provision for integrated education in their strategies, plans and policies.

Section 8:

Requires education bodies to consider that new schools which are proposed to be established should be integrated schools. A consultation must be carried out and a report published. Subsection 4 sets out what should be included in the report. Subsection 5 defines what a new school is.

Section 9:

Requires the Department of Education to publish a strategy for encouraging, facilitating, supporting and providing integrated education. The strategy should have due regard to the provision of Section 75 of the Northern Ireland Act 1998.

Section 10:

Requires the Department of Education to prepare or commission and publish a report in line with the budget but not more frequently than every three years on integrated education.

Section 11:

Requires the Department of Education to make regulations supplementing the provisions of the Act in relation to integrated education. Subsection (2) sets out a list of particular matters that may be covered by the regulations.

Section 12:

Allows the Department of Education to give guidance about the implementation or application of provisions of the Act.

Section 13:

Makes consequential amendments.

Section 14:

Provides clarity that definitions which are set out in the Education and Libraries (Northern Ireland) Order 1986 mean the same in the Integrated Education Act.

Section 15:

Provides for the Act to come into force six months after Royal Assent.

Section 16:

Gives the Act its short title which is the Integrated Education Act (Northern Ireland) 2022.

HANSARD REPORTS

8. The following table sets out the dates of the Hansard reports for each stage of the Act's passage through the Assembly and the date Royal Assent was received.

<i>STAGE</i>	<i>DATE</i>
First Stage	1 June 2021
Second Stage	6 July 2021
Consideration Stage	17 January 2022
	18 January 2022
	19 January 2022
Further Consideration Stage	24 February 2022

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<i>STAGE</i>	<i>DATE</i>
Final Stage	9 March 2022
Royal Assent	26 April 2022