



# Integrated Education Act (Northern Ireland) 2022

## 2022 CHAPTER 15

An Act to make provision about integrated education; and for connected purposes. [26th April 2022]

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

### *Integrated education*

#### **Meaning of “integrated education”**

**1.—**(1) “Integrated education” means the education together, in an integrated school, of—

- (a) those of different cultures and religious beliefs and of none, including reasonable numbers of both Protestant and Roman Catholic children or young persons;
- (b) those who are experiencing socio-economic deprivation and those who are not; and
- (c) those of different abilities.

(2) An “integrated school” is a school which—

- (a) intentionally supports, protects and advances an ethos of diversity, respect and understanding between those of different cultures and religious beliefs

and of none, between those of different socio-economic backgrounds and between those of different abilities, and

(b) has acquired—

(i) grant-maintained integrated status, or

(ii) controlled integrated status

under the Education Reform (Northern Ireland) Order 1989.

(3) Subsections (1) and (2) apply for the purposes of—

(a) this Act;

(b) the Education Reform (Northern Ireland) Order 1989;

(c) section 2(3A) of the Education Act (Northern Ireland) 2014 (inserted by section 4 of this Act);

(d) the Shared Education (Northern Ireland) Act 2016; and

(e) any other provision of Northern Ireland legislation (unless it contains a different definition).

### **Purpose of integrated education**

2. The purpose of integrated education is—

(a) to deliver educational benefits to children and young persons;

(b) to promote awareness and appreciation of human rights;

(c) to promote equality of opportunity;

(d) to promote good relations; and

(e) to promote respect for identity, diversity and community cohesion.

### **Advisory body**

3. In exercising any functions relating to integrated education the Department of Education must consult with—

(a) any body appearing to the Department of Education to have as an objective the encouragement or promotion of integrated education, and if required

(b) any other body the Department of Education considers appropriate.

### *Statutory duty to support*

### **Support etc. for integrated education**

4.—(1) In Article 64(1) of the Education Reform (Northern Ireland) Order 1989 (Department's duties in respect of integrated education) for "to encourage and facilitate" substitute "to encourage, facilitate and support".

(2) In section 2 of the Education Act (Northern Ireland) 2014 (functions of Education Authority) after subsection (3) (Authority's duties in respect of shared education) insert—

“(3A) It is a duty of the Authority (so far as its powers extend) to encourage, facilitate and support integrated education.”.

### **Meaning of support**

5.—(1) A reference in any provision of Northern Ireland legislation to support for integrated education (including support for the development of integrated education) is a reference to—

- (a) identifying, assessing, monitoring and aiming to meet the demand for the provision of integrated education within the context of area planning and the overall sustainability of the school estate (including, in particular, monitoring the number and success of applications for integrated education), and
- (b) providing sufficient places in integrated schools to aim to meet the demand for integrated education within the context of area planning and the overall sustainability of the school estate (including examining evidence of expected future demand).

(2) In subsection (1)(a) “monitor” means monitor by reference to data collected in respect of relevant catchment and other areas.

### **Duties of Department and Authority relating to the development etc. of integrated education**

6.—(1) After Article 64(1) of the Education Reform (Northern Ireland) Order 1989 (Department's duty to encourage, facilitate and support the development of integrated education) insert—

“(1A) In considering what steps it should take for the purposes of its duty under subsection (1) to encourage, facilitate and support the development of integrated education, the Department must in particular take account of any representations made under section 3 of the Integrated Education (Northern Ireland) Act 2022 (consultation) which relate to that duty”

(2) The Education Authority must, for the purpose of assisting its strategic planning of the provision of education, take steps to ascertain the demand for integrated education.

(3) In this Act, a reference to ascertaining the demand for integrated education is a reference to ascertaining the extent to which parents would prefer their children to be educated at grant-maintained integrated or controlled integrated schools rather than at schools which are not grant-maintained integrated schools or controlled integrated schools.

(4) The Education Authority must take the steps mentioned in subsection (2) at such times as the Education Authority and the Department of Education agree to be appropriate, having regard to the purpose specified in that subsection.

(5) The duty in subsection (2) may be met by seeking the information required by that duty together with other information about parental preferences.

(6) In making decisions in connection with proposals about the provision of education, including in respect of its duty to encourage, facilitate and support integrated education, the Education Authority must have due regard to the response to its enquiries under subsection (2) (in addition to any other factors to which the Education Authority is required to have regard).

### *Planning and strategy*

#### **General duty**

7.—(1) Without prejudice to the generality of the duty under Article 64(1) of the Education Reform (Northern Ireland) Order 1989, the Department of Education must take account of that duty when—

- (a) developing, adopting, implementing or revising policies, strategies and plans; and
- (b) designing and delivering public services.

(2) The active fulfilment of duties in respect of support for integrated education conferred on education bodies by this Act (or regulations made under it) shall not prejudice or subordinate their duties in respect of promoting shared education or the due discharge of their continuing statutory duties under other enactments including the Shared Education (Northern Ireland) Act 2016.

#### **New schools**

8.—(1) Education bodies must consider integrated education when planning for the establishment of a new school.

(2) In exercising their functions under subsection (1), education bodies must consult with—

- (a) teachers,
- (b) governors,
- (c) pupils,
- (d) families, and
- (e) sectoral and community bodies

who would, in the opinion of the relevant body, be affected by the proposal.

(3) Education bodies must prepare and publish a report on the consultation under subsection (2).

- (4) The report must include, in particular, an assessment in relation to—
- (a) the manner in which, and the extent to which, the relevant body has considered integrated education when planning for the establishment of a new school, and
  - (b) the levels of demand for integrated education.
- (5) In this section a “new school” does not include—
- (a) two or more existing schools that have amalgamated to create a new school,
  - (b) an existing school that has significantly changed in size,
  - (c) an existing school that has relocated, or
  - (d) an Irish-medium school which comes into existence after this Act receives Royal Assent.
- (6) The interpretation of subsection (5) will not preclude education bodies receiving or responding supportively to applications or expressions of interest by such schools in respect of transforming into integrated schools.

**Integrated education strategy**

**9.—**(1) The Department of Education must prepare, publish and maintain a strategy for the encouragement, facilitation, support for and provision of integrated education (“the integrated education strategy”).

- (2) The integrated education strategy must, in particular—
- (a) include provision for resources (including personnel) to encourage, facilitate and support integrated education;
  - (b) include provision designed to facilitate the maintenance and protection of the ethos of existing and new integrated schools;
  - (c) include arrangements for full access for integrated schools to training and resources provided by the Education Authority and other services accessible by publicly funded schools;
  - (d) quantify funding commitments and identify respective resources made available for the support for and provision of integrated education (including resources for facilitating the establishment of new integrated schools, the expansion of existing integrated schools and the transformation of existing schools into integrated schools);
  - (e) include an action plan, which must—
    - (i) be prepared in consultation with persons with knowledge and experience of integrated schools including teachers, governors, pupils, families, and sectoral and community bodies;
    - (ii) include targets (including timetables);