

Equality Commission

FOR NORTHERN IRELAND



Policy Position: Summary

Equality in Education

Policy Recommendations

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1 Priorities and overarching areas

- 1.1 Education plays a key role in determining an individual's life chances. The Commission recognises and reinforces the wider value of education, beyond solely the achievement of qualifications. It can provide exposure to literature, language, sport, activities, art, and music; as well as allowing individuals to develop an understanding and experience of the value and range of diverse cultures, identities and backgrounds.
- 1.2 The Commission is aware of the proactive steps taken by a range of bodies, including government departments and the education sector more broadly, to promote equality in education across the equality categories.

Priority areas for Intervention

- 1.3 The Commission considers, following engagement with stakeholders and wider consideration, that there are immediate opportunities and/or a particular pressing need to secure change in relation to:
- **tackling prejudice-based bullying**
 - **addressing inequalities in attainment and access experienced by Traveller, Roma and Newcomer children.**
- 1.4 We also consider it important to seek to ensure progress on a number of the recommendations '*of benefit to all children*' which we consider have the potential to deliver benefits to children and young people from across the equality categories, including those also entitled to free school meals (and specific groups therein - for example, boys, including those from Protestant backgrounds).
- 1.5 In particular, we call for prompt action to **advance childcare and early years provision** to meet the diverse needs of all children; to **drive attainment via collaborative approaches** involving family and the wider community; and to put in place a **system for learning from successful interventions**.

- 1.6 As with all of our work we will continue to seek to engage with Government, relevant Departments and key stakeholders to champion key actions to advance equality.

Overarching areas for action

- 1.7 While the Commission will work to encourage prompt action to address the above, we also encourage action by stakeholders and government to advance our full range of recommendations, with a particular focus on tackling the inequalities identified in 2017 *Statement on Key Inequalities in Education*¹.
- 1.8 The Commission has identified the following overarching areas where it considers that targeted action could serve to address key inequalities, and advance equality of opportunity and good relations:
- **Improve equality data and analysis**
 - **Advance a shared society through education**
 - **Tackle prejudice-based bullying and challenge stereotypes**
 - **Address inequalities in attainment and access**
 - **Mainstream equality in education and in teacher development**
- 1.9 The remainder of this document sets out our specific recommendations for action, under each of the five overarching areas set out above. Each recommendation is accompanied by a supporting rationale and key evidence.
- 1.10 We encourage you to take steps to raise awareness and secure implementation of our recommendations. Help us make change by sharing these recommendations with colleagues, officials, and friends and family; writing to your local political representatives; and by responding to any consultation related to equality in education in support of our recommendations.

¹ ECNI (2017) [Key Inequalities in Education](https://www.equalityni.org/KeyInequalities-Education). For a summary of the identified inequalities and gaps in available data, and links to further information, please visit www.equalityni.org/KeyInequalities-Education

2 Improve equality data and analysis

Establish robust, reliable education information systems to address existing equality data gaps and provide more disaggregated data.

- 2.1 There remain² ³ significant and specific equality data gaps across a number of themes in education in relation to gender identity, religious belief, political opinion, minority ethnic group and sexual orientation. Where data exists, there is also a lack of disaggregation in relation to: ethnicity, disability status, dependency status and marital status.
- 2.2 Data gaps and lack of disaggregation in relation to Section 75 groups present a barrier to the assessment of the extent of particular groups within the school population. They limit the accurate and robust measurement of educational attainment, experiences and progression for those with particular equality characteristics. This in turn limits the scope for more effectively meeting the needs which specific groups may have and prevents a detailed assessment of the effectiveness of measures aimed at benefitting such pupils / students across Section 75 groups.
- 2.3 We recognise that there are some limitations to data disaggregation. However, where robust to do so, disaggregation would provide greater information to inform the better targeting of policy interventions – for example on how young carers, or children and young people with particular disabilities progress through school.

² ECNI (2017) Statement of Key Inequalities in Education

³ Burns, S., Leitch, R., Hughes, J., (2015) [Education Inequalities in Northern Ireland](#)

3 Advance a shared society through education

Move to a system of education which routinely teaches all pupils together via a shared curriculum in shared classes, in support of better advancing a shared society⁴.

- 3.1 We consider that sharing across the education system could better provide learners with shared awareness, understanding and experience of the value and range of diverse cultures, identities and backgrounds in Northern Ireland; while also enabling learners from different cultures/communities to experience a shared society.
- 3.2 We consider that any system must: ensure that sharing impacts meaningfully and substantively on every learner; ensure that a shared experience is central to the education system as a whole; encompass all stages of educational provision (pre-school; early years; primary; post-primary; special needs; and tertiary levels); and routinely teach learners together via a shared curriculum in shared classes.
- 3.3 The Commission remains of the view that the overall system of education provision in Northern Ireland has an important role to play, not only in the development of the child, but in advancing cohesion, sharing and integration across all equality grounds. This is not to undermine the rights of parents to make choices regarding their child's attendance at specific schools, or for the provision of faith-based schools. However, such considerations cannot overshadow the importance of a system of education as a whole seeking to maximise equality of opportunity and good relations.

⁴ ECNI (2015) [Summary policy positions on sharing in education](#)

4 Tackle prejudice-based bullying and challenge stereotypes

The Department of Education should undertake comprehensive research to establish, and track over time, the prevalence and nature of prejudice-based bullying, and to assess school compliance with the Addressing Bullying in Schools Act.

- 4.1 Records of incidents of prejudice-based bullying, as required by the Addressing Bullying in Schools Act, are currently retained at school level and are not collated or analysed by the Department of Education (DE). In this context, it is essential that data is collected now (at the commencement of the legislation) and thereafter on a rolling basis, potentially via an all-pupil Northern Ireland level survey, to track the prevalence of bullying. The findings must be disaggregated by equality categories. This will allow the Department and wider stakeholder groups, including the Education Authority, management bodies and representative groups, to gauge the effectiveness of current interventions and focus attention on areas of concern. Consideration should also be given as to how best to gather data on the prevalence, nature and any specific impacts of cyber-bullying.
- 4.2 Linked to this is the need to establish levels of compliance by schools and Boards of Governors with their duties under the Addressing Bullying in Schools Act. This would allow analysis of practice generally, and specifically in relation to areas where the legislation is not prescriptive. Schools have discretion within the legislation to collect and monitor one-off incidents of bullying and cyber-bullying. Data could be gathered via qualitative and quantitative surveys in addition to routine Education and Training Inspectorate inspections. This analysis would highlight any inconsistencies across schools and allow training needs to be identified. It would also provide information on the extent to which particular bullying motivations⁵ are recorded and may demonstrate a requirement,

⁵ At Section 3(3) motivations *may* include (a) differences of religious belief, political opinion, racial group, age, sex, sexual orientation or marital status; (b) differences between persons with a disability and persons without; (c) differences between persons with dependants and persons without; (d) differences between persons based on gender reassignment; (e) differences between persons based on pregnancy.

as permitted under the legislation, for the list of motivations to be amended.

The Department of Education and Education Authority should ensure their guidance on complying with the requirements of the Addressing Bullying in Schools Act, and on responding to and preventing incidents of bullying behaviour, is comprehensively implemented and updated as required.

- 4.3 We welcome the comprehensive guidance developed by DE, EA and the NI Anti-Bullying Forum – Effective Responses to Bullying Behaviour⁶, and recommend that it is promoted within schools to ensure consistency of approaches in recording, responding to and preventing incidents of bullying behaviour. It is essential that pupils are encouraged to be open about reporting incidents of bullying. Implementation of this guidance can contribute to such openness.
- 4.4 The Commission welcomes the duty on boards of governors to secure measures to prevent prejudice-based bullying. We welcome the guidance and training materials provided to assist schools, including the senior management team and Governors, on their specific remit and role(s). We recommend that this should also be incorporated within initial teacher education. Regularly updated in-service training for staff on the impact of prejudice-based bullying and on the strategies to tackle and prevent it is also necessary. A review of the effectiveness of the guidance and training materials is recommended in the fifth year of its operation.

⁶ DENI/EA/NIABF (2022) [Effective Responses to Bullying Behaviour](#)

The Department of Education should ensure actions to tackle unintentional acts of prejudice-based bullying, which are not covered by the statutory definition of bullying⁷, are adequately dealt with in guidance.

- 4.6 The common definition of bullying included in the 2016 Act contributes to ensuring a consistent approach is taken across schools to tackling prejudice-based bullying.
- 4.7 However, we consider that guidance for schools to support the implementation of the legislation should also encourage schools to address unintentional⁸ acts by pupils that can cause harm, fear or distress to pupils for reasons associated with their equality characteristics⁹ ¹⁰. Training for teachers, within initial teacher education and continuing professional development, should include guidance on dealing with such acts.

Strong and visible leadership from the school principal, senior management team and board of governors is needed to promote an anti-bullying culture within every school.

- 4.8 High-level leadership is essential to ensure the consistent and robust implementation of policies and practices designed to address bullying, including bullying experienced by Section 75 groups.
- 4.9 We also consider that schools should proactively promote awareness of the existence, content and intent of the anti-bullying policy and procedure within the school and respective roles, responsibilities and expected behaviours. This awareness raising should extend to the families of pupils and include signposting to relevant guidance.

⁷ Addressing Bullying in Schools Act (NI) 2016, S1(1) “ ‘Bullying’ includes (but is not limited to) the repeated use of (a) any verbal, written or electronic communication (b) any other act, or (c) any combination of those, by a pupil or group of pupils against another pupil or group of pupils, with the intention of causing physical or emotional harm to that pupil or group of pupils.”

⁸ Acts without an explicit intent to bully can still cause harm, fear or distress to pupils for reasons associated with their equality characteristics.

⁹ Acts without an explicit intent to bully can still cause harm, fear or distress to pupils for reasons associated with their equality characteristics.

¹⁰ ECNI (2015) Response to the Department of Education’s consultation on Addressing Bullying in Schools

- 4.10 The Effective Responses to Bullying Behaviour guidance¹¹ provides a range of whole school interventions which can be used to establish and maintain an anti-bullying culture. Interventions include improving school ethos by assessing how safe, happy and welcome pupils feel; integrating anti-bullying measures across the curriculum; and considering thematic responses should a particular form of prejudice-based bullying (e.g. racist, sectarian) occur. The recommendations made by Estyn, the Welsh schools' inspectorate, in relation to effective actions to address bullying should be adopted¹².

The Department and other stakeholders should ensure that support materials and opportunities within the curriculum comprehensively address prejudice-based bullying.

- 4.11 We have impressed upon the Department the need to ensure that equality and good relations are embedded within the curriculum, and that opportunities within it are used to draw attention to prejudice-based bullying and to encourage a greater understanding of and respect for pupils covered by the Section 75 grounds¹³. This includes, for example, gender identity; ethnicity; and sexual orientation.
- 4.12 We welcome that the Effective Responses to Bullying Behaviour guidance states that: 'the use of curriculum resources and staff development opportunities can help within a prevention framework if a particular issue has been highlighted by repeated incidents. It may be appropriate for the school community as a whole to reflect on how the school's ethos tackles bias, discrimination and prejudice around specific issues such as sectarianism, racism, social class and so on¹⁴.'

a. Gender identity

- 4.13 The 2013 Grasping the Nettle report¹⁵ highlighted that '[t]he exclusion of trans issues from the school curriculum reduces

¹¹ DENI/EA/NIABF (2022) [Effective Responses to Bullying Behaviour](#)

¹² Estyn (2014) [Action on Bullying, a review of the effectiveness of action taken by schools to address bullying on the grounds of pupils' protected characteristics](#), at page 7. For example, schools should raise awareness, consult, plan age-appropriate opportunities, and ensure a clear understanding by staff of the interplay between bullying and equality, and the requirements to record incidents aligned to protected equality characteristics etc.

¹³ ECNI (2015) [Response to the Department of Education's consultation on Addressing Bullying in Schools](#)

¹⁴ DENI/EA/NIABF (2022) [Effective Responses to Bullying Behaviour](#), at page 27

¹⁵ McBride, RS (2013) Grasping the Nettle: The Experiences of Gender Variant Children and Transgender Youth Living in Northern Ireland, Belfast: Institute for Conflict Research

trans equality and inhibits good relations from developing.’ The report acknowledged that while DE was undertaking work to address this problem, ‘much more needs to be done to increase awareness, understanding and knowledge of trans issues in educational settings.’ We recommend that steps are taken to increase awareness, understanding and knowledge of trans issues in educational settings.

b. Ethnicity

- 4.14 We reiterate our recommendation that the Department should seek to ensure that ethnic minority children see their culture and language reflected in the classroom and school curriculum; disseminate best practice procedures around induction and admissions; and provide guidance on promoting the participation of newly-arrived children in the wider life of the school¹⁶.
- 4.15 We note the proposed action in the Racial Equality Strategy¹⁷, the Executive Office (TEO) to work with DE to identify ways to tackle racist bullying in schools. We understand that inter-Departmental discussions have taken place with regard to the action, and we call on the TEO to set out, as a matter of urgency, how it intends to implement this 2015 proposal.

c. Sexual orientation

- 4.16 A 2011 Cara-Friend/Rainbow Project report¹⁸ conveyed that there were ample opportunities within the statutory curriculum to challenge negative stereotypes and present the diversity of sexual orientation to children and young people, but that the experience of lesbian, gay and bisexual (LGB) young people is that these opportunities are not taken up by teachers in schools. 2013 research by Rainbow¹⁹ on the emotional health and well-being of young LGBT people found that 88.1% reported that teachers never or rarely talked about LGBT issues.

¹⁶ ECNI (2014) Racial equality position paper, Promoting Racial Equality - Priorities and Recommendations

¹⁷ TEO (2015) Racial Equality Strategy 2015 – 2025

¹⁸ Cara Friend and Rainbow Project (2011) Left out of the equation. A report on the experiences of lesbian, gay and bisexual young people at school

¹⁹ O’Hara (2013) Through our minds, exploring the emotional health and wellbeing of LGBT people in Northern Ireland, Belfast Rainbow

Measures to tackle bullying should include challenging gender roles to further the broader societal aim of preventing gender-based violence.

- 4.17 In support of actions to aid the prevention of domestic and sexual abuse, the Commission has recommended²⁰ specific action to institute coordinated, comprehensive and coherent measures to counter gender-based stereotypes and prejudicial attitudes from an early age and across all areas of life, including in all stages of education. It is essential to challenge gender stereotypes and prejudicial attitudes from an early age, as gender-based stereotyping can begin in childhood and continue throughout life stages²¹.
- 4.18 In addition, we note that the Gillen Review²² recommended that ‘The Department of Education should strongly encourage school boards of governors to introduce awareness sessions to ensure students understand the consequences of posting on social media’.

Legislative protection from disability-based harassment should be extended to schools.

- 4.19 The Commission continues to call for reform to Northern Ireland’s disability discrimination laws²³.
- 4.20 Currently, under disability discrimination legislation in Northern Ireland, there is no freestanding protection for disabled people against harassment related to their disability outside employment and further and higher education.
- 4.21 This contrasts with protection which exists within legislation in Great Britain and under Northern Ireland equality law on other equality grounds, for example there is a freestanding right giving protection against harassment under the race equality legislation across both employment and non-employment areas (on the grounds of race, ethnic origin, and national origin only).

²⁰ ECNI (2016) [Gender Equality - Policy Priorities and Recommendations](#)

²¹ NI Executive (2013) [Together: Building a United Community Strategy](#) which notes: “We recognise that the early years in a child’s life are the most formative and it is at this early stage that children can establish opinions, mindsets and attitudes that shape their behaviours for the rest of their lives”

²² Gillen Review (2019) [Report into the law and procedures in serious sexual offences in Northern Ireland](#), Sir John Gillen

²³ ECNI (2011) Strengthening Protection for Disabled People

5 Address inequalities in attainment and access

Recommendations of benefit to all children

Deliver a shared curriculum in shared classes to support improved attainment across equality groups.

- 5.1 Sharing can allow pupils to access the full range of the curriculum and may be encouraged to study those wider subjects at a further or higher education college. Pairing more effective schools with less effective schools may also offer the potential to close achievement gaps by improving standards and outcomes for all learners.
- 5.2 The Commission considers that the sharing in education has the potential to improve educational access and attainment for pupils from a diverse range of backgrounds and abilities²⁴. We reiterate our recommendations in relation to sharing in education, as set out further above.
- 5.3 The DE Sharing Works policy²⁵ lists among the benefits of shared education, *the education case - improving access for learners to a wider choice of subjects encompassing the full range of the curriculum; increasing access to specialist teaching and to modern facilities; and facilitating the sharing of ideas and good practice between education providers*. Such actions could, for example, be targeted to encourage boys, which research has highlighted may feel they have fallen behind and could not catch up²⁶.

Provide, and monitor uptake of, appropriate, accessible and affordable childcare and early years provision more generally to meet the diverse needs of all children.

- 5.4 We reiterate our 2013 policy position on Childcare²⁷, which calls for appropriate, accessible and affordable childcare

²⁴ ECNI (2015) Summary policy position on sharing in education

²⁵ at page 8

²⁶ DOJ/ DENI (2012) Taking Boys Seriously – a longitudinal study of adolescent male school life experiences in Northern Ireland

²⁷ ECNI (2013) Childcare: Maximising the Economic participation of women

provision to meet the diverse needs of all children, including children with disabilities, those from BME communities and new residents.

- 5.5 The Department of Education has recognised the importance of early years provision²⁸. We recommend the monitoring of uptake by those equality groups experiencing educational underachievement, with action taken to address any shortfalls.

Promote collaborative approaches to drive attainment, involving engagement with parents / families / carers and the wider communities of key equality groups.

- 5.6 The Chief Inspector's Report 2012-2014²⁹ highlighted the benefits of broader family / community involvement in education noting: *"It is clear that schools alone cannot break the cycle of low outcomes; there is a need for greater coherence and connection between the learners, their families, their communities, their schools and the wide range of agencies and health support service providers that play a significant part in their lives."* These linkages were also among the common factors identified in the Executive Office's 2017 ILiAD³⁰ research as contributing to the enhancement of educational achievement across the seven wards included in the study. Lack of parental engagement has also been linked to poorer educational outcomes for those entitled to free school meals, particularly boys, including Protestant working class boys³¹.
- 5.7 Feedback³² on the progress of two local partnership programmes involving children, parents, teachers and the wider community has been very positive with successful outcomes such as improved attendance and attainment recorded. The programmes highlighted appear to be effective in addressing attainment and broader educational issues by involving those outside the immediate school³³. It is recommended that

²⁸ DENI (2016) Press release O'Dowd launches pathway fund for early years education

²⁹ The Education and Training Inspectorate (2013) An Evaluation of Extended Schools - Chief Inspector's Report 2012-2014, p26

³⁰ TEO (2017) [Investigating Links in Achievement and Deprivation \(ILiAD\)](#)

³¹ PUP (2015) Firm Foundations, Educational Underachievement and the Protestant Working Class Education: Getting it right for every child

³² McMahon (2015) Full Service Extended Schools (FSES) and; Full Service Community Network (FSCN) Tackling barriers to Learning: the Policy Forum for Northern Ireland conference on Education in Northern Ireland: raising standards, school accountability and leadership

³³ Report by the five ELBs (2015) Extended Schools Annual Report 2013-14

consideration of how those, such as BME groups and children with disabilities who may not live within socially deprived areas, could access such schemes, should they become more widespread.

The Education Authority should put in place a system for learning from successful interventions, and disseminate and share these lessons with other schools.

- 5.8 Currently, there does not appear to be any formal mechanism or procedure in place for schools to share their learning, both positive and negative, from different interventions or initiatives undertaken to raise attainment. The Commission has sought to highlight successful interventions through a number of video case studies³⁴.
- 5.9 JRF³⁵ recommends developing a ‘what works’ centre to compile and promote high-quality evidence of ways schools can improve attainment for low-income pupils and evaluate how successful these are. This type of approach could be extended to include pupils from the different equality groups with organisations such as the IES feeding in.
- 5.10 The Education Authority, through its regional role, has the potential to provide and oversee a formal mechanism to make possible the sharing, across schools in Northern Ireland, of successful interventions.

The Department of Education should develop a system of post-primary transfer that enables all pupils to maximise their potential.

- 5.11 In 2009³⁶ the Commission again noted its concern about the use of academic selection at eleven years old as a method for determining transfer to post-primary education. A 2016 JRF briefing on poverty in Northern Ireland³⁷ reported ‘*strong evidence that selective systems of education, using examination methods such as the Transfer Test, have a negative impact upon the attainment of children from low-income backgrounds*’.

³⁴ ECNI (2017) [Equality Commission case studies - Key Inequalities in Education](#)

³⁵ Joseph Rowntree Foundation (2016) A prosperous, poverty free Northern Ireland

³⁶ ECNI (2009) [Response to the Department of Education – Transfer 2010](#)

³⁷ JRF (2016) A Prosperous, poverty-free Northern Ireland, p. 9

- 5.12 Aligned to this, data demonstrates that a number of Section 75 groups are over-represented within free school meal entitlement. Language and awareness barriers have also been identified for Newcomer children.
- 5.13 In 2017, the Department of Education's Strategic and Policy Development Forum³⁸ highlighted negative impacts of academic selection, including evidence that it led to some primary school children becoming uninterested in learning in Year 6. This finding is echoed in the Executive Office's ILIAD (Investigating Links in Achievement and Deprivation) report³⁹. This has implications for the Department's ability to close the performance gap and increase access and equality⁴⁰.
- 5.14 We continue to raise concern about the use of academic selection at eleven years old as a method for determining transfer to post-primary education. In this context we reiterate our overarching call to the Department to develop a system of post-primary transfer that enables all pupils to maximise their potential.
- 5.15 We also reiterate our wider concerns regarding the current unregulated transfer process. While we understand from media reports⁴¹ that the organisations that currently provide the different tests are seeking to agree a single test / set of tests, it is still the case that pupils may undertake up to four tests, with some children also required to pay to participate⁴².

³⁸ DE (2017) Report of the Strategic Forum Working Group on Inclusion and Prosperity

³⁹ TEO (2017) [Investigating Links in Achievement and Deprivation](#)

⁴⁰ RAISE (2016) Academic Selection, a brief overview, Northern Ireland

⁴¹ BBC News Online (26 June 2018) Academic selection: Plans for common transfer test agreed. Accessed 14 August 2018

⁴² An assessment fee of £50 is payable to sit the AQE test unless evidence of FSME is provided. The GL test is free

Recommendations specific to Traveller/ Roma/ Newcomer children

Budget allocations for identified groups should be monitored to assess how they improve outcomes for pupils.

- 5.16 The common funding formula provides schools with a per capita payment, calculated on an annual basis⁴³ for Traveller, Roma and Newcomer pupils. This payment is not ring fenced and can be spent at the school's discretion.
- 5.17 In 2016, the Joseph Rowntree Foundation (JRF)⁴⁴ noted that there does not appear to be a clear system for monitoring how schools are spending funding received in terms of whether it is being used for evidence-based interventions that will raise the attainment of children from low-income backgrounds.
- 5.18 Barriers faced by BME groups such as a lack of English proficiency; stereotyping and low expectations; inability of mainstream schools to meet the needs of individual pupils⁴⁵ could be tackled by ensuring *and* monitoring the targeted spend of this additional resource.

The Department of Education should put in place measures to support the education of Traveller and Roma children, particularly in relation to: data collection and analysis; admissions and registration processes; planning transitions; and examining segregated provision.

- 5.19 In 2008 the Commission highlighted that there was a need for more comprehensive data on attendance, participation, transitions and performance levels of Travellers at key stages so that comparisons could be made with non-Traveller children⁴⁶. Such data could likely be collected by the DE C2K system, enabling the impact of policy interventions to be more effectively measured.

⁴³ DENI (2014 /15) Local Management of Schools, Common Funding Scheme, p.4

⁴⁴ Joseph Rowntree Foundation (2016) A Prosperous, poverty-free Northern Ireland, p. 10

⁴⁵ ECNI (2017) Statement of Key Inequalities in Education

⁴⁶ ECNI (2008) Mainstreaming Equality of Opportunity and Good Relations for Traveller Children in Schools

- 5.20 The Commission continues to recommend flexibility in schools' admissions and enrolment processes as regards registration dates and bureaucracy required for both Traveller and Roma communities. Admissions processes should allow joint and temporary registration.
- 5.21 We reiterate our 2008 recommendation⁴⁷ that schools should set up processes to ensure that transitions from primary to post-primary schools are carefully planned.
- 5.22 We also call for the issue of segregated education provision⁴⁸ for Travellers and Roma to be examined. We reiterate our recommendation that the Department examines the issue of segregated provision for Traveller and Roma children. We would distinguish between targeted provision to groups such as Travellers and Roma in a mainstream setting to address known inequalities and separate or segregated provision per se.
- The Intercultural Education Service (IES) should publish, and take account of, key outcomes arising from its delivery plan.***
- 5.23 The regional Traveller Education Support Service (TESS) was set up in 2013 to progress the Traveller Education Taskforce recommendations. It has since merged with the Inclusion and Diversity Service to form the Intercultural Education Service (IES).
- 5.24 The key priority areas in the 2014 TESS annual delivery plan⁴⁹ were to: improve attendance levels of Travellers in targeted areas; enhance Traveller pupil attainment in target groups; and have Traveller parents more engaged and supported (including through home school communication).
- 5.25 Both prior to, and since, the merger into IES, the Commission has not been able to identify the reporting of any related outcomes achieved to date. It is important that a focus on the issues associated with Traveller disadvantage in education is maintained.

⁴⁷ ECNI (2008) Mainstreaming Equality of Opportunity and Good Relations for Traveller Children in Schools

⁴⁸ Article 3 (a) of the Race Relations (NI) Order 1997

⁴⁹ TESS (2015) Regional Delivery Plan 2015/16

More transparent monitoring and review of the Traveller Child in Education Action Framework⁵⁰ is needed.

- 5.26 To progress the recommendations of the Taskforce on Traveller Education (2008)⁵¹, the Department of Education launched the Traveller Child in Education Action Framework.
- 5.27 This Framework was to be monitored and reviewed biannually by a small monitoring and review group made up of representatives from the DE, the Education and Training Inspectorate, NGOs and Traveller support groups with progress reported biannually to the Minister of Education⁵². This monitoring / review group was never established.
- 5.28 We reiterate the recommendation from our 2013 Racial Equality position paper⁵³ that the Action Framework and TESS's (now IES) Traveller delivery plan should be subject to ongoing monitoring and evaluation with progress reported at the Traveller subgroup (currently being set up by the TEO) of the Racial Equality Panel.
- 5.29 Involving Traveller children and parents in the different processes (as reflected in the task force report) is required, to ensure the delivery of tangible outcomes.

The Department of Education should assist schools in making effective use of dual language resources to help Newcomer learners access the curriculum.

- 5.30 Newcomer children⁵⁴ face a number of barriers to educational achievement, including limited English language ability, lack of knowledge of the education system, racist bullying and social exclusion.
- 5.31 Barnardo's 2015 research *Feels Like Home*⁵⁵ explores the experiences of Newcomer pupils and school staff in primary schools across Northern Ireland. The findings from the research show there are a number of factors which impact on

⁵⁰ DE (2013) Traveller Child in Action Framework

⁵¹ Department of Education (2011) Taskforce on Traveller Education, DE Bangor

⁵² DE (2013) Traveller Child in Education Action Framework, p. 13

⁵³ ECNI (2013) Racial Equality Policy priorities and recommendations

⁵⁴ The DE defines a Newcomer as 'a pupil who does not have satisfactory language skills to participate fully in the school curriculum and does not have a language common with the teacher.'

⁵⁵ Kernaghan D, Webb MA and Cariddi C, (2015) *Feels Like Home: Exploring the experiences of Newcomer pupils in primary schools in Northern Ireland*

Newcomer children's experiences in the classroom including the language barrier, an unfamiliar education system and a feeling of isolation. Teachers also highlighted a number of challenges including low school readiness and difficulties in identifying a potential learning problem or special educational needs because of the language barrier.

- 5.32 The research also pointed to a number of areas of good practice including after school clubs, translated newsletters and a growing use of technology to communicate with parents. Such good practice should be disseminated.
- 5.33 The DE is currently reviewing the Supporting Newcomer policy. It is important that the outcomes from this review address the issues of dual language resources.

The Department of Education should identify and address the complex emotional, educational and social needs of asylum seeking and refugee children; and ensure that adequate funding is available to meet the needs of those who arrive during the year.

- 5.34 The current system provides funding only for those children counted on the annual school census day. However, children may enter the school system throughout the academic year. Currently, schools are not allocated additional in-year funding to meet their needs⁵⁶.
- 5.35 With regard to providing appropriate support for asylum seeker children we recommend that the Executive and the DE work with the IES to understand and improve the experiences of and outcomes for asylum seeker children. This includes identifying and addressing any attainment differentials; assessing educational needs; reviewing the effectiveness of current English as an Additional Language (EAL) support; identifying appropriate strategies to support the teaching of Newcomer pupils and the provision of accessible information on the education system in Northern Ireland.

⁵⁶ Apart from those entering via the Vulnerable Syrian Relocation Scheme

Recommendations specific to children with disabilities and /or SEN

Government should ensure the quality of educational experiences received by children with special educational needs (SEN) in Northern Ireland.

- 5.36 A range of factors contribute to the attainment levels of children with SEN. Adequate provision made in an effective manner is essential to ensuring children with SEN are able to meet their full potential. Key barriers found to the attainment of children with SEN include insufficient precision with Statements; a lack of appropriate supports during the transition from primary to post primary education; and low expectations⁵⁷.
- 5.37 In 2015 the Commission, called for arrangements to be put in place to monitor and review the impact of SEN plans⁵⁸. We also highlighted the risk, due to a lack of specialist training, that Learning Support Co-ordinators may miss early identification of needs and appropriate intervention in complex cases.
- 5.38 In April 2015 the Northern Ireland Assembly agreed a motion expressing concern over the waiting times for children for autism and special educational needs assessments, and called for action to invest fully in and streamline services to deal with the backlog.

The proposed code of practice to support the Special Educational Needs and Disability Act (NI) 2016 should clarify outstanding issues – including around student involvement; staff training; review and dispute resolution.

- 5.39 We welcome the introduction of the Special Educational Needs and Disability Act (NI) 2016, which we believe will enhance the provision, support and protections available to students with SEN.

⁵⁷ ECNI (2017) Statement on Key Inequalities in Education

⁵⁸ ECNI (2015) Evidence to the Assembly Education Committee on the proposed Special Education Needs and Disability Bill

- 5.40 A code of practice is to be produced to support the legislation. We have recommended⁵⁹ that it should include: details of how pupils will be involved in the development of overall SEN provision; emphasis of the importance of accessible communication and relevant support to enable each individual with SEN to participate effectively with any decision-making process that will impact on their educational experience and opportunities; training measures for teachers and learning support co-ordinators; examples of models of good practice demonstrating how students can be involved in the review / appeals processes, and in the development of support and learning places.

Relevant legislation should be amended to address deficiencies, and to improve the educational experiences of students with SEN and or disabilities.

- 5.41 We remain concerned at the deficiencies in legislation provision for children with disabilities within the Disability Discrimination Act.
- 5.42 We continue to recommend: changes to SENDO 2005 in order to place an additional duty on schools to provide auxiliary aids and services for disabled pupils, where reasonable; that the current residual duty on the Education Authority in relation to the making of reasonable adjustments, is extended so that it includes a requirement to provide auxiliary aids and services.
- 5.43 Wider changes are also needed both to the Disability Discrimination Act 1995 and SENDO 2005 in order to address inconsistencies and strengthen protection against discrimination and harassment for disabled people. For example, there is currently less protection for disabled pupils in schools than for disabled students in further and higher education.

⁵⁹ ECNI (2015) [Evidence to the Northern Ireland Assembly Education Committee on the proposed Special Educational Needs and Disability Bill \(SEND\)](#)

Recommendations specific to young carers and looked after children

The Departments of Education and Health should provide tailored support to ensure the effective participation in education of every looked after child.

- 5.44 Evidence shows that looked after children have poorer educational achievements when compared to their peers. The Department of Education and the Department of Health should work together to provide a co-ordinated and consistent approach, including via their duty within the Children's Services Co-operation Act (Northern Ireland) 2015⁶⁰, to ensure the effective participation in education of every looked after child.
- 5.45 Further, consistency is also needed across Trusts to address the geographical variations that currently exist⁶¹ in allocating and implementing Personal Education Plans for children in care.

The Departments of Health and Education should work in collaboration to identify young carers and provide services to both support them and improve their educational outcomes.

- 5.46 By working in collaboration, the Education and Health Departments could better identify carers; raise awareness among young carers of supports potentially available; provide signposting to relevant DE and DoH services; and improve monitoring and data collection.
- 5.47 We welcome the 'Supporting Young Carers in School: An Introduction for Primary and Secondary School Staff'⁶² guidance produced⁶³ by the Education Authority and the Health and Social Care Board. The guidance seeks to make young carers more visible to teachers and to assist teachers in supporting their needs. We recommend that the

⁶⁰ [Children's Services Co-operation Act \(Northern Ireland\) 2015](#)

⁶¹ For example, only 80% of looked after children of school age had a PEP within the Northern Trust, compared to 92% within the Belfast Trust.

⁶² Education Authority and Health and Social Care Board (2017) [Supporting Young Carers in School: An Introduction for Primary and Secondary School Staff](#)

⁶³ The Children and Young People's Strategic Partnership Young Carers Group comprising the Health and Social Care Board produced the guidance in partnership with the Education Authority; Action for Children NI; Barnardo's NI; Gingerbread NI and Carers Trust NI.

mainstreaming of the guidance within schools is monitored and reviewed.

6 Mainstream equality in education

Comprehensive action should be taken by the Department of Education, schools and other education bodies to embed equality of opportunity and good relations within the content and delivery of the curriculum.

- 6.1 The importance of embedding equality of opportunity and good relations within the school curriculum has long been recognised by the Commission. Our consideration further above highlights the importance of the curriculum in tackling prejudice-based bullying and stereotyping. For example, while girls out-perform boys, stereotyping and subject choice contribute to boys being more likely than girls to study Science Technology, Engineering and Mathematics (STEM) subjects in higher education.
- 6.2 We reiterate our 2008 call for the adoption of a number of strategic actions that could be taken to embed equality and good relations in education. These included reviewing curriculum support materials and developing good practice guidance, setting strategic actions and outcomes, and developing equality and good relations elements to the training programmes for student teachers, existing teachers, heads and governors.
- 6.3 In 2013 we welcomed⁶⁴ the Department's circular⁶⁵ on Relationship and Sex education (RSE) to schools in which it made it clear that the Department required each school to have in place a written policy on how it will address the delivery of RSE. We also welcome the ETI's 2016 evaluation and recommendations in relation to RSE in primary and special schools⁶⁶. It recommended a number of improvements that included, for example, ensuring that the teaching of sensitive issues is provided to children in all schools, prior to their transfer to post-primary education. It also calls for

⁶⁴ ECNI (2013) [Promoting Sexual Orientation Equality – Priorities and Recommendations](#)

⁶⁵ DE (2013) DE Circular on RSE

⁶⁶ ETI (2016) RSE in Primary and Special Schools

improvements in the training for teachers to enhance their capacity and confidence.

Equality and good relations issues should be mainstreamed into initial teacher education (ITE) and continuous professional development (CPD)

- 6.4 The Commission has consistently called for equality and good relations to be embedded in teacher training, both initial and continuing. In light of the diversity of life experiences and educational needs within the Northern Ireland student population, we consider it essential that all teachers are equipped to ensure students' particular requirements are understood and met. Initial teacher education (ITE) and continuing professional development (CPD) are key methods of achieving this.
- 6.5 While noting the implementation of a 10-year strategy for teacher professional learning⁶⁷, we are concerned about its lack of reference to equality and diversity issues, particularly given the issues that are being highlighted on teacher training needs. These include issues already referenced within this paper, for example, regarding Newcomer children's access to the curriculum or how prejudice-based bullying is tackled. They demonstrate a need for training to equip teachers to meet the needs of an increasingly diverse student / pupil population.

There should be greater sharing and collaboration between teacher training colleges.

- 6.6 The Commission is mindful that new teachers will increasingly enter a world where greater diversity among those they teach will be more evident than before. It is important that recognition of this increasingly diverse environment finds greater expression within the ethos and governance structures of those providing initial teacher training.
- 6.7 We remain⁶⁸ concerned about the impact that the separate provision of teacher training has on job opportunities, professional development and the promotion of good relations;

⁶⁷ DE (2016) Learning Leaders, A strategy for teachers Professional Learning

⁶⁸ ECNI (2013) Response to the Review of the Initial Teacher Education infrastructure in Northern Ireland

and consider that closer collaboration between all initial teacher training providers in Northern Ireland would have a range of benefits, including in relation to good relations.

- 6.8 A 2010 Good Relations Forum challenge paper⁶⁹ suggested that there needed to be stronger sharing and collaboration between the various teacher training institutions in Northern Ireland and that this should be encouraged by the Department and the proposed Education and Skills Authority (now Education Authority).

⁶⁹[Good Relations Forum \(2010\) Ensuring the Good Relations Work in our Schools count, A strategy to meet our needs for the 21st Century.](#), paragraph 16.26

7 Conclusion

- 7.1 The Commission will continue to engage with government, relevant Departments and key stakeholders to secure advocacy and adoption of our recommendations in support of addressing identified key inequalities.
- 7.2 We encourage you to take steps to raise awareness and secure implementation of our recommendations. Help us make change by sharing these recommendations with colleagues, officials, and friends and family; writing to your local political representatives; and by responding to any consultation related to equality in education in support of our recommendations.

Priority areas for intervention

- 7.3 The Commission considers, following engagement with stakeholders and wider consideration, that there are immediate opportunities and/or a particular pressing need to secure change in relation to:
- **tackling prejudice-based bullying**
 - **addressing inequalities in attainment and access experienced by Traveller, Roma and Newcomer children**
- 7.4 We also consider it important to seek to ensure progress on a number of the **recommendations ‘of benefit to all children’** which we consider have the potential to deliver benefits to children and young people from across the equality categories, including those also entitled to free school meals (and specific groups therein - for example, boys, including those from Protestant backgrounds).
- 7.5 In particular, we call for prompt action to **advance childcare and early years provision** to meet the diverse needs of all children; to **drive attainment via collaborative approaches** involving family and the wider community; and to put in place a **system for learning from successful interventions**.

Overarching areas for action

- 7.6 While the Commission will work to encourage prompt action to address the above, we also encourage action by stakeholders and government to advance our full range of recommendations.

7.7 The Commission has identified five overarching areas where we consider targeted action could serve to address key inequalities, and advance equality of opportunity and good relations:

- Improve equality data and analysis
- Advance a shared society through education
- Tackle prejudice-based bullying and challenge stereotypes
- Address inequalities in attainment and access
- Mainstream equality in education and in teacher development

7.8 We have set out in this document a number of specific recommendations for action, aligned to the above overarching areas.

Further information

7.9 For further information visit
www.equalityni.org/Education/Policy

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