

EQUALITY COMMISSION FOR NORTHERN IRELAND

Response to the Department of Education Consultation Document – Every School A Good School – A Policy For School Improvement

28 March 2008

Introduction

1. The Equality Commission for Northern Ireland ('the Commission') is an independent public body established under the Northern Ireland Act 1998. The Commission is responsible for implementing the legislation on age, disability, fair employment, race relations, sex discrimination, equal pay and sexual orientation. The Commission's remit also includes overseeing the statutory duties on public authorities to promote equality of opportunity and good relations under Section 75 of the Northern Ireland Act 1998, and the positive disability duties on public authorities under the Disability Discrimination Act 1995.
2. The Commission's general duties include:
 - working towards the elimination of discrimination
 - promoting equality of opportunity and encouraging good practice
 - promoting positive/affirmative action
 - promoting good relations between people of different religious belief, political opinion or racial group
 - overseeing the implementation and effectiveness of the statutory duty on relevant public authorities
 - keeping the legislation under review

General Comments

3. We live in a time of great hope and excitement for the future, with a new political environment and approach to sharing. There is an

openness to work with former opponents, greater diversity in population and optimism for the future. However, all is not yet perfect as we emerge from conflict. Indeed, many of the legacies of this conflict are still with us. We live in a society where inequality still exists and where not everyone has the same opportunity to develop their talents to their potential.

4. If we are to change our society for the better, we must all take a proactive role in transforming our society. For schools and teachers in particular, it is a great gift and responsibility to be charged with guiding and educating our children and young people, not only in knowledge but also to respect people who are different and not to repeat the mistakes of the past. They are the adults and leaders of the future who will shape our society in the years to come. This is a great privilege and duty.¹
5. This is why the Commission has been working for many years to facilitate greater access to equality of opportunity and good relations for the whole community in Northern Ireland. To this end, we seek to ensure that equality of opportunity and good relations are at the heart of public-policy making and service delivery.
6. We are therefore heartened to see equality highlighted as being a core driver of this Consultation Document and of the work of the Department. We envisage the work emanating from this strategic document will make a considerable impact on addressing the persistent inequalities that continue to exist in our society. Indeed, we agree that improving educational attainment can make a significant contribution to the promotion of equality of opportunity and improved social inclusion. Education achievement is also acknowledged as a clear pathway to providing opportunities of further education, employment and training, and of raising aspirations and expectations, generating wealth and therefore helping people to lift themselves out of poverty.

¹ This sentiment is echoed in the Department of Education's Overview of Personal Development and Mutual Understanding, available at http://www.nicurriculum.org.uk/personal_development_and_mutual_understanding/index.asp

7. We welcome this opportunity to respond to the Consultation Document – Every School a Good School. In doing so, we have drawn on our unique experience gained from our role in respect of the full range of anti-discrimination legislation and in implementing the statutory duties under Section 75 of the Northern Ireland Act 1998 across nine equality grounds.

General comments regarding strategic objectives of the Consultation Document

8. We agree with the general direction of the Consultation Document, particularly with respect to:
 - raising quality and standards across all schools
 - fostering a wider measure of a school and their pupils' success other than merely academic achievement at external examinations, including excellent pastoral care and cultivating a spirit of good citizenship
 - setting out the monitoring, challenge and support functions for schools
 - affording greater autonomy and responsibility for schools to their parents and wider community
 - encouraging greater engagement with parents and the community
9. However, we have a number of comments and suggestions that we would like to make, which we outline below.

Equality Impact Assessment

10. Commission staff have been in correspondence with the Department in relation to the lack of evidence adduced in the screening form to justify the exclusion of this policy from full EQIA. Subsequent correspondence has provided the Department's rationale for not submitting the policy to full EQIA. However, we must reiterate our view that an approach that aims to raise standards generally does not

necessarily promote equality of opportunity across the board. A 10% performance improvement on a low baseline is not the same as a 10% improvement on a high performance level and the lack of subtlety may increase the performance gaps referred to in the consultation document. We have developed discussion on these and related matters at length below.

11. This response is made without prejudice to any consideration or determination which the Commission might make in performance of its statutory function to investigate or conduct any other investigation.

The two section 75 duties are interdependent

12. We are clear that the two section 75 duties are interdependent. That is, all designated public authorities such as the Department are under a statutory duty to promote good relations between those of different political opinion, religious belief or racial group. This duty is inextricably linked to the equality agenda and the two duties are mutually dependent and mutually reinforcing. It is clear that a society based on the principles of equality for all is one that recognises the importance of interdependence, taking account of the increasingly multi-cultural and faceted nature of our society, the current context of educational provision in Northern Ireland and the need to respect and embrace diversity in all its forms.
13. We are also clear that section 75(1) and (2) require the Department in all its work to take a **proactive** approach to contributing to a shared society and the promotion of equality, rather than merely responding to the effects of a divided one. It means recognising and acknowledging the legacy of decades of sectarian conflict, and challenging sectarianism and racism.² We consider that it is the Department's responsibility to lead and guide schools on this issue by setting a policy agenda within which they will operate.
14. We therefore note with concern the absence of an explicit and focused discussion or commitment in the Consultation Document to good

² Promoting Good Relations A Guide for Public Authorities, ECNI, October 2007

relations issues, as they clearly add value to the equality dimension. We acknowledge that the Consultation Document does highlight the need to foster a wider measure of a school and their pupil's success other than merely academic achievement at external examinations, including excellent pastoral care and cultivating a spirit of good citizenship. Further, there are also other references within the Consultation Document to promoting a school ethos that champions concern for pupils and respect for others. However, we recommend that this issue be more explicitly raised and that good relations be incorporated within the main themes of the Consultation Document and that good relations-based actions be clearly included in the final strategy and resulting action plan to be presented to the Assembly in Spring 2008.

15. If not specifically addressed, we are concerned that not only will this be a key missed opportunity to proactively address the legacy of the past conflict, but it may mean that the Department is not taking cognisance of its duty to promote equality of opportunity and good relations.

Policy goal that all pupils are given the opportunity to achieve their full potential

16. We agree with the view that all pupils should be given the opportunity to achieve their full potential, whatever their background or makeup. As has been identified in the Ministerial Foreword and at paragraph 2.1 of the Consultation Document, there are a number of factors which can impact on a young person's opportunity to succeed. As indicated, these can be for a number of reasons, such as students' peer pressure, and different levels of community and parental support for the value of educational achievement.
17. Inequalities related to a number of factors can affect a child or young people's ability to reach their full potential. Research by the Commission in 2007 in preparation for our *Statement of Key Inequalities for Northern Ireland* publication identified a number of

areas as of major concern. We enclose a copy of this document for your reference and an internet link is available here.³

18. These areas include:

- disability
- gender
- sexual orientation⁴
- looked after children
- young people with caring responsibilities for other people – e.g. elderly or disabled parents

19. We therefore suggest that as well as disability and race, that sexual orientation in particular be explicitly mentioned in this policy document. Recent research provides evidence of homophobic bullying being problematic in some Northern Ireland schools. We consider that raising the profile of the specific grounds for bullying or harassment will encourage policy makers and educators to consciously turn their minds to all these categories, when they assess whether actions they have taken have made a difference and that all children, whatever their background or identity, are given the same opportunity to achieve their full potential.

Differences in educational achievement – in particular young people from socially disadvantaged backgrounds and boys

20. We note the Consultation Document at paragraph 3.4 has identified that overall 37% of pupils in Northern Ireland did not achieve 5+ GCSEs at grade A*-C, which is a generally accepted key indicator of educational success and opportunity to move onto further education, training or employment. This position is more acute for young people from socially disadvantaged backgrounds where the figure is as high as 63%. The Consultation Document also identifies boys as achieving 12 percentage points lower than girls. For Travellers, however, this situation is more severe. Our evidence suggests that 92% have no GCSEs or equivalents.

³<http://www.equalityni.org/ECNI/media/ECNI/Publications/Employers%20and%20Service%20Providers/S75%20P10%20investigation%20reports/KeyinequalitiesinNI2007.pdf>

⁴ shOUT research in 2003 identified homophobic bullying as a significant issue in schools.

Drilling down to a more pupil-centred approach

21. We suggest that the Department's analysis could be drilled down still further, and that the educational achievements in particular of a number of other groups are identified and that strategies are developed to help them to raise their attainment levels specifically, rather than merely focusing at a whole school level. The groups we have identified in our research include:

- Protestant boys in lower socio-economic urban estates
- children and young people from the Irish Traveller community⁵
- gay, lesbian and bisexual young people
- looked after children
- black and minority ethnic children to whom English is an additional language
- children and young people with disabilities
- young people with caring responsibilities for other people – e.g. elderly or disabled parents

22. The difficulty with solely focusing on a whole school approach and on targeting interventions primarily on poorly performing schools is that there is no guarantee that the individuals that are experiencing difficulties with their educational attainment from these 'at risk' groups will be attending those poorly performing schools. Further, a young person's underachievement may well be masked by the overall performance of a well-performing school. The proposed strategy alone may not therefore always impact on improving these individuals' life chances.

23. We consider that if the strategy is to be truly pupil-centred and therefore focused on giving all pupils an equal opportunity to achieve their full potential, it necessitates a more focused and holistic approach, by addressing inequalities as a core of the school's performance. To achieve this may necessitate providing different levels of support (including resources, knowledge and skills) for

⁵ The Adequacy and Effectiveness of Educational Provision from Traveller Children and Young People in Northern Ireland, J Hamilton et al, Sept 2007

individual students, depending on their needs. This would merely be an extrapolation of existing well-established practice, where for instance children with statemented special educational needs are provided with additional assistance.

24. We therefore suggest that as part of the focus on improving schools overall, thought should be given to developing a comprehensive process of assessment for identified children and young people who are at significant risk of not being given the opportunity to achieve their full potential. Resources and support would then be ring-fenced to that child or young person, and continue with them as they transition from primary to post-primary education. This process would require regular monitoring and review.

Addressing negative attitudes to learning, equality and good relations

25. We also recommend that interventions be weighted to the primary sector, particularly when focusing on addressing negative attitudes to learning, equality and good relations. Studies have shown that these attitudes are often learnt from an early age⁶, and once negative attitudes have become entrenched, they are much more difficult to shift. We recommend that the Department focuses on education and early intervention programmes with proven records of success to address this issue,⁷ targeting those identified as most at risk of not reaching their full potential, and those who are at risk of developing sectarian and other negative attitudes to diversity. These programmes should strategically link in with programmes that a school is providing on a wider basis and those undertaken in partnership with the community, and could be developed as performance indicators by the Education and Training Inspectorate in its inspection regime.⁸

⁶ Connolly, P., Smith, A. & Kelly, B. (2002) Too Young to Notice? The Cultural and Political Awareness of 3-6 Year Olds in Northern Ireland. Belfast: Northern Ireland Community Relations Council. Available at http://www.paulconnolly.net/publications/report_2002a.htm

⁷ Such as Sure Start

⁸ Examples could include school-wide programmes to address issues such as diversity, sectarianism, and bullying, and be linked into the wider Citizenship curriculum

26. Once again, we consider that doing so will encourage policy makers and educators to deliberately turn their minds to include these categories when they assess whether actions they have taken have made a difference.

Implications of narrowing the gap

27. We note that an important strategic objective within the Consultation Document is to raise overall school attainment. Further, there is a belief that all schools, even well-performing ones, have room to improve. We also note the strategic aim of narrowing the gap between underperforming and well-performing schools.
28. There is, however, no mention or indication in the Consultation Document on what level of funding will be allocated for the revised school improvement policy to support underperforming schools. It is unclear whether this could mean a reallocation of substantial resources towards underperforming schools. We have made the assumption that the Department will be operating within a capped budget for this work.
29. We therefore seek clarity whether this strategic objective will necessarily raise the Department's and their agencies' financial and administrative commitment to support these underperforming schools, and whether the Minister's recent announcement of additional funding will impact on this area. If not, it may have the effect of compelling some reduction in funding and support for both schools that are already performing at an appropriate level and those that are exceeding the required standard. If this were the case, it could be construed as penalising schools for performing well and rewarding those schools whose performance was below that which is expected. We therefore suggest clarification is made on this point.

Roles, responsibilities and accountabilities

30. We agree with the Consultation Document's suggestion to establish a set of quality indicators and a range of contextual information for all involved in the school improvement process. We agree that these will

provide a more informed and rounded picture of a school's performance than merely examination results. We concur that both quantitative and qualitative indicators are useful in this process. We strongly recommend these include indicators for measuring and monitoring progress in equality and good relations from a baseline position.

31. While acknowledging that this information will develop over time, we suggest that greater details be provided on the sort of information that will be required. Our suggestions are detailed below.

Bullying

32. While bullying may be implicitly referred to at a number of different occasions in the Consultation Document⁹, there is no direct reference to this issue, nor any requirement for the statistical recording and reporting of its incidence, the type of bullying occurring and how a school deals with it.
33. The Commission believes it essential that schools ensure that racist bullying incidents are recorded and monitored centrally. School policies should ensure that staff and senior management are clear in how to deal effectively with incidents of racist bullying, thus appraising parents of the schools intent to creating a safe learning environment for their children. This is particularly so in relation to Traveller children whose experiences of bullying are a major contributory factor in accounting for low attendance and achievement in post primary education.
34. We consider this is a serious omission that must be resolved, as numerous studies have shown that bullying can detrimentally affect a school and its pupils, including in terms of overall morale, pupil

⁹ Bullying may impact on and be referred to implicitly on a number of different fronts in the quality indicators and contextual information provided by a school, such as 'any ongoing relationship difficulties within a school', pupil attendance, student surveys and levels of suspensions and expulsions. Further, how a school deals with bullying may be implied by the reference in the Consultation Document to a school and its leadership team having primary responsibility to ensure its ethos, leadership, teaching, curriculum provision and pupil support arrangements motivate pupils and provide them with the opportunities to succeed, and that the Board of Governors have responsibility for ensuring the Head and their staff put in place the necessary arrangements and mechanisms to help pupils succeed

attendance, reputation and exam results.¹⁰ In short, we do not consider that a school can be a good school if it does not proactively address bullying, both in its policies and in its actions.

35. We therefore recommend that the Department take specific action to ensure that schools address bullying by incorporating measures within the quality indicators discussed in further detail below.

Reluctance of schools to tackle homophobic bullying

36. The issue of homophobic bullying is of particular concern. There is research data in Northern Ireland¹¹ and elsewhere that suggests high levels of homophobic bullying in schools, its under-reporting, and where it is reported, significant levels of physical and verbal abuse. Many respondents in these studies have reported attempting suicide and the abuse has often directly affected their academic achievement.

37. While all types of bullying are universally seen in all schools as being unacceptable and there is legal protection against it,¹² we are concerned that there appears to be a disturbing reluctance by Northern Ireland schools generally to address homophobic bullying with the same rigour as other forms of bullying. There appears to be evidence that homophobia is not being adequately or openly addressed or acknowledged as a problem in schools in Northern Ireland. Further, Northern Ireland schools rarely specifically include homophobic bullying in their anti-bullying strategies. The 2002 Department of

¹⁰ Department of Education (2007) http://www.deni.gov.uk/rb3_2007.pdf; 'Bullying in Schools: A Northern Ireland Study'. October 2002, ISSN 1366-803X, available at http://www.deni.gov.uk/rb8_2002.pdf

¹¹ Department of Education commissioned research by Youthnet (2003). NIHRC research - <http://www.nihrc.org/dms/data/NIHRC/attachments/dd/files/19/growup.doc> ; Rainbow Project (2006) 'Out on Your Own - An Examination of the Mental Health of Young Same-Sex Attracted Men. Available at <http://www.mensproject.org/ooyo.pdf>

¹² This is a legislative requirement under the Education and Libraries (Northern Ireland) Order 2003. Article 19 requires a principal to determine measures to be taken to encourage good behaviour and respect for others on the part of pupils, and, in particular, preventing all forms of bullying among pupils. There is also a requirement to consult the registered pupils at the school and the parents of those pupils. The courts also recognise that a school's duty of care at common law extends to taking reasonable steps to prevent bullying within the school. **Phelps v Hillingdon London Borough Council**. <http://www.tes.co.uk/article.aspx?storycode=385557>

Education study on bullying in schools¹³ found that while 82% of teachers were aware of homophobic bullying or intimidation, only 6% of the 120 schools surveyed made specific reference to homophobic bullying in their anti-bullying campaigns. Many schools' anti-bullying strategies instead only mention other types (e.g. racist, sexist, and sectarian).

38. For Northern Ireland schools to meet their obligations under Article 19, they cannot treat homophobic bullying any less seriously than other forms of bullying. As a matter of good practice, if they actively promote, for example, anti-sectarian or anti-racist messages or programmes to encourage their pupils' good behaviour,¹⁴ we consider they will also be under an obligation to encourage their pupils' good behaviour, tolerance and respect towards lesbian, gay and bisexual students.
39. The Equality (Sexual Orientation) Regulations (Northern Ireland) 2006, and the recent useful clarification by the judge in the judicial review, extend protection to cover a broader range of educational situations.¹⁵ Schools need to ensure that gay, lesbian, bisexual pupils or children of gay, lesbian, bisexual or same-sex couples are not treated less favourably than other pupils. All school policies and practices should be checked to ensure there is no less favourable treatment of such pupils. Schools will need to ensure that homophobic bullying is taken just as seriously and dealt with just as firmly as bullying on any other grounds. While the judge in the judicial review to the Regulations stated that the Regulations would not apply to the school curriculum, schools must ensure that they do not discriminate in the delivering of any part of the school curriculum or extra-curricular areas on the basis of sexual orientation. This includes areas such as school discipline and bullying.

¹³ Collins, McAleavy and Adamson (2002)

¹⁴ Such as celebrating multicultural days

¹⁵ The Employment Equality (Sexual Orientation) Regulations (Northern Ireland) 2003 make it unlawful for employers and others to discriminate on grounds of sexual orientation in the areas of employment and vocational training. This includes schools, institutes of further and higher education which incorporate universities and colleges.

Special case to promote respect for those of different sexual orientations

40. There is a strong case for giving homophobic bullying special attention. Unlike other types of bullying (e.g. racist, sexist, sectarian) a tension exists between some faith-based schools' belief on how they put their religious ethos into practice and how they deal with sexual orientation issues.¹⁶ For instance, sex education is often provided during religious education classes, which may not facilitate the exploration of sexual orientation issues.¹⁷ Sexual orientation issues were the least taught in this study. We feel that this tension could impact on a school's commitment to addressing homophobic bullying and to fulfil its legal requirement under Article 19 to take positive action to encourage good behaviour by its pupils, and contribute to the invisibility of gay young people in schools.
41. We do not consider that this will adversely impact on a school's religious ethos. We are not advocating that a school promote a homosexual or any other lifestyle, rather that they take action to promote tolerance and respect for all people, whatever their sexual orientation, and that bullying of any kind is clearly addressed and seen as unacceptable.¹⁸

¹⁶ This position is echoed by research by Dublin City University which "reveals a picture of school ethos that can be described as both heteronormative and homophobic in nature" (Norman, James, Miriam Galvin and Gerry McNamara (2006) *Straight talk: Researching gay and lesbian issues in the school curriculum* (Dublin: Centre for Educational Evaluation, DCU) p. 119). 79% of the teachers surveyed in second-level schools reported witnessing verbal homophobic abuse.

¹⁷ Health Promotion Agency Northern Ireland (1996) *Sex Education in Northern Ireland. Views from Parents and Schools*, Belfast p. 55 – available at <http://www.healthpromotionagency.org.uk/Resources/sexual/pdfs/sexeducationreport.pdf>

¹⁸ This is consistent with, for example the Catholic Church's position, which "promotes the inherent dignity of every human person and their right to be treated with respect. We oppose all homophobic violence or activity. Any bullying, including bullying of lesbian, gay or bisexual pupils, in schools is clearly unacceptable" – see http://www.ofmdfmi.gov.uk/catholic_bishops_of_northern_ireland.pdf. It is also consistent with statements made by CARE UK – "CARE in Northern Ireland is of the view that all forms of bullying, including bullying motivated by someone's sexuality or perceived sexuality, are unacceptable." See http://www.ofmdfmi.gov.uk/care_in_northern_ireland.pdf

Key characteristics of a successful school

42. We broadly support the list of characteristics for successful schools outlined in paragraph 2.7 of the Consultation Document. In particular, that an acknowledged set of characteristics of a successful school include an ethos which promotes equality of opportunity and a concern for individual pupils and respect for others. We would, however, suggest the following:

- adding that all schools should express an ethos which explicitly promotes both equality of opportunity and good relations. We propose that schools should take a proactive lead on promoting good relations, both within the school and with the community. Schools in England have since 2007 been under an express statutory duty to promote community cohesion¹⁹ and we suggest that with the rolling out of Extended Schools and the Entitlement Framework, schools in Northern Ireland will be required to take a much more hands-on role in involving and leading the local community. They will also need to work in partnership with other education providers. The Commission is aware of examples throughout Northern Ireland. In Limavady²⁰ for example, where there are excellent examples of partnership-working between schools of different type that transcend community division. We suggest that examples such as this could be rolled out as a model of good practice. This proposal would be consistent with and work to enhance the idea outlined in the last bullet point in paragraph 2.7 of page 12 of the Consultation Document, which reflects good practice for schools with ‘a high level of parent and community involvement and support’
- in view of the increased ethnic and national diversity of schools in Northern Ireland, the ethos of every school should foster

¹⁹ The Education and Inspections Act 2006 inserted a new section 21(5) to the Education Act 2002 introducing a duty on the governing bodies of maintained schools to promote community cohesion. This came into force from 1 September 2007 in England.

²⁰ In Roe Valley, secondary and grammar schools, including both Maintained and Controlled school, have pooled resources to allow students to take a wide range of subjects.

respect for diversity and promote the inclusion of all children. This should include the provision of teaching to children for whom English (including the case of Irish medium schools,) is an additional language. The delivery of the curriculum should create and enhance the value placed on cultural diversity and respect. Examples could include Traveller Awareness weeks, concentration on the history of various ethnic minority communities, and the celebration of various ethnic cultural festivals within the school

- that the local community and particularly students of the school have a say in shaping the set of characteristics of a successful school. This could be particularly relevant on issues such as uniforms, bullying²¹, discipline and respect for others. It also would provide evidence of a school's commitment to complying with the United Nations Convention on the Rights of the Child²²
- putting greater emphasis on the pastoral care element and support for individual pupils, particularly if they are the subject of bullying or harassment, by adding the proposal that schools express an ethos that actively promotes and addresses respect for diversity issues. This could include a specific reference to addressing homophobic bullying and promoting respect and tolerance and for all students
- clarifying that it should not just be the use of presently available information and assessment and other data, which can be used to focus on outcomes and promote improvement. We consider that as new types of information becomes available or are prescribed by the Department, this information should be

²¹ Education and Libraries (Northern Ireland) Order 2003 Article 19

²² While the Convention has not been incorporated into UK law, it has often been referred to by the courts when considering legal rights and obligations. The UNCRC states that all children have the right to be protected from all forms of physical and mental violence, injury or abuse whilst in the care of parents, guardians or anyone else who has care of the child (Article 19 and 23), and Article 12 states that children have the right to be involved in all matters that affect them. The Commission believes that these provisions would include the development of anti-bullying policies in a school.

included²³ Commission staff and Officers from the Department have been working on the disaggregating of statistics on race and traveller children to allow for meaningful assessments of educational experience, and this model may inform the development of new streams of data in the future.

43. The Commission is presently developing a series of policy recommendations on mainstreaming equality of opportunity and good relations in schools, in conjunction with key stakeholders. The approach outlined above will contribute to this process and will ensure that equality and good relations are at the heart of public policy making in relation to schools and education.

Involving parents and the community

44. We agree with the view of the Consultation Document that schools should actively encourage the participation of parents in their children's learning, both at school and at home. We are concerned, however, that the Department feels that for many parents, 'school is not a welcoming place'. We welcome the Department's recognition of this issue and the suggestion of actions to ensure this is sensitively addressed.
45. Our work on Travellers and education indicates that parental involvement in is vital, specifically in terms of attendance. The attendance rates for Traveller children in education have been consistently low for a number of reasons and inter-twined with many other issues such as appropriate accommodation, nomadism and cultural traditions. Connolly, in the *Race Equality in Education* Conference Report,²⁴ argues that Traveller non-attendance at school tended to be caused by three key factors:

²³ We are aware of the development of the C2K project and the development of future equality-focused performance indicators

²⁴ Connolly, P. (2003) *Racial Equality in Education Conference Report, Belfast. Equality Commission and the Department of Education*

- disillusionment arising from what some Travellers felt to be the low expectations of teachers and thus the poor levels of education they felt they received
- a fear among the children of being bullied, especially at secondary schools
- for some of the children especially, a view that education was just not relevant to them and what they intend to do in the future

46. We accept that cultural and parental attitudes to education are important factors that need to be considered and this clearly came through in our work on Travellers and education. However, it is important that these two issues do not define and or limit the response of the statutory agencies. Further work is required in this area and in the meantime, statutory agencies should be developing solutions ensuring that parents are; involved in their children's education; that they are fully informed of the structure of education; and they recognise their responsibility to ensure that their children attend school and the consequences if their children do not attend.

47. We propose that the Department's final policy commits all schools to take actions to ensure there is equality of access for all parents to participate in the school community.

Quality Indicators

Collaboration with other schools and colleges

48. We note that one of the quality indicators being proposed for schools relates to 'any collaborative arrangements with other schools or colleges'. We are therefore concerned that there is little discussion of this subject in the Consultation Document, particularly as the Curriculum Entitlement Framework for 14-19 year-olds will require schools to provide pupils with access to a minimum of 24 courses at Key Stage 4 and 27 courses at post-16. This will necessitate schools and colleges working in partnership in local areas to provide the breadth of this curriculum. We would therefore suggest that further

thought is given to this key subject, to develop the outworking of the recommendations of the Bain Review.²⁵

49. We also note in paragraph 4 of the Executive Summary that some thought has been given towards how school improvement sits with other aspects of education policy. We recommend that there are more strategic links within the final policy in relation to the wider policy context, and in particular:

- the £300 million investment in the schools' estate as part of the Investment Strategy
- A Shared Future and the Bain Review
- Extended Schools
- the Revised Curriculum

Common set of indicators

50. We agree that a common set of indicators of performance and context for each type of school will be useful for parents to make informed decisions about a range of issues affecting their child's schooling.

Additional performance indicator to address equality and good relations

51. We suggest that a specific performance indicator be established that encourages schools to take a proactive role towards addressing equality and good relations issues. We are not entirely sure whether 'any ongoing relationship difficulties within a school' relates to this subject. If so, we suggest that this be made plainer.

Conclusion

52. The Commission welcomes the Consultation Document and the opportunity to respond. We recognise the Department's commitment to

²⁵ Schools for the Future: A Policy for Sustainable Schools (2006)

equality, fairness and inclusion but we have real concerns over the delivery of this vision. We recommend a holistic approach that has a greater focus on targeting identified groups of children and young people who are at risk of not fulfilling their potential. We believe that schools must take a lead on mainstreaming equality of opportunity, good relations and inclusion in partnership with their local communities.

53. Lastly, we note with some concern the continuing absence of evidence included in the equality screening document accompanying this consultation. In our view, this policy proposal has the potential to significantly impact on equality and good relations. The Statutory Duty section of the Commission has been in correspondence with the Department to ensure that appropriate statutory guidance is provided on the screening reports and the requirement for such evidence.