



Equality Commission for Northern Ireland - Response to the Department of Education – Transfer 2010

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 fair employment and treatment, sex discrimination and equal pay, race relations, disability, sexual orientation and age. 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 disability duties 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 racial groups
 - overseeing the implementation and effectiveness of the statutory duty on relevant public authorities
 - keeping the legislation under review
3. The Commission welcomes the opportunity to comment on the guidance to post-primary school admissions for the 2010/2011 school year. The Commission has a specific interest in education, to continue to raise the public’s awareness of the impacts of inequalities of opportunity in education, to make the link between education and improved life chances. Part of our task is to ensure that the educational bodies genuinely embed the principles and practices of equality of opportunity into their core business and that they constantly strive towards greater equality.

General comments

4. The Commission has in previous consultation responses expressed our concern with academic selection as a method for determining transfer to post-primary education.¹ The focus of this response is therefore on the proposed admissions criteria.
5. We welcome the Department's intention to introduce a positive integration measure within the admissions criteria for post-primary schools, to ensuring that the social and economic profile within the student population of all schools better reflects a cross-section of our society. We are encouraged by the Department seeking to achieve reductions in social exclusion, inequality and disadvantages in our society and greater parental and student choice.
6. On this basis, therefore, the Commission welcomes the Department's acceptance of our previous recommendations to promote a positive social mix for schools.² This seems to have been translated into a criterion around proportionate admissions for those entitled to free school meals, although the Department's EQIA appears to have misquoted our response.³ However, whilst FSME is considered an appropriate proxy measure for poverty and social deprivation, the Department should ensure that the entrance criteria are sufficiently comprehensive, given the issues highlighted in our document *Every Child an Equal Child*,⁴ and the wider range of those students experiencing educational inequalities, who might not fall into the FSME scope.
7. We reiterate the point made previously⁵ about the criteria on the basis of parental preference and welcome that it does not appear in the guidance. However, the Department still needs to consider how preferences are determined, that ensure the child's best interests are put first, and that this is not framed inappropriately, due to a child's circumstances; for example by making assumptions about the aspirations and abilities of certain groups, such as Travellers.

¹ <http://www.equalityni.org/archive/word/ResNewAdmArrPPriSch0605.doc> Paragraph 1

² Paragraph 27

³ The Department's EQIA paragraph 4.1 appears not to accurately reflect the Commission's Paragraph 27.

⁴ <http://www.equalityni.org/archive/pdf/ECKeyinequalities.pdf>

⁵ Ibid footnote 1, paragraph 5

8. We also welcome the Department's statement in the guidance at paragraph 16 that 'admissions decisions are fair and give each child the opportunity to reach his/her full potential', which is consistent with *Every Child an Equal Child*. It is fundamentally important that the new admissions criteria build a future that will lead to measurably greater equality of opportunity for all students within Northern Ireland, regardless of their economic and social status, or membership of a group that may, to date, have experienced disadvantages in education.

Specific comments

9. We support the concept of retaining the best in the post-primary education system, raising the standards of the rest and of supporting local communities and local schools. In doing so, we support proposals that retain and extend the high quality outcomes of the present system, whilst reducing the inequalities that exist.
10. The admissions arrangements are likely (regardless of the nature of criteria applied), to put greater demand on better-performing schools, in the context of overall falling school roles. If this issue is left unaddressed, less-well performing schools are likely to be under greater pressure to be closed and further polarise the education system, as outlined in paragraph 3.4 of the equality impact assessment, which academic selection has unfortunately contributed to. Such consequences may further exacerbate the movement of students across cities and towns, and result in some communities not having ready access to local schools.
11. Further, students who have not been accepted at their local school, because they do not meet the FSME or other entrance criteria, also equally need to have easy access to a school that meets their needs and allows them to reach their potential.
12. The Department therefore needs to ensure that policies and structures are in place to effectively support schools to ensure there is equality of opportunity, regardless of preferred school, and to ensure that the location of schools does not inhibit access, due to transport arrangements.

Transport arrangements

13. Parents and pupils will need information on what transport arrangements are available, including accessible transport, to help them to make an informed choice about the suitability of a particular school.

Improvements needed in standards of schools and a long-term commitment to overall post-primary sector

14. If the revised arrangements for post-primary admission are to be successful, there must also be improvements in standards within pre-school and primary education, and significantly extra resources and support to presently under-performing secondary schools, and a long-term commitment to a post-primary system which successfully enables all pupils to maximise their learning opportunities, whichever school they attend. As we have noted in earlier submissions, we strongly endorse the cooperation and collaboration of school networks in a system of collegiates.⁶
15. We would therefore be interested in seeing likely projections for how this policy would be realised, and how all schools would be supported in this transition, to meet the needs of the whole spectrum of academic ability.

Conclusion

16. The Commission welcomes the guidance document and that a number of the Commission's previous recommendations have been incorporated. We recommend that the Department has the appropriate structures in place to support the effective implementation of these arrangements.

Equality Commission
27 April 2009

⁶ Paragraph 17