



GBA Meets with Independent Review Panel

The GBA met with the Independent Review Panel yesterday for an initial, introductory meeting. We discussed the role of the GBA, as well as the contribution of voluntary grammar schools to the Northern Ireland Education System. Panel members and GBA representatives then discussed the delivery of the review, a vision for the future of education and, the design and delivery of education.

The GBA will have continued engagement with the panel as the review progresses. Assistance was offered to the panel in identifying key stakeholders to engage with. If you would like to be involved with this, [please let us know](#).

The Panel, announced last month, started taking meetings this week and has so far engaged with Department officials and other sectoral organisations.

Take Care with Admissions Criteria

By Seán Sloan, Principal of Christian Brothers' Grammar School

This summer, schools faced an unprecedented number of appeals with respect

to Year 8 admissions. This has also increased the potential of legal challenges to admissions criteria.

As with a small number of other voluntary grammar schools, an applicant who was not successful in receiving a place for Year 8 admission to the school sought leave through a judicial review to challenge the Board of Governors' decision. This was rejected in early September but is now subject to appeal. As such, the specific detail of the application and surrounding activity will not be highlighted but when much of the summer is spent in preparation, including an over 450-page affidavit, I feel it is important to pass on any advice or lessons learnt as we all approach the setting of next year's admissions criteria.

In background, the applicant, while born in Northern Ireland, is from a family where both or one parent(s) is of foreign nationality. The main thrust of the legal challenge surrounds the use of familial criteria, particularly historical, in terms of potential discrimination. The particular criteria in outline are:

- Father being a past pupil, (all boys school);
- Brother being a past-pupil;
- Mother or father being an employee.

The issue of 'Due Regard', i.e. the depth of work, the rationale and research carried out if a school decides not to follow specific DENI guidance is particularly significant. Guidance is just guidance or advice and not directly legally binding but if a school decides to step outside of the guidance it will need to evidence how it has fulfilled its duty to give 'Due Regard'.

Each school has its own unique ethos which very often is reflected in particular admissions criteria. This may be in ad variance to particular admissions guidance offered by DE. The point above with respect to having due regard will be particularly significant.

Appropriate notes, papers and sufficiently detailed minutes will benefit the school in any challenge. Ensure in any deliberations, appropriate attention to the various DENI and EA documents has been in place with clear record of how they have been referenced.

Having apposite legal advice before, during and after deliberations is always of

benefit. Having a solicitor or barrister on the full-board or appropriate sub-committees will always help.

Of particular significance is the [Decision of Justice Colton in the challenge to the Board of Governors of St. Malachy's in February 2021](#).

This particular case may also be viewed [here](#).

I hope these few words and a decision in our particular case will also be useful in informing schools and avoiding unnecessary legal defence and much work ahead.

Board of Governor Training 2021/22

The Education Authority recently issued the 2021/22 Governor Training Programme to schools. More information on EA training and support materials for members of Boards of Governors can be found [here](#).

Following feedback from member schools, the GBA is working with the EA to develop a more specific training course for Governors of voluntary grammar schools which will follow the reconstitution of the Board of Governors. If you would like to be involved in contributing to the development of this, please [contact us](#).

GBA Responds to Integrated Education Bill

The GBA has provided a written response to the Education Committee of the Northern Ireland Assembly regarding the [Integrated Education Bill](#). The Bill is currently at the Second Stage which involves Committee scrutiny of written and oral evidence.

All of the written evidence in relation to Bill has now been received and this will be followed by invited oral evidence briefings to the Committee. Today, Members heard from the Integrated AlumNI and the Northern Ireland Humanists. The session will be available to watch [here](#).

Consultations - October 2021

Consultation on Draft Local Government Pension Scheme (Closes 10th December 2021)

A consultation on the draft Local Government Pension Scheme (Amendment) regulations (Northern Ireland) 2022 opened on 8th October 2021. This consultation seeks views on changes to the Local Government Pension Scheme in Northern Ireland (LGPS (NI)). It outlines proposed changes to the LGPS (NI) to cover both the changes required by an Employment Tribunal ruling in relation to survivor benefits, and a number of technical amendments and minor policy updates. More information is available [here](#).

Consultation on Special Educational Needs and Disability Tribunal (SENDIST) (Closes 5th November 2021)

The Department of Justice is seeking views on proposals on amendments to the Regulations that govern the procedure of the Special Educational Needs and Disability Tribunal (SENDIST).

These amendments are required as a result of the intention of the Department of Education to commence aspects of the Special Educational Needs and Disability Act (Northern Ireland) 2016 (the SEND Act). The consultation documents are available [here](#).



Northern Ireland Assembly Updates

This week at the Assembly, Education Minister, Michelle McIlveen, answered oral questions from members during Monday's plenary session. Question topics included:

- Extracurricular Transport
- Strule Shared Education Campus
- Education Capital Plans
- Education Budget 2022-23
- School Starting Age
- Educational Underachievement

MLAs spoke of the need to prioritise investment in modern, up-to-date facilities for children and young people and asked about the next announcement on capital projects. The Minister has raised the disparity of provision across the school estate in the Assembly Chamber and said:

"It is my intention to make a further major capital call before the end of this financial year that will hopefully address some of the issues... however, a long line of schools has already been announced, through either major capital calls or the school enhancement programme (SEP), for which the works are still not on the ground... While it is positive that there are capital calls, it is about ensuring that the money is available as soon as possible in order to action those calls."

Regarding the 2022-23 Education budget, the Minister was asked for an update on how close the Finance Minister is to publishing his Budget and to state whether she is confident that the necessary funding to underpin the Department of Education's projects in the next year will be allocated.

In response, the Minister advised Members that the budgetary outcome for 2022-23 has not yet been announced and that the first step in the process will be the announcement of the UK spending review outcome on the 27th of October 2021. A draft Northern Ireland Executive Budget will come later and will be subject to consultation.

Funding levels for Education are therefore unknown at this stage, with the Minister expressing strong support for additional funding and avoidance of cuts to essential front-line services for children and young people.

The full session is available [here](#). You can also access the official report using this [link](#).

Area Planning

As you will be aware, the GBA represents voluntary grammar schools on the various Area Planning Groups (Area Planning Steering Group, Area Planning Working Group and the Area Planning Local Groups). Discussions regarding the next Strategic Area Plan are underway. If you have any ideas for area solutions in your location please [contact us](#).

The Education Authority is seeking feedback on the 1st Strategic Area Plan (Providing Pathways - Strategic Area Plan for School Provision 2017-2020 [extended to 2022]), namely:

- How aware are you of the Strategy?
- What has worked?
- What has not worked?
- What would you like to see in a Strategic Area Plan 2?

The EA has now completed a series of online engagement sessions to gather this feedback but you can also submit your views via an online questionnaire, available [here](#). This will close on **Friday 22nd October**.

Information on current published Development Proposals is available [here](#). This includes the formal proposal and associated Case for Change.

Details on pre-publication consultations can be found [here](#).

Menopause Policy Guidance

Employers have been advised that they could face potential challenges if they do not consider the issue of supporting women who are experiencing symptoms of the menopause.

Speaking to the BBC News, the Equality Commission's Chief

Commissioner, Geraldine McGahey, said "I think every employer should be walking away thinking I need to check my practices and procedures, I need to check what the needs are of my female employees, both now and in the future,"

The issue has reached parliament, where Westminster's women and equalities committee has begun an inquiry into the consequences of menopause in the workplace.

It is estimated 900,000 women in the UK have left jobs as a result of menopausal symptoms.

The Education Authority has produced a [Menopause Workplace Policy](#) that can be used as a guide for leadership and management teams in consideration of the matter.

Teaching & Non-Teaching Vacancies

The GBA provides a free advertising service for our member schools. Job vacancies are posted on our website and Twitter page. There is also a link to our job listings on the Education Authority website in the job opportunities section.

As we are currently receiving a high volume of job requests, please use our [job template](#) and allow one working day for posts to be uploaded. This does not include bank holidays and weekends.

If you would like us to host a vacancy for your school, please [contact us](#).

Shared Education

Shared Education activity has been largely paused due to the disruption of the COVID-19 pandemic however preparatory work has been on-going to recommence activity, including engagement with schools not previously involved.

The GBA will be meeting with Education Authority colleagues next month to

discuss Shared Education and future funding opportunities.

If you would like any views taken forward or have any comments, [please get in touch](#).



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