

Administrative Structures in the NI Education System

1. Purpose

In order to “help build a shared and integrated society” the NI Executive’s *New Decade, New Approach* (NDNA) document makes a commitment to “support educating children and young people of different backgrounds together in the classroom”. NDNA recognises that, “the education system has a diversity of school types, each with its own distinctive ethos and values” but considers that this is “unsustainable”.¹ On 10th March 2020 the NI Assembly resolved to call on the Executive to:

Urgently... establish an external, independent review of education provision, with a focus on securing greater efficiency in delivery costs, raising standards, access to the curriculum for all pupils, and the prospects of moving towards a single education system.²

It is envisaged that, by identifying the position, purpose and function of each of the organisations involved in the running of education and by examining how this pattern came into being, this and other papers produced through the Transforming Education project can inform the transformation of a system that is currently confusing and socially divisive. Highlighting the complexity within the current system reveals the extent of the challenge that must be faced if it is to be replaced by a more effective and cost-efficient model.

2. Context

2.1 Historical Background

In Ireland, the roots of organised education can be traced to the establishment of monastic schools in the Sixth Century. These schools provided ecclesiastically orientated studies for prospective clerics and the sons of wealthy landowners. The English (Protestant) Reformation in the Sixteenth Century saw the introduction of a series of Penal Laws³ which imposed sanctions on the manner in which education could be provided. Teaching was to be conducted in English (rather than Latin) and restrictions were placed on the education provided by the Catholic church and those Protestant denominations that dissented from the established Anglican-episcopal church. Those convicted of involvement in running clandestine ‘hedge schools’ faced possible transportation.⁴ These laws remained in place until 1829.

In 1831 a template for a national education system in Ireland was proposed by the Chief Secretary of Ireland, Lord E. G. Stanley. The Stanley Letter set out the vision for a non-denominational system that would “unite children of different creeds”. Pupils were to be taught non-spiritual subjects together; religious instruction was to take place *outside* of school hours. The overall management of the National School system was overseen by a Board that included representatives of the Anglican and Catholic churches. The Stanley Letter encouraged the Board “to look with particular [financial] favour” on those schools that were managed jointly by Catholics and Protestants.⁵

The Catholic bishops brought pressure to bear on the National Schools Board to allow them to control their own schools, and the Presbyterian Synod of Ulster passed a resolution rejecting the Education Act. Presbyterian opposition to the National School system saw teachers being intimidated and schools being burnt down in County Antrim and County Down.⁶

¹UK and Irish Governments (2020) *New Decade, New Approach* - https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/856998/2020-01-08_a_new_decade_a_new_approach.pdf

²NI Assembly, Hansard Report, 10th March 2020 <http://aims.niassembly.gov.uk/officialreport/report.aspx?&eveDate=2020/03/10&docID=297457>

³An Act to Restrain Foreign Education (1695) and An Act To Prevent the Further Growth of Popery (1703)

⁴Under transportation, convicted criminals were sent to penal colonies in Australia and elsewhere to serve their prison sentences. Few ever returned home.

⁵Full text of the Stanley letter: http://irishnationalschoolstrust.org/document_post_type/the-stanley-letter/

⁶Magee, J. (1995) From national schools to national curriculum: popular education in Ulster from 1831 to the 1990s in E. Phoenix (ed.) *A century of northern life: the Irish News and 100 years of Ulster history 1890s-1990s* Ulster Historical Foundation, Belfast

Resistance to the elements of the new system that were perceived by the churches as being secular was so effective that, by the mid-Nineteenth Century, only 4% of National Schools were under mixed management. Donald Akenson, a renowned academic authority on the history of education in Ireland observed that education was “broken and divided along sectarian lines” long before partition.⁷ The system of education inherited by Northern Ireland’s first Minister of Education, Lord Londonderry in 1921 was characterised by a pattern of denominational schools under clerical control.

Londonderry set up a commission to design a new system. This Commission was chaired by the editor of the (strongly pro-union) Belfast News Letter, R.J. Lynn. The Catholic authorities were invited to take part in the process but the bishop of Armagh, Cardinal Michael Logue, declared the committee to be “an attack... organised against our schools” and boycotted the proceedings.⁸ The legislation that emerged (the 1923 Education Act) proposed that the existing array of schools would be brought under a single, unified, non-denominational system and that all elementary/primary schools would be placed in the control of the state. Religious ‘instruction’ was not to take place during school hours and the churches were to play no part in teacher appointments. Any school that chose to remain outside this new system would still receive state funding, but the less control the government had over its administration the smaller that level of support would be.

The legislation was unpopular with churches on both sides of the divide. The arguments that had been played out in 1831 resurfaced in 1923. The Protestant churches were dismayed by the Act’s perceived secularism and the Catholic church, who already mistrusted the new state, saw the Act as a direct attack on the schools that they managed. They considered the funding system to be discriminatory and felt that their ethos could only be guaranteed if they were able to keep complete control of their schools.

In the face of this opposition, the non-denominational aspirations of the Lynn Committee were eroded and eventually abandoned. Revisions to the Education Act in 1925 and 1930 overturned significant aspects of the 1923 legislation: these amendments *required* schools to provide Bible instruction and guaranteed church representation in the management of schools and the overall education system. Schools were also expressly permitted to use religion as a factor in the appointment of teachers. In return, almost all of those schools that had previously been managed by the Church of Ireland, the Presbyterian church and Methodist church were transferred into state control. The Transferors’ Representative Council (TRC) – the current educational advocacy body for these three denominations – has estimated that, between 1926 and 1947, the control of around 500 schools was ceded to the NI state.⁹

The Catholic church opted to keep those schools under their auspices outside of the state-*Controlled* system; their teachers were, nevertheless, still paid out of the state purse. Subsequent revisions to legislation in 1968 raised funding levels for the running costs of these schools in return for increased state representation on their Boards of Governors. In 1989, under the Education Reform (NI) Order (ERO), responsibility for those primary and non-selective post primary schools managed by the Catholic church but *maintained* through state grant aid, was assigned to the Catholic Council for Maintained Schools (CCMS). CCMS is responsible for the promotion and planning of school provision in the Catholic Maintained sector and the employment of teachers in these schools. In 1993, those Maintained schools that were willing to reduce the number of Catholic Trustees to a minority on their governing boards were granted full financial parity with state-*Controlled* schools; allowances for capital expenditure were raised from 80% to 100% of actual costs. In spite of this incentive, a small proportion of Maintained schools rejected the offer of increased funding and opted to retain a Catholic church majority presence on their boards.

Northern Ireland is also home to a number of self-governing schools that had been set up in the Seventeenth, Eighteenth and Nineteenth Centuries by Royal Charter or by individual, institutional and church benefactors - including some Catholic religious orders - to provide schooling that could lead to higher education. The control of some of these voluntary grammar schools was also transferred to the state, however most (including all of those with a Catholic ethos) declined the offer of greater levels of state funding in return for retaining a higher level of autonomy.

In 1981 Lagan College became the first school in NI to be established by a group of parents who expressly wanted Catholic and Protestant pupils to be educated alongside each other. Lagan and subsequent schools that were specifically conceived and established to be integrated, are self-governing, and are classified as Grant Maintained Integrated (GMI). NI Council for Integrated Education (NICIE) was brought into being in 1987 to support the development of integrated schools. The 1989 ERO had also introduced a duty on the Department of Education (DE) to “encourage and facilitate the development of integrated education”. Both *Controlled* and Catholic Maintained schools are eligible to transform to integrated status and can opt to become either *Controlled Integrated* or *Grant Maintained Integrated*. To date, all of the schools that have transformed have chosen the *Controlled Integrated* route.

The ERO commitment to integration reappeared in the Good Friday Agreement some nine years later. However, in a subtle but significant reframing of these commitments, the 2014 Education (Northern Ireland) Act that introduced the Education Authority (EA) placed a requirement on the Authority to “encourage, facilitate and *promote* shared education”.¹⁰

⁷For a comprehensive outline see Akenson, D. (1973) *Education and Enmity: The Control of Schooling in Northern Ireland 1920-1950* David and Charles Ltd.

⁸Flemming, N. (2001) *Lord Londonderry and Education Reform in 1920s Northern Ireland* - <https://www.historyireland.com/troubles-in-ni/ni-1920-present/lord-londonderry-education-reform-in-1920s-northern-ireland/>

⁹A very small number of primary schools managed by the transferor denominations opted to remain outside the *Controlled* system – at the time of writing, three of these schools remain as non-Catholic Maintained.

¹⁰Integrated Education relates to schools with a particular ethos and management structure, Shared Education on the other hand is a collaboration between two or more schools of different management types.

In addition, the Education (Northern Ireland) Order 1998 had placed a duty on the DE, “to encourage and facilitate the development of Irish-medium education”. In 2000, DE set up Comhairle na Gaelscolaíochta (CnaG) with a remit to “promote, facilitate and encourage Irish-medium Education and Irish-medium schools in a planned, educationally efficient and cost-effective way”. Irish-medium education has subsequently been delivered by both stand-alone schools (classified by DE as ‘Other Maintained’) and in units attached to English-medium host schools (both Controlled and Catholic Maintained). There are currently 41 Irish-medium schools or units attached to English-medium schools in NI (36 primary and five post primary). The 2020 NDNA document included a proposal to develop legislation to place a legal duty on the Department of Education to “encourage and facilitate” the use of Ulster-Scots in education.

There are also a number of schools that receive no state funds and are not required to follow the NI curriculum; these Independent schools must however register with DE and are subject to state inspection. The fee-paying Rockport school in Cultra, Co Down was established in 1906 and is, in character, the nearest local equivalent to an English-style public school. There are also ten Independent Christian schools, the first of which was opened in NI in 1979. Eight of these are aligned to the Free Presbyterian Church and a further two are ‘strongly associated’ with the Plymouth Brethren church community. Two special schools have also been established as Independent schools – Glencraig (a residential, educational facility) and The Buddybear Trust (which provides education for pupils with cerebral palsy and other motor disorders) – as has one school that works to the educational principles of self-directed learning as developed by Rudolf Steiner.¹¹

2.2 Current arrangements for the Administration of Education

Under devolution, education is a ‘transferred matter’; meaning that it is under the direct control of local ministers and the Assembly. The consociational power-sharing model adopted for the Assembly directs that ministerial posts are to be allocated in proportion with each party’s share of elected representatives in the chamber (the D’Hondt system). Four ministers have held the office of Education Minister since the Stormont Assembly was established; three from Sinn Féin (Martin McGuinness: 1999-2007, Caitriona Ruane: 2007-2011 and John O’Dowd: 2011-2016) and one from the DUP (Peter Weir: since 2016).

The Minister’s work is advised, assisted and scrutinised by the Committee for Education who also play a key role in the consideration and development of legislation. To balance the potential for sectarian partisanship in policy-making processes, it has been custom and practice for the Chair of the Education Committee to be aligned with a political bloc other than that represented by the Minister. Chris Lyttle of the Alliance Party (which is designated as neither Unionist nor Irish Nationalist) assumed this role in January 2020.

Since 2016, the work of the Assembly has been supported by the Executive Office and eight Civil Service departments. The primary statutory duty of the Department of Education is to “promote the education of the people of Northern Ireland and to ensure the effective implementation of education policy”. It has responsibility for:

- pre-school education,
- primary education,
- post primary education,
- special education,
- the youth service,
- the promotion of community relations within and between schools, and
- teacher education and salaries.

The Education and Training Inspectorate (ETI) is a section within DE that evaluates and reports on the quality of pre-school, primary, post primary and special education. ETI also inspects further education colleges and the non-formal education provided by the statutory and voluntary youth service.

The 1998 Education Order revised the remit of the body that had been responsible for the regulation of qualifications taken by learners in NI, and created the Council for the Curriculum, Examinations and Assessment (CCEA). CCEA ensures that examinations available in NI are equivalent and comparable to examinations conducted elsewhere in the UK, it is also an Awarding Organisation for General Certificates in Secondary Education (GCSEs) and A levels. The Education Minister appoints the CCEA chairperson and council members from across the education and business sectors.

The 1998 Order set up the General Teaching Council of NI (GTCNI) to establish and maintain a register of teachers, approve qualifications for the purposes of registration, regulate the teaching profession and provide advice to DE and employing authorities. GTCNI’s governing board includes representatives of the Catholic Schools’ Trustee Service (CSTS) and the TRC.

¹¹For further information on the Steiner Principles please see: <https://www.steinerwaldorf.org/steiner-education/what-is-steiner-education/>

Following the establishment of NI, city and county councils had acted as the administrative interface between government and schools. In a deliberate move by the British government to limit the influence of the predominantly Unionist dominated councils, this role was transferred under Direct Rule provisions of 1973 to five Education and Library Boards (ELBs): Belfast; North Eastern; Western; Southern; and South Eastern. The legislation that introduced ELBs also stipulated that the membership of these boards must include representatives from the transferor churches.

The advent of a more stable society in the wake of the 1998 Good Friday/Belfast Agreement was accompanied by calls for the restoration of responsibility and powers to more locally accountable bodies. In 2005 a vision of a single Education and Skills Authority (ESA) was proposed. This new body would incorporate all of the responsibilities of the ELBs and CCEA, take on the front-line support functions of CCMS, CnaG and NICIE and become the employing authority for all teachers and other support staff employed in grant-aided schools (including voluntary grammar schools). There were to be no places reserved on the board of ESA for CSTS or TRC representatives.

In March 2006, an independent strategic review of education commenced. The review team was led by the renowned academic Professor Sir George Bain and was tasked with examining “education funding, and the strategic planning and organisation of the schools’ estate, taking particular account of curriculum changes and demographic trends”. The Bain report was published in December 2006; it highlighted how the complexity of administration and multitude of school types had contributed to the range of “inefficiencies manifest in the system”.¹²

The setting up of ESA was plagued by seven years of rancour. Ongoing acrimony between those parties involved in the power-sharing coalition in Stormont ultimately led to a significant diminution of the aspirations for ESA.¹³ Political disagreement was fuelled by transferors’ resistance to their loss of influence and lobbying by the voluntary grammars who wanted to ensure that their autonomy was retained. ESA had been conceived as a body that would reduce the complexity of educational administration and thereby save the public purse millions but, by the time that it was eventually abandoned, ESA had cost the taxpayer £17M.¹⁴ Under the 2014 Education Act NI a compromise body, the Education Authority, was established. CCMS, CCEA and the voluntary grammar sector were left intact. In spite of the bold aspirations for ESA, EA was, in essence, little more than a merger of the five ELBs.

EA is a non-departmental public body sponsored by DE. It is responsible to DE for ensuring that efficient and effective primary and secondary education services are available to meet the needs of children and young people. It is also legally delegated to administer student finance on behalf of the Department for the Economy (DfE). EA is the employing authority for all staff at Controlled schools and non-teaching staff at Catholic Maintained schools; it is also the funding authority for voluntary grammar and Grant Maintained Integrated schools.

In addition to EA the Department is also responsible for eight other Arm’s Length Bodies (ALBs) – five of these are pivotal in supporting the delivery of education in mainstream schools:

- **General Teaching Council of NI (GTCNI)**
- **Council for the Curriculum, Examinations and Assessment**
- **Catholic Council for Maintained Schools**
- **NI Council for Integrated Education**
- **Comhairle na Gaelscolaíochta**¹⁵

There are also a range of other bodies aligned with each of the various sectors. The oldest of these, the Governing Bodies Association (GBA) was established in the 1940s. GBA provides policy information, advice and support for its 50 constituent voluntary grammar schools as well as representing their views with politicians, policy makers, media and other educational stakeholders.

The Education Act (Northern Ireland) 2014 allowed for the creation of a support body for Controlled schools and in September 2016 the Controlled Schools Support Council (CSSC) came into existence. DE defines CSSC’s functions as being: “to provide a representative and advocacy role for Controlled schools, including advice and support in responding to consultation exercises, developing and maintaining a collective ethos for the sector, working with the Education Authority to raise educational standards, participating in area planning and building co-operation and engaging with other sectors, in matters of mutual interest”.¹⁶

Similarly, DE defines the role of the Catholic Schools Trustee Service as being “to professionalise the contribution of the Catholic Trustees to area planning and shared education on behalf of the whole Catholic-managed sector, including Catholic grammar schools”.¹⁷

A number of independent charitable organisations also exist to access additional funds for models of education that reflect their core philosophy. The Integrated Education Fund (IEF) was set up in 1992 as an independent funding body for the “furtherance of integrated education” and Iontaobhas na Gaelscolaíochta (InaG) was established in 2001 with the aim of providing a financial foundation for Irish Medium education.

¹²The Bain Report (2006) https://dera.ioe.ac.uk/9777/1/review_of_education.pdf

¹³Armstrong, D. (2017) Schooling, the Protestant churches and the state in Northern Ireland: a tension resolved, *Journal of Beliefs & Values*, 38:1, 89-104

¹⁴BBC News 29/05/14 ESA: John O’Dowd scraps education plan <https://www.bbc.co.uk/news/uk-northern-ireland-27627932>

¹⁵DE has responsibility for three other ALBs: Middletown Centre for Autism (a joint North-South initiative; operational since 2007), Youth Council for NI (which was incorporated into EA in 2016) and the Exceptional Circumstances Body (established in 2010 to review school admissions).

¹⁶Memorandum of Understanding Between the Education Authority and the Controlled Schools’ Support Council <https://www.csscni.org.uk/publications/cssc-and-ea-mou>

¹⁷DE Response to Enquiry No 571120

3. Discussion

The current pattern of ALBs is more extensive than had been the case prior to the initial proposals for rationalising the administration of education through ESA. All ALBs (with the exception of GTCNI) receive grants from DE to cover staff salaries, administration costs and the implementation of an annual plan.¹⁸ Each of the ALBs that are supported by DE has separate sections for finance and human resources. Each has at least one administration building to service and maintain. Each has their own management structure and governing board. Each is provided with a direct budget for salaries and operational costs.

Table 1

DE Grants to Arm's Length Bodies 2018-19¹⁹

Arm's length Body	DE Grants
Catholic Council for Maintained Schools	£3,600,000
Comhairle na Gaelscolaíochta	£970,000
NI Council for Integrated Education	£650,000
Total	£5,220,000

In their annual report and accounts for the 2019-20 financial year, DE projected an increase in the grant aid that would be required by the ALBs of around 10%.

Grants for on-going operational costs are also provided to "professionalise the contribution" of the GBA and CSTS. CSSC was set up with a grant from DE and receives an annual allocation that is ten times higher than that awarded to other sectoral bodies. The TRC receives no funding from DE but is represented on Area Planning structures.

Table 2

DE Grants to Sectoral Bodies 2018-19²⁰

Sectoral Body	DE Grant Allocated
Catholic Schools Trustee Service	£98,000
Controlled Schools Support Council	£983,000
Governing Bodies Association	£98,000
Total	£1,179,000

¹⁸ Registration with GTCNI is a legal requirement for every teacher that is employed in a grant-aided school in NI. Teachers must pay an annual registration fee (currently £44) which is generally deducted directly from their salary. GTCNI is funded through these teacher registration fees.

¹⁹ Figures from DE's annual report and accounts 2018/19

²⁰ Figures provided by DE in reply to Enquiry Ref No 5711120

Political Representatives		Minister of Education			
		Committee for Education			
Civil Service		Department of Education (DE) • implementing education policy		Education and Training Inspectorate (ETI) • Inspection - Quality assurance	
Arms-Length Bodies	Educational Oversight	Council for Curriculum, Examinations & Assessment (CCEA) • Advice and support on curriculum and assessment		General Teaching Council for NI (GTCNI) • Promote teacher professionalism	
	Direct Sectoral support +	Education Authority (EA) • Organise educational provision • Employ staff in Controlled schools • Employ non-teaching staff in Catholic Maintained schools	Catholic Council for Maintained Schools (CCMS) • Employ teaching staff in Catholic Maintained schools • Also serves as a sectoral body to represent and support Catholic Maintained schools	Sectoral support NI Council for Integrated Education (NICIE) • To “encourage and facilitate” integrated education (1989) Comhairle na Gaelscolaíochta (CnaG) • To “encourage and facilitate” Irish-medium education (1998)	
Schools		Controlled Schools • Nursery • Primary • Secondary (non-selective) • Grammar • Special • Controlled Integrated	Controlled Maintained Schools • Nursery • Primary • Secondary (non-selective)	Other School types • Voluntary grammar Non-denominational & Catholic • Grant Maintained Integrated • Other Maintained • Independent	
Non-governmental Support Bodies		Controlled Schools Support Council (CSSC) • Established in 2016 as ‘Third Party Organisation’ • Represents the interests of Controlled schools	Catholic Schools Trustee Services (CSTS) • Sectoral body for Catholic schools	Governing Bodies’ Association (GBA) • Represents voluntary grammars Funding Organisations Integrated Education Fund (IEF) • Vision of educating children together as part of the NI reconciliation process Iontaobhas na Gaelscolaíochta (InaG) • Trust Fund for Irish-medium education	
		Transferors Representative Council (TRC) • Church of Ireland, Presbyterian and Methodist churches			

It is not inconceivable that the proposal in the NDNA document to place a duty on DE to “encourage and facilitate” education through Ulster-Scots could lead to demands for the creation of Ulster-Scots schools and, ultimately, on the grounds of ensuring parity of investment with the Irish language, a further support body.

This proliferation of ALBs and Sectoral Bodies creates additional expenditure – the sums awarded to Non-Departmental Public Bodies amounted to around 1.2% of the total DE resource budget in 2019-2020.²¹ It could be argued that the current configuration means that DE is, in effect, bankrolling the structural, ethnic separation of education.

It is notable that whilst bodies have been created with public finance to support integrated education (NICIE) and education through the medium of the Irish language (CnaG) no similar bodies exist to represent the particular interests of Special Education or single-sex education. The nature of the range of sectoral bodies that have been established could be perceived as being inequitable and politically motivated. It is, however, undeniable that the existing system for the administration of education in Northern Ireland presents a bewildering alphabetical word-storm of acronyms and initials.

²¹Department of Education 2019-20 Opening Resource Budget <https://www.education-ni.gov.uk/sites/default/files/publications/education/Department%20of%20Education%202019-20%20Opening%20Resource%20Budget.pdf>

4. Concluding Comments

History, politics and ecclesiastical interventions in educational policy have contributed to the development of a system in Northern Ireland that can largely be defined as being divided between state schools that reflect a British outlook and are underpinned by Protestant values, and faith-orientated Catholic schools that sustain a particular version of Gaelic-Irish identity.

Appeasing and balancing the demands of these opposing denominational, cultural and national vested interests has contributed significantly to the creation of a system that is divided, splintered and consequently overly expensive. This has been noted by the cross-party House of Commons NI Affairs Committee:

“There is a clear need to reduce duplication across the education sector and for consolidation of the school estate... The complicated structure of education in Northern Ireland meant that money was not being spent in the most efficient way”²²

The Department of Education has observed that in order “to deliver an education system which meets the needs of all our children and young people” an “ambitious and radical programme of change” is required.²³

Given the issues outlined here, it is evident that transformation of the NI education system needs to be “ambitious and radical” if it is to “reduce duplication” and to ensure that public finance is “spent in the most efficient way”. Such transformation will require, at some stage, that the historical legacy and enduring vested interests of the churches and the traditional political blocs are addressed. It needs also to start by tackling the organisational complexity that lies at the core of the system.

²²Northern Ireland Affairs Committee, Ninth Report of Session 2017–19, Education funding in Northern Ireland, HC1497 <https://publications.parliament.uk/pa/cm201719/cmselect/cmniaf/1497/1497.pdf>

²³DE Education Transformation Programme <https://www.education-ni.gov.uk/topics/education-transformation-programme>



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