



# Shared Education Act (Northern Ireland) 2016

2016 CHAPTER 20

An Act to make provision in relation to shared education. [9th May 2016]

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

## **Purpose of this Act**

- 1.—(1) This Act makes provision in relation to shared education.
- (2) The purpose of shared education is—
  - (a) to deliver educational benefits to children and young persons;
  - (b) to promote the efficient and effective use of resources;
  - (c) to promote equality of opportunity;
  - (d) to promote good relations; and
  - (e) to promote respect for identity, diversity and community cohesion.

## **“Shared education”**

- 2.—(1) This section applies for the purposes of—
  - (a) this Act; and
  - (b) section 2(3) of, and paragraph 8(2) of Schedule 1 to, the Education Act (Northern Ireland) 2014 (duty of Education Authority to encourage, facilitate and promote shared education).
- (2) “Shared education” means the education together of—

- (a) those of different religious belief, including reasonable numbers of both Protestant and Roman Catholic children or young persons; and
- (b) those who are experiencing socio-economic deprivation and those who are not,

which is secured by the working together and co-operation of two or more relevant providers.

- (3) In subsection (2) “relevant provider” means a person providing—
  - (a) education at a grant-aided school, or
  - (b) services of any kind (including youth services) which provide educational benefit to children or young persons.

### **Duty of Department of Education to encourage, facilitate and promote shared education**

**3.** It is the duty of the Department of Education (so far as its powers extend) to encourage, facilitate and promote shared education.

### **Power of other bodies to encourage and facilitate shared education**

**4.—(1)** The bodies listed in subsection (2) may encourage and facilitate shared education.

- (2) The bodies are—
  - (a) the Council for Catholic Maintained Schools;
  - (b) the Youth Council for Northern Ireland;
  - (c) the Northern Ireland Council for the Curriculum, Examinations and Assessment; and
  - (d) any sectoral body.
- (3) In this section, “sectoral body” means a body—
  - (a) which is recognised by the Department of Education as representing the interests of grant-aided schools of a particular description; and
  - (b) to which grants are paid under section 4 of the Education Act (Northern Ireland) 2014.

### **Power of Department of Education and Education Authority to form company for purposes connected with shared education**

**5.—(1)** For the purposes of its functions under section 3, the Department of Education may form, or participate in the formation of, a company under the Companies Act 2006.

(2) For the purposes of its functions under section 2(3) of the Education Act (Northern Ireland) 2014, the Education Authority may form, or participate in the formation of, a company under the Companies Act 2006.

#### **Duty of education bodies to consider shared education**

6.—(1) Education bodies must consider shared education when—

- (a) developing, adopting, implementing or revising policies, strategies and plans; and
- (b) designing and delivering public services.

(2) The education bodies are—

- (a) the Department of Education;
- (b) the Education Authority;
- (c) the Council for Catholic Maintained Schools;
- (d) the Northern Ireland Council for the Curriculum, Examinations and Assessment; and
- (e) the Youth Council for Northern Ireland.

#### **Review of shared education**

7.—(1) The Department of Education must—

- (a) not later than two years after the date on which this Act receives Royal Assent; and
- (b) at intervals of not more than two years thereafter,

review, and prepare a report on, the operation of this Act and section 2(3) of the Education Act (Northern Ireland) 2014 (“the 2014 Act”).

(2) The Department of Education must lay any report under this section before the Assembly.

(3) A report under this section must include statements on the following matters, so far as relating to the reporting period—

- (a) the extent to which the Department of Education has complied with its duty under section 3;
- (b) the extent to which the bodies listed in section 4(2) have exercised their powers under that section;
- (c) the extent to which the Education Authority has complied with its duty under section 2(3) of the 2014 Act;
- (d) the level of participation in shared education and the extent to which there has been any increase or decrease in participation;
- (e) the extent to which the purpose of shared education set out in section 1(2) has been achieved.

**Commencement of duty of Education Authority to encourage, facilitate and promote shared education**

**8.—(1)** Section 7 of the Education Act (Northern Ireland) 2014 (commencement) is amended as follows.

(2) In subsection (2) omit paragraphs (a) and (d).

(3) After subsection (2) insert—

“(2A) The following provisions come into operation on the day after the day on which the Shared Education Act (Northern Ireland) 2016 receives Royal Assent—

(a) section 2(3);

(b) paragraph 8(2) of Schedule 1.”.

**Interpretation**

**9.** In this Act—

(a) “equality of opportunity” and “religious belief” have the same meaning as in the Fair Employment and Treatment (Northern Ireland) Order 1998;

(b) words and expressions which are defined in Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986 have the same meaning as in that Order.

**Short title and commencement**

**10.—(1)** This Act may be cited as the Shared Education Act (Northern Ireland) 2016.

(2) This Act comes into operation on the day after the day on which it receives Royal Assent.