
STATUTORY INSTRUMENTS

1989 No. 2406

The Education Reform(Northern Ireland) Order 1989

PART VI

INTEGRATED EDUCATION

CHAPTER II

GRANT-MAINTAINED INTEGRATED SCHOOLS

Procedure for acquisition of grant-maintained integrated status

Proposals for acquisition of grant-maintained integrated status

71.—(1) Where in the case of any controlled or voluntary school which is eligible for grant-maintained integrated status the result of a ballot held in accordance with Article 70 shows a simple majority of votes cast in the ballot by persons eligible to vote in the ballot (within the meaning of that Article) in favour of seeking grant-maintained integrated status for the school, it shall be the duty of the Board of Governors of the school to submit a proposal for the acquisition of grant-maintained integrated status for the school to the relevant board.

(2) Where—

- (a) a person proposes to establish a new grant-maintained integrated school; or
- (b) the proprietor of an independent school proposes to seek grant-maintained integrated status for the school,

he shall submit the proposal to the relevant board.

(3) A proposal under paragraph (1) or (2) shall be in such form and contain such particulars (including the proposed date of implementation) as may be required by the Department and a proposal under paragraph (1) shall be submitted to the relevant board within such time as may be so required.

(4) A board shall forthwith submit to the Department any proposal submitted to it under paragraph (1) or (2) together with its views thereon.

(5) A proposal submitted to a board under paragraph (1) or (2) may not be withdrawn except with the consent of the Department and subject to such conditions as it may impose (which may, in particular, require a further proposal to be submitted under this Article within such period as it may specify).

(6) A board, after submitting a proposal to the Department under paragraph (4), shall—

- (a) forthwith publish by advertisement in one or more newspapers circulating in the area affected by the proposal a notice stating—
 - (i) such particulars of the nature of the proposal as may be required by the Department;
 - (ii) that the proposal has been submitted to the Department;
 - (iii) that a copy of the proposal can be inspected at a specified place;

(iv) that objections to the proposal can be made to the Department within two months of the date specified in the advertisement, being the date on which the advertisement first appears;

(b) furnish to any person, on application, a copy of the proposal on payment of such reasonable sum as the board may determine.

(7) Subject to paragraphs (8), (9) and (10), the Department, after considering any objections to a proposal made to it within the time specified in the notice under paragraph (6)(a)(iv), may, after making such modification, if any, in the proposal as, after consultation with the Board of Governors or person making the proposal, it considers necessary or expedient, approve the proposal and inform that Board of Governors or person accordingly.

(8) The Department shall not approve a proposal under this Article in relation to a school unless it appears to the Department that, if the school were to become, or be established as, a grant-maintained integrated school, the school would be likely to be attended by reasonable numbers of both Protestant and Roman Catholic pupils.

(9) The Department shall not approve a proposal under paragraph (1) in relation to a school unless the school was eligible for grant-maintained integrated status on the date on which the proposal was submitted under that paragraph.

(10) The approval of the Department to a proposal made under paragraph (2) may be granted subject to such conditions as the Department may think fit.

(11) Where the Department rejects any proposal under paragraph (1) in relation to a school, it may require the Board of Governors of the school to submit a further proposal to the relevant board under that paragraph within such period as it may direct.

(12) If a proposal under paragraph (1) or (2)(b) in respect of any school is approved by the Department, Schedule 6 shall have effect in relation to the transition of the school to grant-maintained integrated status.

(13) If a proposal under paragraph (2)(a) is approved by the Department, the Department may by order made at any time on or after the date on which it approves the proposal and before the incorporation date in relation to the school make such provision as it considers appropriate in connection with the establishment of the school as a grant-maintained integrated school and the constitution of a Board of Governors for the school in accordance with Schedule 5.