

**EDUCATION AND LIBRARIES
(NORTHERN IRELAND) ORDER 2003**

S.I. 2003 No. 424 (N.I. 12)

EXPLANATORY MEMORANDUM

THE PROVISIONS OF THE ORDER

Part Iv: Schools

Article 17 - Duty on Boards of Governors to safeguard and promote the welfare of pupils

Article 18 – Child protection measures

These amendments impose a duty on the Board of Governors of all grant-aided schools to safeguard and promote the welfare of registered pupils while in the care of the school and to have a written child protection policy.

Article 19 - School discipline measures to prevent bullying

Article 19 amends Article 3 of the Education (Northern Ireland) Order 1998 on schools' discipline policies to require that prevention of bullying be specifically addressed and to ensure consultation with pupils.

Article 20 – Admission appeals: tribunal procedures and expenses

Article 20 allows for the provision in regulations for Independent Appeals Tribunals to continue to be heard in private.

Article 21 – Parental preferences for admission to nursery schools

Article 21 substitutes new *paragraphs (1) and (2)* for those in Article 23 of the Education (Northern Ireland) Order 1998 to provide for parents to express on a single application form, in order of preference, the schools in which they wish pre-school education to be provided for their child.

Article 22 - Admission to special schools of children resident outside Northern Ireland

Article 22 empowers an ELB to make arrangements for the admission of a child with special educational needs, from outside Northern Ireland, to a vacant place in a special school within its area and to charge for the place.

Article 23 – Removal of members of Boards of Governors

Article 23 gives the Department power to make regulations to remove from office all the voting and co-opted members of the Board of Governors of a school. This is designed to address weaknesses in the management of the school and is expected to be used only on rare occasions.

Article 24 - Development proposals for grant-aided schools

Article 24 substitutes new paragraphs for the existing paragraph (5) of Article 14 of the Education and Libraries (Northern Ireland) Order 1986 to impose an additional duty on a proposer of a development proposal to consult at an early stage with the Boards of Governors, teaching staff and parents of the relevant schools.

*This Explanatory Memorandum refers to the Education and
Libraries (Northern Ireland) Order 2003No. 424 (N.I. 12)*

Article 27 – Consultation of schools by sampling

Article 27 amends Article 31 of the Education Reform (Northern Ireland) Order 1989 and Article 11 of the Education (Northern Ireland) Order 1998 to enable the Department to consult a sample of schools, instead of all schools likely to be affected, before making regulations relating to the provision of information about pupil performance and the setting of performance targets by schools.

Article 28 - Costs under approved contracts

Article 28 provides for a relevant authority entering into a Public Private Partnership (PPP) contract, with the power to make payments for legitimate contractual costs at any point during, or after, the end of the contract term.