

COPY OF DEVELOPMENT PROPOSAL SUBMISSION

Cover Note

DP No.	DP 704								
School	Magherafelt NurserySchool								
	<i>Magherafelt Nursery School will transform to Controlled Integrated Status with effect from 1 September 2023, or as soon as possible thereafter.</i>								
Minister's Decision	<p>Approved with a modification to the implementation date that:</p> <p><i>Magherafelt Nursery School will transform to Controlled Integrated Status with effect from <u>1 September 2025</u>, or as soon as possible thereafter.</i></p>								
Date of Decision	6 January 2025								
Minister's Comments	Content								
Additional notes									
Information redacted	<p>Some information and personal data may have been removed in line with the principles of the Freedom of Information and Data Protection Act.</p> <table border="1"> <thead> <tr> <th>Key</th> <th>Details</th> </tr> </thead> <tbody> <tr> <td>■</td> <td>redaction</td> </tr> <tr> <td>*</td> <td>refers to less than five cases where data is considered sensitive</td> </tr> <tr> <td>#</td> <td>means figure has been suppressed to prevent disclosure of sensitive information under rules of disclosure</td> </tr> </tbody> </table>	Key	Details	■	redaction	*	refers to less than five cases where data is considered sensitive	#	means figure has been suppressed to prevent disclosure of sensitive information under rules of disclosure
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From: Elaine Armstrong
Area Planning Policy Team (South-West Region)

(Cleared by Eamonn Broderick - 24 July 2024)
(Cleared by Top Management Group 28 October 2024)

Date: 28 October 2024

To: Paul Givan MLA
Minister of Education

Copy distribution below

DEVELOPMENT PROPOSAL (DP) 704 – MAGHERAFELT NURSERY SCHOOL (NS) – TRANSFORMATION TO CONTROLLED INTEGRATED STATUS

Issue: To decide on Development Proposal (DP) 704 which proposes:-

Magherafelt Nursery School will transform to Controlled Integrated Status with effect from 1 September 2023, or as soon as possible thereafter.

Timescale: Routine.

Financial / Resource Capital/Resource

Implications: There are no cost implications associated with this proposal.

Budget: The school's provisional surplus position as of 31 March 2024 is £69,514

FOI Implications: The content of this submission is likely to be fully disclosable.

Statutory Duty Implications: Article 64 of the Education Reform (Northern Ireland) Order 1989, *to encourage, facilitate and support the development of Integrated education.*

Integrated Education Act (Northern Ireland) 2022

Article 44 of the Education and Libraries (Northern Ireland) Order 1986

Shared Education Act (Northern Ireland) 2016

Presentational Issues:

It is likely that there will be local media and political interest in your decision. In the event of any queries, the Press Office can refer to this submission and liaise with officials.
(Cleared with the Press Office)

Recommendation:

It is recommended that you:

- (i) Approve DP 704 with a modification to the implementation date, that:

Magherafelt Nursery School will transform to Controlled Integrated Status with effect from 1 September 2025, or as soon as possible thereafter.

- (ii) Agree that this submission (with appropriate redactions) can be published on the Department's website once the school's Board of Governors (BoG) and the Education Authority (EA) have been informed of your decision.

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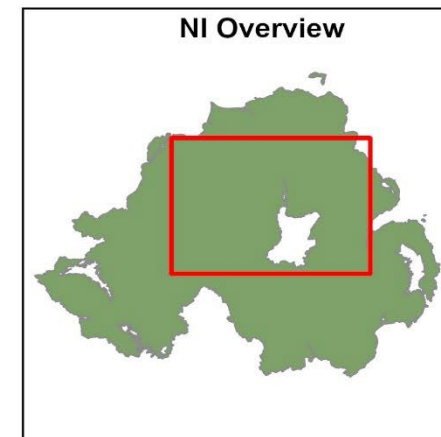
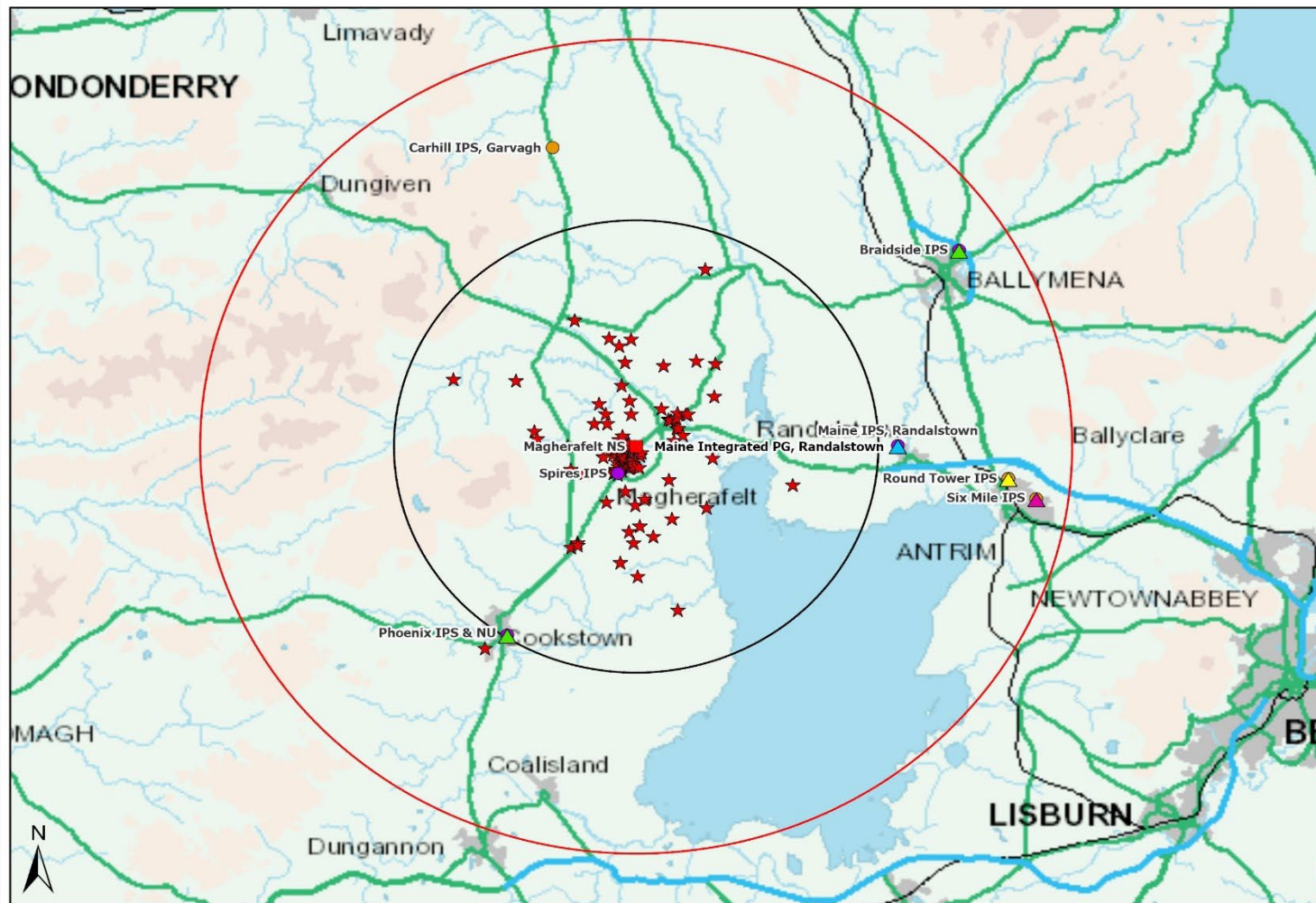
Appendices

Appendix A: Copy of Published Development Proposal (DP) 704	
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**Appendix J: Integrated Education Act (Northern Ireland) 2022 – Additional
Supplementary Information**

- (i) CSSC Commentary**
- (ii) NICIE Comments**

Magherafelt NS & Pupil Location - Nursery & Primary Integrated Provision



- Magherafelt Nursery School
- ★ Magherafelt Nursery pupils
- Controlled Integrated
- GMI
- ▲ Controlled Integrated PS with NU
- ▲ GMI PS with NU
- ▲ IPS with Reception
- ▲ Maine Integrated Playgroup
- Magherafelt Nursery School 10 mile radius
- Magherafelt Nursery School 18 mile radius

Supporting Information

Base mapping was derived from OSNI Fusion. Data used : NISRA/DENI School Census Datasets 23/24

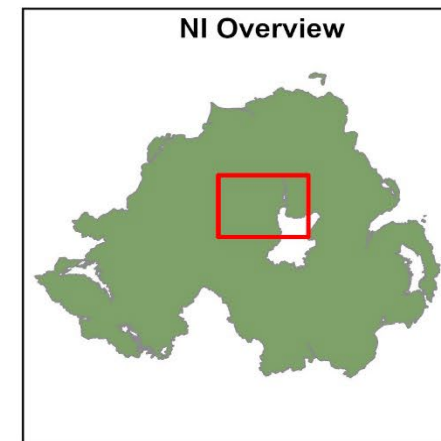
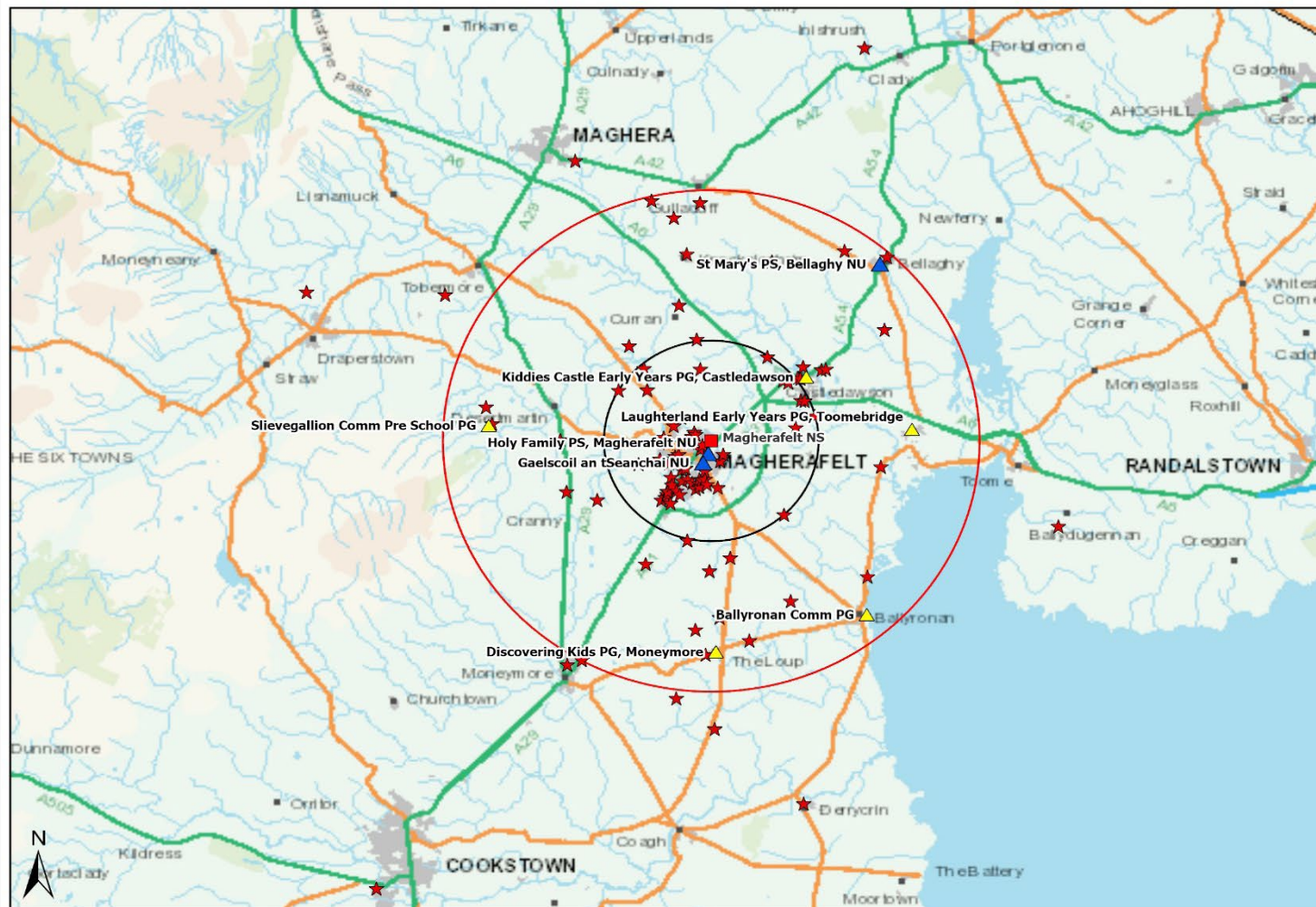


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Magherafelt NS & Pupil Location - Neighbouring Pre-School Provision



- Magherafelt Nursery School
- ★ Magherafelt Nursery pupils
- ▲ Vol / Private Pre-School
- ▲ Primary with Nursery Unit
- Magherafelt Nursery School 2 mile radius
- Magherafelt Nursery School 5 mile radius

Supporting Information

Base mapping was derived from OSNI Fusion. Data used : NISRA/DENI School Census Datasets 23/24

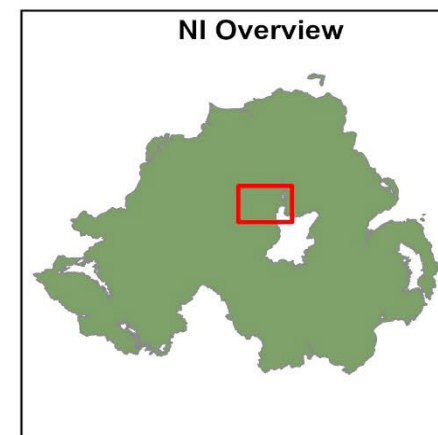
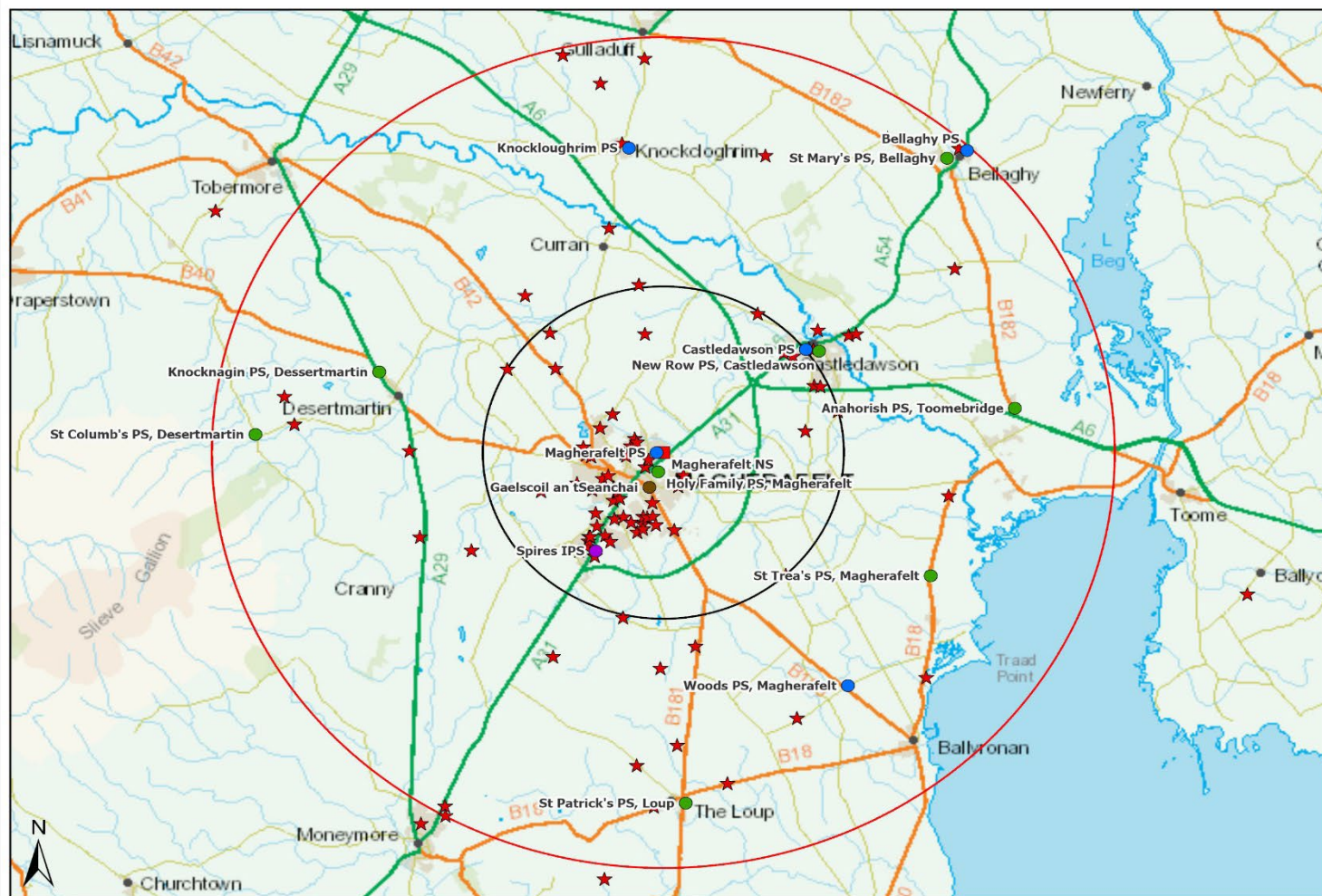


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Magherafelt NS & Pupil Location - Neighbouring Primary School Provision



- Magherafelt Nursery School
- ★ Magherafelt Nursery pupils
- Controlled
- Catholic Maintained
- GMI
- Other Maintained
- Magherafelt Nursery School 2 mile radius
- Magherafelt Nursery School 5 mile radius

Supporting Information

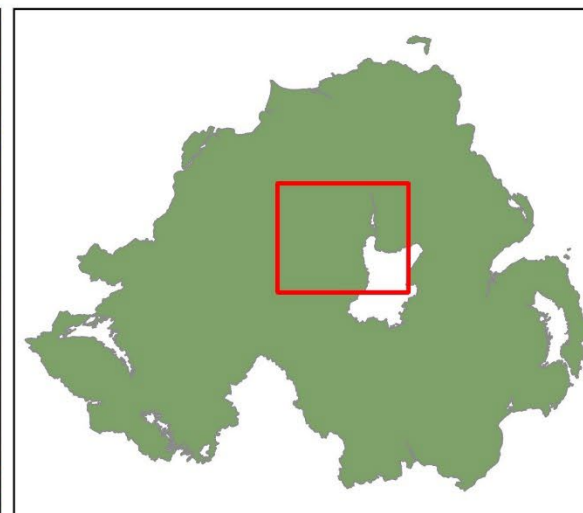
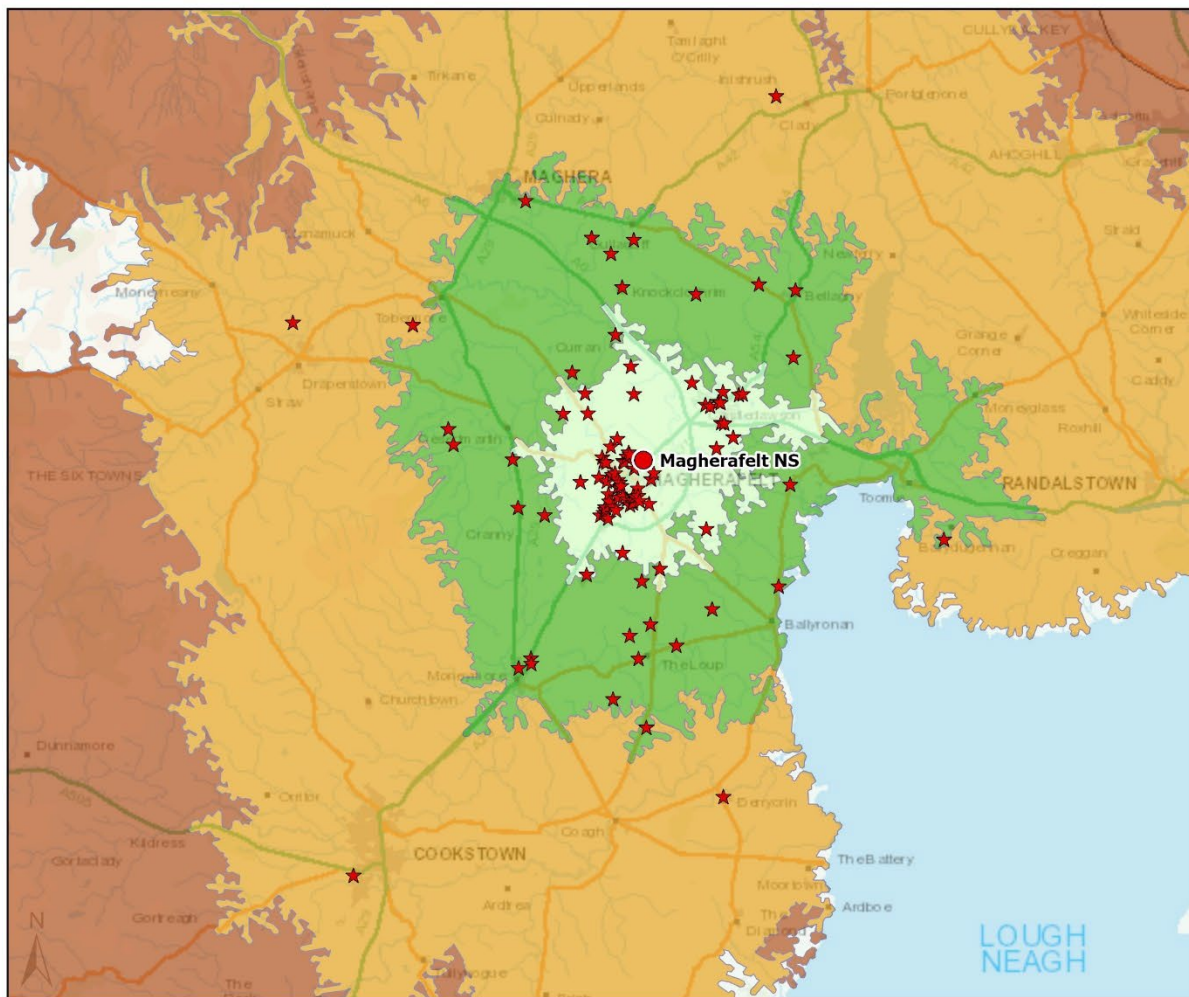
Base mapping was derived from OSNI Fusion. Data used : NISRA/DENI School Census Datasets 23/24
 Note: Some pupils are located outside of the map extent.

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Reference Number: MOU577.4



Magherafelt NS : Pupils and up to a 30 minute drive time



- Magherafelt NS
- ★ Magherafelt NS pupils

Up to 30 minutes drive time

- 0-5 minutes
- 5-10 minutes
- 10-20 minutes
- 20-30 minutes

Supporting Information



The dataset used in this analysis has been derived from OSNI Fusion. Drive times are approximations estimated using Road Classification and settlement limits and do not use actual speed limits. Local variations regarding Speed Limits can exist within the terms of the Road Traffic (Speed Limits) Bill 2015

Base mapping also derived from OSNI Fusion.
School & pupil data : NISRA/DENI School Census Datasets 23/24

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Reference Number: MOU577.4



INTRODUCTION

1. On 7 September 2023, the Education Authority (EA) published Development Proposal (DP) 704 on behalf of the Board of Governors (BoG) of Magherafelt Nursery School (NS) proposing that: -

Magherafelt Nursery School will transform to Controlled Integrated Status with effect from 1 September 2023, or as soon as possible thereafter.

2. The statutory two-month objection period ended on 14 November 2023. A copy of the published proposal and the proposer's supporting Case for Change (CfC) for DP 704 are reproduced respectively at **Appendices A and B**.
3. It should be noted that the implementation date of the proposal fell before the proposal was actually published. The implementation date reflects that included in the ballot for Transformation, as detailed below. The EA was asked to comment on this and advised that *'the EA did not comment of [on] the date of implementation as this had been subject to a parental ballot'*.

Transformation to Controlled Integrated Status

4. Magherafelt NS held a ballot on 28 June 2022 to transform into a Controlled Integrated NS with effect from September 2023. Out of a total of 243 eligible voters, 148 (60.9%) were balloted and the outcome was 83.8% (124) in favour of Transformation with 16.2% (24) against. A copy of the result of the ballot is reproduced at **Appendix C**.
5. The legal process for Transformation is defined and described in the Education Reform (Northern Ireland) Order 1989. The Department published guidance in relation to Transformation on 6 December 2017, *'Integration Works, Transforming Your School'* to support schools that wish to consider Transformation. The guidance can be accessed on the Department's website at: <https://www.education-ni.gov.uk/sites/default/files/publications/education/Integration%20Works%20-%20Transforming%20your%20School%20December%202017.pdf>
6. The guidance, although currently under review due to recent developments including the publication of the Integrated Education Act (Northern Ireland) 2022, includes advice on the timing of proposals and determines that a DP should be published at least 18 months before the proposed 1 September implementation date to ensure that a school has sufficient time to:-
 - provide clarity to parents and the wider community on its new identity as an Integrated school;
 - produce information on the transformed school's ethos and admissions arrangements; and
 - attract pupils from the minority community.
7. The guidance advises that *'experience has shown that if the time between approval of the DP and the effective date of Transformation is too short, the school can experience difficulties attracting pupils from the minority community'*.

8. It also gives schools greater opportunity to embed a range of operational and cultural changes before the proposed implementation date, in particular to submit revised admissions criteria for the following September to the EA for publication.
9. Although the ballot for Transformation took place on 28 June 2022, the proposal for Magherafelt NS was only published on 7 September 2023. It, however, retains the original implementation date as indicated on the ballot i.e. September 2023 and therefore, should DP 704 be approved, a modification of the implementation date would be required.
10. The guidance also sets out criteria which the Department will consider in assessing proposals for Transformation. DP 704 will be assessed in this submission against the criteria outlined in the guidance. Schools wishing to transform should explicitly demonstrate in the CfC how they meet these criteria:-
 - **Unmet demand for Integrated education** – including:
 - the degree of support within the school for the proposal as demonstrated in the ballot;
 - the availability of Integrated education in the local area including oversubscription at local Integrated schools; and
 - any other expressions of interest or support.
 - **Sustainability** – an essential consideration for the Department is that the new Integrated school will be viable and sustainable for the long term. The SSP does not apply to pre-school provision, however, schools should explicitly demonstrate that they have the capacity to ensure a high quality educational experience and that they can identify and bring about improvement in the interest of all pupils.
 - **The Area Planning Context** – Area Planning aims to have schools of the right size and type in the right place through assessing the current and projected level of demand in an area and shaping provision to meet that demand. All DPs for Transformation must consider the wider context of the network of schools.
 - **Religious Balance** – Article 92 (6) of the Education Reform (Northern Ireland) Order 1989 states that the Department shall not approve a proposal unless reasonable numbers of both Protestant and Catholic pupils are likely to attend the school. The 2022 Act updates this Article to state “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 controlled integrated school, the school would be likely to provide integrated education”. The 2022 Act also states the meaning of integrated education and religious balance in Article 1 (1) (a) as “those of different cultures and religious beliefs and of none, including reasonable numbers of both Protestant and Roman Catholic children or young persons”. The Department will look for evidence that this can be achieved such as:
 - the historic and current nature of enrolments at the school;

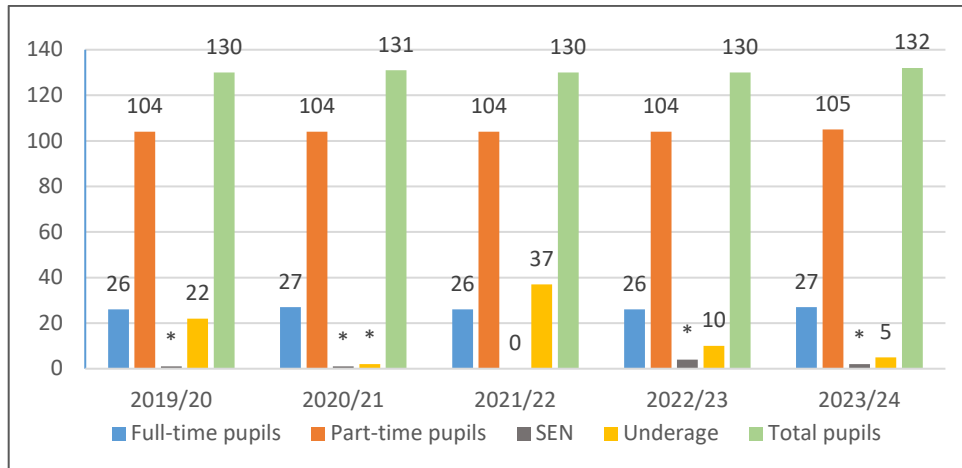
- o expressions of interest from members of the minority community; and
 - o the demographics of the local area.
- **Planning and Engagement in the Transformation Process** – the Department will want to be satisfied about the school’s commitment to Integrated education and its potential to make a successful Transformation. The interests of pupils rather than institutions must be at the centre of a school’s approach. As part of the CfC, schools are required to provide the Department with:-
 - o A report on the initial exploration phase.
 - o A copy of the Transformation Plan.
 - o Details of cultural and operational changes, as well as any training completed, to date.

BACKGROUND

Magherafelt NS

11. Magherafelt NS is a Controlled, nursery school located on the Castledawson Road in the town of Magherafelt, as illustrated on Map 1. The nursery is set on the same site as Magherafelt Primary School (PS) and therefore shares a campus but the CfC advises that the schools have independent management boards, LMS budgets and principals.
12. Magherafelt NS currently offers four part-time classes (104 places) and one full-time class (26 places). In 2023/24, census data show 105 pupils enrolled on a part-time basis and 27 pupils enrolled full time, however, five children were underage.
13. Chart 1 below illustrates Magherafelt NS’ actual admissions and enrolment trends over the last five years and shows that the school has consistently enrolled 26 or 27 pupils in its full-time provision and 104 pupils in its part-time provision.
14. The school has, however, also consistently enrolled underage pupils, and this has ranged between * pupils in 2020/21 to 37 pupils in 2021/22. The school has enrolled a small number of pupils with a statement of Special Educational Needs (SEN) with the highest number in the last five years of * in 2022/23. The school’s total enrolment has been stable with either 130 or 131 pupils enrolled from 2019/20 to 2022/23 however, in 2023/24 it increased to 132 pupils (including * pupils with a statement of SEN).

Chart 1 – Magherafelt NS – Historical Admissions and Enrolments*



*Includes Pupils with a Statement of SEN

- The CfC states that the number of children entitled to a Free School Meal (FSM) is disproportionately low as only 26/130 children enrolled have access to a full-time place and therefore to a school meal. Census data indicates that in 2023/24, the school had 31 pupils entitled to FSM – 26 pupils in the full-time provision plus five in part-time provision.

AREA CONTEXT

- The Strategic Area Plan 2022-27 – Planning for Sustainable Provision (the Area Plan) states that *'The managing authorities and sectoral bodies in their statutory duty will seek to identify, explore and bring forward proposals to encourage and facilitate both Irish Medium and Integrated education to provide sustainable education for an area. Both Comhairle na Gaelscolaíochta and the Northern Ireland Council for Integrated Education will provide guidance on innovative sustainable provision, working with all education partners in achieving Area Planning solutions, including the option for individual schools to transform to integrated status.'*
- On 1 September 2022, the EA published its associated Operational Plan 1 2022-2024 (OP1). Magherafelt NS features in the OP1 as a short term workstream. The OP1 states that Magherafelt NS is proposing to transform to Controlled Integrated status. It cites the statutory duty to Integrated education with the associated key theme to *'Increase parity of access for all to appropriate pathways'*.
- Magherafelt NS is located within the Mid Ulster Local Government District (LGD). On the Northern Ireland Multiple Deprivation Measure 2017, the Glebe 2 Super Output area (SOA), within which Magherafelt NS is situated, is ranked 227 out of 890 (1 being most deprived and 890 least deprived).
- NISRA projections for the former Magherafelt Council area in which Magherafelt NS is located, the smallest geographical area for which population projections are available, provides an estimate of population numbers as set out in Table 1 below. The table shows the predicted increases and decreases at age 3 and other age groups for the periods 2018-2028 and 2018-2043. Table 2 shows a

reduction of almost 11% at age 3 to 2028 and over 8% to 2043. The overarching 0-4 age group also shows reductions of over 10% to 2028 and over 6% to 2043.

Table 1 – 2018-Based Population Projections for the former Magherafelt Council Area

Age	2018	2019	2020		2028	2043
3	676	663	678		602	621
00-04	3,300	3,242	3,193		2,946	3,078
05-09	3,640	3,563	3,507		3,134	3,023
10-14	3,364	3,495	3,583		3,433	3,017

Source: <https://www.nisra.gov.uk/publications/2018-based-population-projections-areas-within-northern-ireland>

Table 2 - Population Change by Age Group

Age	2018 to 2028		2018 to 2043	
	Individuals	Percentage	Individuals	Percentage
3	-74	-10.95%	-55	-8.14
00-04	-354	-10.73	-222	-6.73
05-09	-506	-13.90	-617	-16.95
10-14	69	2.05	-347	-10.32

Source: <https://www.nisra.gov.uk/publications/2018-based-population-projections-areas-within-northern-ireland>

20. Population projections for three year olds for Mid Ulster District Council area predict an overall decrease of 241 from 2,170 to 1,929 between 2018 and 2033. However, it is noted that from 2034 to 2043 the population projections show a slight increase from 1930 to 2083, although this is still below the 2170 starting figure. The EA's OP1 states that the downward trend in births in the Mid Ulster LGD is projected to continue.

Alternative Integrated Education Provision

21. Map 1 illustrates the closest alternative Integrated primary provision, as well as the locations of pupils who are enrolled at Magherafelt NS. The map also indicates those Integrated schools with pre-school provision and Table 3 sets out the pre-school provision offered at these schools, as well as the distance to the alternative provision.

Table 3: Distance to Alternative Integrated Primary Schools and Pre-school Provision

School (Int)	Distance from Magherafelt NS (Miles)	Pre-school Provision 2022/23	Pre-school Provision 2023/24
Spires IPS	1.5	None	None
Phoenix IPS	11	NU – 25 pupils	NU – 26 pupils

Maine IPS	13.7	Playgroup – 21 pupils	Playgroup – 22 pupils
Carhill IPS	16.1	N/A	N/A
Round Tower IPS	18.3	NU – 26 pupils	NU – 26 pupils
Six Mile IPS	20.5	Reception – 19 pupils	Reception – 13 pupils
Braidside IPS	20.5	NU – 26 pupils	NU – 26 pupils

22. Spires IPS is the closest alternative Integrated primary provision at only 1.5 miles away. At present, Spires IPS does not offer pre-school provision however, DP 672 which proposes that ‘A statutory nursery unit will be established at Spires Integrated Primary School to provide 26 part-time nursery places with effect from 1 September 2022, or as soon as possible thereafter’, was published on 20 January 2022. This proposal is currently being progressed by the Department and due to it also proposing to establish Integrated nursery provision in Magherafelt, is a factor for consideration in the assessment of DP 704. (You will find a number of references to DP 672 throughout this submission. It is important to point out that DP 704 and DP 672 are separate proposals, brought forward by their respective BoGs and both supported by the Northern Ireland Council for Integrated Education (NICIE). DP 672 is for the establishment of a statutory nursery to provide 26 part-time nursery places, whereas DP 704 is about transforming the management type of the current nursery school to Controlled Integrated status. Both settings are in very close proximity to each other - within 1.5 miles).
23. The nearest current alternative Integrated nursery provision is at Phoenix IPS in Cookstown. Table 3 shows this school is 11 miles away. In 2023/24, 25 pupils were enrolled in its NU which provides 26 part-time places. Census data for 2023/24 show 26 part-time pupils were enrolled in its NU.
24. Map 1 and Table 3 show that Maine IPS in Randalstown would be the next closest Integrated primary school at 13.7 miles away. Maine IPS operates a pre-school playgroup and census data for 2023/24 show 22 pupils enrolled in its pre-school playgroup.
25. Phoenix IPS and Maine IPS are both Grant Maintained Integrated (GMI) primary schools however, the next nearest, Carhill IPS, is a Controlled IPS with no pre-school provision. The other schools included in Table 3 are a considerable distance from Magherafelt NS.

Local Alternative Pre-School Provision

26. Map 2 illustrates the alternative pre-school provision within a five-mile radius of Magherafelt NS including primary schools with NUs and playgroups. There are no alternative stand-alone nursery schools. Further details are set out in Tables 4 and 5 below.
27. Table 4a in the CfC also includes Naíscoil Mhachaire Ratha, Maghera; Moneymore Primary School Nursery Unit; Phoenix IPS Nursery Unit, Cookstown;

and Braidside IPS Nursery Unit, Ballymena; but these providers are outside the five-mile radius.

Table 4: Alternative Nursery Provision

DE Ref No	Nursery School	Postcode	Distance in miles - Google maps	2019/20		2020/21		2021/22		2022/23		2023/24	
				f/t	p/t	f/t	p/t	f/t	p/t	f/t	p/t	f/t	p/t
311-6177	Magherafelt NS	BT45 6PA	-	26	104	27	104	26	104	26	104	27	105
	PS with Nursery Unit												
303-6562	Holy Family PS & NU, Magherafelt	BT45 6AX	0.3	0	51	0	53	0	52	0	52	0	54
304-6691	Gaelscoil an tSeanchai, Magherafelt	BT45 6BW	0.6	0	18	0	19	0	21	0	19	0	25
303-2281	St Mary's PS & NU, Bellaghy	BT45 8HX	5.2	0	26	0	26	0	27	0	26	0	26
TOTAL				26	199	27	202	26	204	26	201	27	210

f/t = full-time p/t = part-time

Table 5: Alternative Pre-school Provision

DE Ref No	Name	Postcode	Distance in miles - Google maps	2019/20		2020/21		2021/22		2022/23		2023/24	
				T	F	T	F	T	F	T	F	T	F
			-										
3AB0104	Kiddies Castle Early Years Playgroup, Castledawson	BT45 8AR	2.5	62	44	41	40	52	40	56	38	37	37
3AB0574	Laughterland Early Years Playgroup, Toomebridge	BT41 3SL	4.6	24	24	26	26	25	25	19	19	24	24
5AB0417	Discovering Kids Playgroup, Moneymore	BT45 7ST	4.7	26	26	26	26	24	24	26	26	26	26
3AB0264	Ballyronan Community Playgroup	BT45 6JA	5	22	22	24	24	24	24	24	24	24	24
3AB0138	Slievegallion Community Pre-School Playgroup	BT45 5LS	5.1	21	20	14	14	21	21	16	16	24	18
TOTAL				155	136	131	130	146	134	141	105	135	129

T = Total F = funded

28. Table 4b in the CfC only includes three of the playgroups set out above, namely Kiddies Castle, Discovering Kids and Ballyronan and not Slievegallion Community Pre-school or Laughterland Early Years, however, it does include five others outside the five-mile radius, namely:

- Tober Tinys Community Playgroup;
- Glenview Pre-school Centre;
- Ballinascreen Early Years;
- Stepping Stones Preschool Centre; and
- Little Amps [Imps] Early Years.

29. As expected, Table 4 shows that the number of pupils enrolled in statutory nursery provision in the last five years was relatively consistent (ranging between 199 and 210 in the part-time provision) while Table 5 shows a fluctuation in the total number of pupils enrolled in pre-school playgroups (ranging between 131 and 155) and in the funded places between 105 and 136.

SPECIAL CONSIDERATIONS

Education Reform (Northern Ireland) Order 1989 – Article 64

30. There is a statutory duty on the Department of Education (the Department) under Article 64 of the Education Reform (Northern Ireland) 1989 Order ‘*to encourage, facilitate and support the development of integrated education and to provide support for integrated education*’.
31. The Integrated Education Act (Northern Ireland) 2022 (the Act) came into operation on 26 October 2022 and this amended the duty on the Department under Article 64 of the Education Reform (Northern Ireland) Order 1989 to include “support” as defined in the Act.
32. The CfC considers DP 704 and the outworkings of the Integrated Education Act and further details are included below beginning at paragraph 133.

Effective and Efficient Use of Public Funds

33. The Department must also be mindful of its duty under Article 44 of the Education and Libraries (Northern Ireland) Order 1986 and under Managing Public Money to ensure effective and efficient use of public funds.
34. More detail on the financial implications associated with the proposal are set out at paragraphs 208-210 below.

Shared Education

35. The Shared Education Act (Northern Ireland) 2016 makes legislative provision in relation to Shared Education. It provides a definition of Shared Education and confers a duty on the Department to encourage, facilitate and promote Shared Education and a power on relevant arms-length bodies to encourage and facilitate Shared Education.
36. Shared Education is not a type of school; rather it encourages all types of schools to collaborate with other schools to provide opportunities for pupils from different religious and socio-economic backgrounds to be educated together. Schools retain their individual ethos collaborating together in partnership for the benefit of their pupils.

37. While any Shared Education programme must initially meet the Shared Education definition¹ set out in the Shared Education (Northern Ireland) Act 2016, each programme is unique to the needs of the partner schools. Hence Shared Education provision in a local geographical area can differ across partnerships.
38. There are six primary schools in the area that are engaged in Shared Education Mainstreaming and a further six involved in CASE (Collaborating and Sharing in Education).
39. The CfC for DP 704 details that Magherafelt NS has now become involved in the 'Steps into Sharing' Shared Education Initiative and the principal and teachers have been accessing the Teacher Professional Learning modules on the EA Shared Education Hub.

CASE FOR CHANGE (CfC)

40. The rationale set out in the CfC lists the issues that the Department considers when assessing a Transformation DP and further details on this are set out below, beginning at paragraph 67. The rationale section in the CfC, however, also includes the following key comments:
 - This Development Proposal and Case for Change has been presented within the wider context of schools in Mid Ulster LGD and is in line with the EA Area long term and current Operational Plan for 2022-24 and has at its core the educational merits for and wellbeing of our children;
 - Children and their wellbeing are at the heart of all that we do, as we seek to further enhance their curriculum enrichment experiences and to widen the learning community of families, staff and stakeholders that are connected to our school;
 - Transforming to Integrated Status is part of the School Development, Transitional Plan and Action Planning Process and using a rigorous process of self-evaluation, MNS will follow the pathway of its Transformation Plan to establish the 'Statements and Principles' of Integration as the 'DNA' and heartbeat of the school;
 - The Transformation Indicator Baseline work (Appendix 5 of the CfC) completed with the support of the EA School Improvement Professional and the robust Transformation Action Plan (Appendix 2 of the CfC) are evidence of the commitment to progress MNS towards 'Integration' through a cycle of:
 - Defining and Developing (Current Stage),
 - Expanding and
 - Embedding
 - As MNS seeks to pursue the principles of Integrated Education with our children (whether through 'Integrated' status or not) this intentionality will be focused on the four pillars of School Improvement namely:

¹ 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 experiencing socio-economic deprivation and those who are not.

- Learner Centred Provision
- High Quality Teaching and Learning
- Effective Leadership and Governance
- Community Connections;
- Once MNS has transformed to Integrated status, change will be impactful and intentional and at a pace in keeping with the children and other stakeholders of the school, providing meaningful and playful ‘integrated’ learning experiences for all learners.
- The policy driver and recommendations of the Fair Start Report (2021) will be actioned as MNS redirects the focus of education to Early Years so that children can ‘explore, learn and grow together’ in an atmosphere of fairness, understanding and mutual respect; and
- This is in keeping with the NICIE [Northern Ireland Council for Integrated Education] vision for a Sustainable Integrated Education that will ‘create a more diverse school environment’ and in time, this integrated pathway will trickle, flow through and become embedded in society at all levels.

41. The CfC for DP 704 is reproduced in full at **Appendix B**.

STATUTORY DP PROCESSES

Pre-publication Consultation

42. The CfC confirms that as proposer, the BoG undertook the required consultations with school staff and parents of pupils, Equality Screening of the proposal has been carried out and the statutory requirements of the Rural Needs Act (Northern Ireland) 2016 (where appropriate) were considered. The BoG determined that *‘It is the view of the Board of Governors of Magherafelt Nursery School that this proposal will enhance equality of opportunity for children and families from all backgrounds and of all abilities, in line with the definition and purpose of integrated Education in the Integrated Education Act (Northern Ireland) 2022’*. A copy of the Equality Screening is reproduced at **Appendix D**.
43. In accordance with Article 14 of the Education and Libraries (Northern Ireland) Order 1986, the EA, before submitting a proposal to the Department, is obliged to consult with the BoG, teachers and parents/guardians of any school or schools which, in their opinion, could be affected by the proposal. On 9 March 2023, a copy of the proposal was sent to 40 local schools and pre-schools for return to the EA by 20 April 2023.
44. No responses were received from affected schools however, a response was received from the Controlled Schools Support Council (CSSC).
45. The CfC provides the following summary of the response:-
- Recognises that Magherafelt NS already welcomes children from different socio-economic backgrounds, children with different abilities and children from all faiths and none.

- Notes the very positive outcome of the parental ballot and acknowledges the school's desire to have its inclusive nature formally recognised through the process of Transformation.
- The development proposal should be considered in the context of the recently published Development Proposal for Spires IPS. CSSC has raised concerns in respect of an increase to provision in the area which already has sufficient pre-school places.

EA's Comments

46. The EA states in the CfC that it recognises its duty to encourage, facilitate and support Integrated education under the Act which came into operation on 26 October 2022 and the EA has, and will continue, to support the BoG of Magherafelt NS through its proposal.
47. DP 704 was discussed by the Pre-School Education Group (PEG) at its meeting on 9 February 2023. PEG is in support of the proposal.
48. PEG advised there is no change to pre-school provision in the area. Magherafelt NS has 26 full-time places and 104 part-time places. The proposal is to transform from Controlled to Controlled Integrated status. PEG also indicated that in October 2018 a response was submitted in relation to DP 568 which was to establish a 26 part-time NU at Spires IPS, Magherafelt.
49. The PEG did not support DP 568 on the basis that there is a single, consistent, substantial feeder to Spires IPS which clearly supports and facilitates Integrated education in the area and presents no obstacle to growth of the sector.
50. The PEG also commented on the potential for increased uptake of younger children into statutory nursery settings and consequent increased cost to public funds together with the potential impact on existing cross-community provision in respect of the duty to promote, encourage and facilitate Shared Education.
51. The EA supports the proposal for Magherafelt NS to transform from Controlled to Controlled Integrated status and points out that there is currently another proposal for Integrated nursery provision in the area. The CfC states that DP 672 *'is currently awaiting a Department of Education decision for the establishment of a NU at Spires Integrated Primary School'*. The EA reiterates its views submitted in relation to DP 672 that:

'implementation of this proposal will result in increased costs for the existing provision which is already in excess of demand. Any additional pre-school provision within the area will detrimentally impact on current non-denominational pre-school providers both statutory and non-statutory. However, the Education Authority also recognises the parental demand as outlined in the case of change and acknowledges the PEG recommendation, the guidance provided by the Department of Education, and its duty to assist the Department of Education's statutory requirement to encourage and facilitate integrated education.'
52. The EA makes the following additional points:

- The proposed transformation of Magherafelt NS would address the above concerns and parental demand in providing integrated nursery provision while not increasing the number of nursery places in the area.
- The proposed transformation of Magherafelt NS could also potentially negate any additional costs which would be incurred through the establishment of a nursery unit at Spires Integrated Primary School estimated at £300,000 for accommodation and £48,000 for staffing.

Two Month Statutory Objection Period

53. During the two-month statutory objection period which ended on 14 November 2023, the Department received three responses in relation to DP 704 - from the BoG of Magherafelt NS and NICIE in support of the proposal, and from the BoG of Spires IPS, focusing on Spires IPS and Integrated education generally.

BoG of Magherafelt NS Comments

54. The BoG's response references three documents enclosed '*to demonstrate the school's ongoing commitment to Integrated Education*'. The following were attached:

- Appendix 1 Completed Monitoring and Review of 2022-23 Transformation Action Plan;
- Appendix 2 Transformation Action Plan 2023-24; and
- Appendix 3 End of Year Feedback 2022-23 from parents in relation to Integrated Education in Magherafelt Nursery School.

55. The response from the BoG of Magherafelt NS is reproduced at **Appendix E**.

BoG of Spires IPS Comments

56. The BoG of Spires IPS states that they applaud Magherafelt NS' interest in Integrated Education and wish them well but point out that this is the second proposal submitted for an Integrated nursery at Spires IPS. The response states that the DP '*is an issue of long-term sustainability and equity for Spires IPS as the other sectors in Magherafelt have co-located Nursery Units/Nursery School facilities*'.

57. It states that since the Integrated Education Act 2022 came into force, the Department has '*clarified the position with regards to Integrated provision in both the Integrated Education Act Strategy and in recent decisions on NUs for Enniskillen, Rownandale and Drumilins IPS*'.

58. The response then includes quotations in which the following sections are highlighted:

- Only alternative Integrated education pre-school places are included in the consideration of 'alternative places', even where provision of other management types is available in the area;
- The duties in relation to Integrated education are an explicit consideration in every early years proposal;
- Where proposals are not approved initially, the Department will take the proposed provision into account again when implementing pre-school standardisation in the local area; and
- It is considered that demand for integrated education has been demonstrated in the immediate area by the number of pupils currently enrolled in the primary school.

59. The response concludes that *'Demand has been demonstrated for an Integrated Nursery Unit at Spires IPS by surveys and the collection of Expressions of Interest forms. The Board of Governors also recognises that the positive ballot for Transformation in Magherafelt Nursery School is an indication of demand for Integrated Education. The two together represent a very strong endorsement of Integrated Education in the Mid-Ulster area.'*

60. The full response from Spires IPS is reproduced at **Appendix F**.

Northern Ireland Council for Integrated Education (NICIE) Comments

61. NICIE's response in relation to DP 704 focuses on how the proposal *'meets the criteria outlined in section 3.26 of 'Integration Works''* and also *'the existing legal framework and obligations of the Department of Education in relation to Integrated Education provision in Northern Ireland'*.

62. It sets out that *'The principal of Magherafelt Nursery School began exploring the possibility of Transformation prior to the Covid 19 pandemic (Integration Works – March 2020). Following a period of consultation and information gathering facilitated by the Integration Works programme, the process of Transformation was formally initiated on 5th April 2022 when the Board of Governors made a unanimous decision to ballot parents. NICIE, in partnership with EA and the IEF, has been meeting and liaising with the school on a regular basis to support all aspects of their Transformation journey for several years. This has included engagement with staff, parents, and governors. A detailed timeline of activities is included in the Case for Change'*.

63. NICIE's comments in relation to the issues the Department will consider when assessing any proposal for Transformation are incorporated into the next section below.

64. NICIE's response concludes that *'The Transformation of Magherafelt NS would provide some Integrated nursery places in the Magherafelt area and ensure that Integrated pre-school provision is available to, at least partially, meet parental demand. NICIE is of the opinion that there is clear demand for Integrated pre-school education at both Spires IPS and Magherafelt NS.'*

65. NICIE makes the following additional points:

- There is no request for growth as part of this Development Proposal, it is simply a change of status, and so will not alter the total level of pre-school provision in the area;
- Transformation of this NS would be a low-cost option to extend Integrated provision in the area and support the process of building peace and reconciliation in the Magherafelt area;
- Approval of this proposal represents an excellent opportunity for the Department to fulfil its duty under the amended Article 64 of the Education Reform Order (Northern Ireland) 1989; to encourage, facilitate and support the development of Integrated Education as amended by the Integrated Education Act (Northern Ireland) 2022;
- In the case of Magherafelt NS there is a consistent religious, social and cultural mix;
- The recent 'Fair Start' report has again highlighted the importance of early years provision in supporting our children and young people's attainment;
- It is NICIE's view that early years' settings that intentionally educate children together to learn about diversity and inclusion will provide a firm foundation for children as they move through education and beyond.
- Staff, Governors and parents from Magherafelt NS have shown an active and consistent approach to engagement and participation in training, with the aim of developing their Integrated ethos. In particular, the engagement with Anti-Bias practice should be noted, as it highlights the school's commitment to a fundamental strand of the Integrated ethos in practice: and
- NICIE is of the opinion, that given the criteria the Department of Education uses to assess the Development Proposals for Transformation, that Magherafelt Nursery School meets these criteria.

66. NICIE's comments on DP 704 are reproduced in full at **Appendix G**.

ASSESSMENT AGAINST THE TRANSFORMATION CRITERIA

67. The 'Integration Works – Transforming your School' Guidance outlines the key steps in the DP process for Transformation and the issues the Department will consider when assessing any proposal. The guidance can be accessed at: [Integration Works – Transforming your School Guidance | Department of Education \(education-ni.gov.uk\)](https://www.education-ni.gov.uk/integration-works-transforming-your-school-guidance)

68. An assessment of DP 704 against the issues is as follows:

Unmet Demand for Integrated Education

69. The results of a ballot held on 28 June 2022 to transform Magherafelt NS to Controlled Integrated status from 1 September 2023, or as soon as possible thereafter, showed that of the 243 eligible voters (100%), 148 voted (60.9%) with 124 (83.8%) of these in favour of Transformation and 24 (16.2%) against. The ballot results are reproduced at **Appendix C**.

70. The CfC states that the ballot gave a clear mandate to progress the CfC and DP. It however, also noted that *‘a small number of parents registered a ‘No’ vote and the governors recognise the importance of bringing these parents along on the Transformation Journey through newsletters and information sharing sessions’*.
71. The CfC details that the school commissioned an Expression of Interest form to explore the future demand for Integrated pre-school education in Mid Ulster LGD. A copy of the form used is attached as Appendix 4 of the CfC. The CfC details that this form was circulated in November to the families currently enrolled in MNS and was also shared on the school’s social media channels, its website and was to be available for completion at the school’s Open Day in January 2023. The CfC includes a table reproduced here of the Expressions of Interest received.

Table 6: Summary of Expressions of Interest to Date

	Designation of child: Protestant	Designation of child: Catholic	Designation of child: Other	No Designation Given
TOTAL	19 (47.5%)	13 (32.5%)	7 (17.5%)	1 (2.5%)

72. The CfC asserts that there are several sources of evidence to indicate a significant level of parental demand for Integrated Education in Magherafelt:
- Attendance at Transformation Information Event;
 - Parental ballot returned a positive response of 83.8%;
 - High level of Interest in the Transformation Journey;
 - Anecdotal evidence from parents / stakeholders [Expressions of Interest];
 - Attendance at Open Days;
 - Parental consent for photographs taken by IEF (Portfolio of Photos available);
 - Parental Involvement in School events e.g. Family Picnic had almost 100% attendance;
 - Expression of Interest Forms [as above] ; and
 - Diverse enrolment of children at Magherafelt NS.
73. NICIE’s response in relation to the proposal states that *‘NICIE would argue that the unmet demand in the area is demonstrated by three different facets: the positive ballot in favour of the Transformation of Magherafelt NS, the oversubscription in P1 of Spires IPS and the number of EOIs collected by Spires IPS. In addition, Spires also had an overwhelmingly positive response to several parental surveys about access to Integrated pre-school provision carried out over a number of years.’*
74. It adds that *‘NICIE would contend that this is ample demonstration of the demand in line with section 5 of the Integrated Education Act (NI) 2022’*.
75. As set out above, there are currently no nursery places in the Integrated sector in the Magherafelt area with the closest being at Phoenix IPS, 11 miles away. Integrated primary provision is at Spires IPS and this school also has a current DP to establish nursery provision. Spires IPS has approved admissions and

enrolment numbers of 29 and 203 and historical applications to Spires IPS (for primary provision) are set out in Table 7 below.

76. Table 7 shows that with the exception of two years, 2019/20 and 2023/24, applications to Spires IPS have been in excess of the school's admissions number. With an enrolment of 210 in 2023/24 (including six pupils with a Statement of SEN at school census date), the school's actual enrolment is also just above its approved.

Table 7: Spires IPS – Historical Applications

School Year	Approved Admissions	First Preferences	Total Applications (all preferences)	Total Admissions
2017/18	29-30	38	38	30
2018/19	29-30	38	38	30
2019/20	29-30	25	26	26
2020/21	29-30	35	36	30
2021/22	29-30	34	35	30
2022/23	29-30	36	36	30
2023/24	29-30	28	28	28
2024/25	29-30	36	38	30

77. The CfC for DP 704 states that there is a demand for Integrated education in the Magherafelt area with both Spires IPS and Sperrin IC being oversubscribed. In responding to DP 704, as a Section 3 (of the Integrated Education Act) advisory body, NICIE also commented that *'It is worth noting that Sperrin IC the local Integrated Post-primary school is often oversubscribed'*.
78. Sperrin IC has approved admissions and enrolment numbers of 120 and 600 respectively.

Table 8: Sperrin IC – Historical Enrolment and Applications*

School Year	First Preferences	Total preferences	Admissions to Year 8	Enrolment Years 8-12	Enrolment Post 16	Total Enrolment
2019/20	87	109	109	472	69	541
2020/21	100	114	117	507	62	569
2021/22	73	93	106	509	83	592
2022/23	84	129	135	574	77	651
2023/24	101	139	133	594	73	667
2024/25	119	140	-	-	-	-

* includes pupils with a statement of SEN

79. Enrolments at the school have been increasing year on year evidencing an increasing demand. Total applications to the school have exceeded the school's approved admissions number of 120 since 2022/23.
80. It is clear that there has been demonstrated demand for Integrated provision in the Magherafelt area, although at primary and post-primary level.

Sustainability

81. The SSP does not apply to pre-school provision. Normally, it is important when considering the establishment of statutory pre-school provision that the host school is assessed against the policy's criteria and indicators. However, as Magherafelt NS is a stand-alone nursery school, a sustainability assessment is not generally required, however the CfC for DP 704 includes a sustainability assessment and therefore, below are some key points in relation to the NS.

Quality Educational Provision

82. The Education and Training Inspectorate (ETI) conducted an inspection of the school in March 2017 and although now very dated concluded that *“Magherafelt Nursery School has a high level of capacity for sustained improvement in the interest of all learners”*. A previous inspection carried out in February 2010 assessed the quality of education provided by this nursery school as ‘outstanding’. The 2017 report also assessed the areas of *‘Outcomes for Learners’*; *‘Provision for Learning’*; and *‘Leadership and management’* as *“Outstanding”*.
83. The ETI update in relation to DP 704 advises that *‘the nursery school participated in the ETI Engage 11 Evaluation in May 2022; a case study was produced collaboratively by the nursery school with ETI for the Department of Education (DE) in May 2023. The case study focused on effective promotion and support for the emotional health and wellbeing of pupils.’*
84. The update further advises that *‘The staff have upskilled their outdoor practice and provision through accredited outdoor learning courses and inset capacity building training sessions’*.
85. A copy of the ETI's update of 28 September 2023 on Magherafelt NS is reproduced at **Appendix H**.

Stable Enrolment Trends

86. Chart 1 above, sets out the historical and current enrolments of Magherafelt NS and shows that the school has consistently filled its 130 places (26 full-time and 104 part-time). The school has, however, also consistently enrolled underage pupils (younger than three years and two months old) and this has ranged between * pupils in 2020/21 to 37 pupils in 2021/22.
87. Table 9 below sets out the first preference and total applications received by Magherafelt NS in the last five years and breaks this down by target age and underage applications. This evidences that the school's full-time provision has been consistently oversubscribed with first preference applications for its 26 full-time places and in 2023/24 was oversubscribed by four times the number of places available. The table also shows that the school is consistently undersubscribed at first preference stage for its 104 part-time places however, applications at total applications stage significantly increase. As indicated in Chart 1 and Table 9, the school accepts some underage pupils in order to fill all its 104 part-time places.

Table 9 – Magherafelt NS – Preference Trends

Full Time Places	Approved 26				
Academic Year	1st Pref Target Age	1st Pref Under Age	Total Pref		Accepted
			Target Age	Under Age	
2019/20	84	16	137	25	26
2020/21	97	10	100	18	26
2021/22	69	18	74	24	26
2022/23	88	22	91	31	26
2023/24	100	12	103	27	26
2024/25*	66	15	75	22	26
Part Time Places	Approved 104				
Academic Year	1st Pref		Total Pref		
			Target Age	Under Age	
2019/20	27	29	156	44	104
2020/21	30	26	103	38	104
2021/22	23	20	67	42	104
2022/23	37	30	96	57	102
2023/24	28	23	102	47	104
2024/25*	51	22	98	42	104*

Source: EA – Excludes pupils with a statement of SEN

*Position at the close of Stage 2 of the pre-school admissions process

88. The CfC states that Magherafelt NS *'consistently fulfils its enrolment number of 130 and is heavily oversubscribed for full time places with an average of 85 first preference full time applications for 26 full time places in the past seven years'*. It adds that *'As the school also has 104 part time places, historically, all pre-school children who apply secure a full-time or a part time place at MNS'*.
89. The CfC also details that *'If the enrolment figure of 130 is not met with target age children at either stage 1 or 2 of the Admissions process, remaining places are offered to penultimate children as per the admissions policy of the school and DE Circular Guidance – these have always been part time afternoon places which are in less demand due to the time of day not suiting younger children'*.

Sound Financial Position

90. The nursery received a total Common Funding Formula budget of £376,764 for the 2024/25 financial year for 79.5² Full Time Equivalent (FTE) pupils, which generates a per capita of £4,739. The average for all Nursery schools is £4,455. The school's provisional surplus position as of 31 March 2024 is £69,514.
91. The CFC sets out that *'With prudent Financial Management on behalf of the Board of Governors and the principal, Magherafelt Nursery School has a healthy budget and has been defined as a Category 4 School i.e. using saved and planned for 'surplus' to sustain additional staffing provision for the children and to maintain high standards of teaching and learning. It has maintained this position for many years.'*

Leadership and Management

92. As set out above, the March 2017 ETI Report assessed Leadership and Management at the school as 'outstanding'. It detailed that *'the governors contribute a wide range of valuable skills and experience; they are well informed about the work of the nursery and the learning being developed and have a good understanding of their role'*.
93. The CfC provides an update advising that *'since the last ETI report, a new principal has been appointed and the Board of Governors has been reconstituted including a new chair and vice-chair. The leadership and management, together with the staff are committed to continuous self-improvement. This is evidenced through a programme of teacher professional learning, self-evaluation and engagement with stakeholders and external bodies and in its actions and outcomes for children.'*

² The school's funding allocation is based on the previous year's census data (e.g. the October 2023 census data was used to determine the 2024-25 CFF allocation). **The census data on the Schools+ database relates to an academic year, as opposed to the financial year.** In addition, differences between funded pupils and total pupils within the census count may occur for a number of reasons, including, but not limited to, zero rated pupils, some reception pupils, and over age pupils (paragraph 7 of Annex B to the Common Funding Scheme refers).

Accessibility

94. Maps 1-4 all show the locations of the pupils who attended Magherafelt NS in 2023/24. The maps show that the majority of pupils live within a five-mile radius of the school, with only a small number outside this. Map 4 indicates the travel times of pupils to the school and shows that the majority of pupils travel up to ten minutes to attend Magherafelt NS, however, a small number do travel up to 20 minutes.
95. The CfC states that *'Families attending Magherafelt Nursery School come from the town of Magherafelt and surrounding area. The school is easily accessible both on foot and by road. It is located close to the town bypass and is on the commuter belt, enabling easy access from all rural areas, villages and small towns.'*

Strong Links with the Community

96. The CfC sets out significant detail of the school's links with parents and the wider community such as with Care Homes, Sure Start, Health Trust Services, RISE (Regional Integrated Support for Education in Northern Ireland), Educational Psychology Service, Paediatricians, Regional Colleges, Community Groups and local charities e.g. Action Cancer, Local Food Banks, Local Care Homes and Habitat for Humanity and Northern Ireland Children's Hospice.
97. It further details that the school *'advocates strongly for community links and welcomes many visitors from the local community into school to share their expertise with staff and children. These visitors link in with topics, themes and interests that are relevant to pre-school children.'*
98. The principal hosts a DE Early Years Cluster which encompasses pre-school settings across all sectors and statutory and non-statutory settings. The school also enjoys strong community links with the local day care settings including Happy Days, Little Bees, Nelly's, Kiddiwinkles, Silverbirch and Kidzlodge.
99. Further details are set out at section 2.6 of the CfC, reproduced at **Appendix B**.

Sustainability Summary

100. Although as set out above, the SSP does not apply to pre-school provision, the evidence set out above is an indication that Magherafelt NS could be determined to be a sustainable school.
101. This is reiterated in NICIE's comments in relation to the proposal that *'Although nursery schools are not governed by the EA Area Planning, Magherafelt NS meets the sustainability criteria outlined in the DE Sustainable Schools Policy'*.

Area Planning Context

102. The Transformation guidance states that any DP for Transformation must consider the wider context of the network of schools. It is also the case that the duty on the Department to encourage and facilitate and (as amended) support the development of Integrated education means that it is alternative Integrated provision which should be the main focus rather than consideration of the availability of places in other sectors. This has been clarified through case law and it is now further set out in the Integrated Education Act which defines that an Integrated school is a school that has acquired GMI status or Controlled Integrated status.
103. Table 3 above sets out the closest Integrated provision and shows that the closest primary school is Spires IPS, at just 1.5 miles away. This school does not currently offer nursery provision however, DP 672 was published on 20 January 2022. This proposal is currently being progressed by the Department and due to it also proposing to establish Integrated nursery provision in Magherafelt, is a factor for consideration in the assessment of DP 704.
104. The closest Integrated nursery provision is at Phoenix IPS in Cookstown, 11 miles away. The nursery unit offers 26 part-time nursery places. Maine IPS is the next closest Integrated primary provision with a pre-school playgroup which had 22 pupils enrolled in 2023/24.
105. Considering the location of the alternative Integrated schools and the aim of DP 704, it is not envisaged that the proposal would impact on alternative Integrated provision. This is supported by the school in the CfC and in comments received from NICIE.

Religious Balance

106. Table 10 below shows the historic religious balance at Magherafelt NS and evidences that Magherafelt NS already has a very mixed enrolment. In 2023/24, 41% of pupils were from a Protestant background, just over 36% from a Catholic background and nearly 23% recorded as 'others'. The strong mix in enrolment has remained relatively consistent over the last five years.

Table 10 – Magherafelt NS - Religious Balance – 2018/19-2022/23

Year	Protestant	Catholic	Other	Total
2019/20	52 (40%)	48 (36.92%)	30 (23.08%)	130
2020/21	47 (35.88%)	57 (43.51%)	27 (20.61%)	131
2021/22	47 (36.15%)	53 (40.77%)	30 (23.08%)	130
2022/23	45 (34.62%)	46 (35.38%)	39 (30%)	130
2023/24	54 (41%)	48 (36.4%)	30 (22.7%)	132

107. The CfC states that *'MNS enjoys a diverse religious and non-religious enrolment. Drilling down into the MNS Census data compiled for DE, it is evident that the religious backgrounds of the children enrolled in MNS meet the statistical*

requirements (40% Catholic, 40% Protestant and 20% non / other) to be an Integrated School as per NICIE aspirational recommendations'. It further adds that 'The naturally occurring and organically diverse, cross community composition of MNS over the past 46 years is reflected at all levels of MNS – in children, families, staff, governance, students, volunteers and in visitors to the school'.

108. The most up to date school census data available for 2023/24 as set out in Table 10, show that the school falls just shy of the percentages set out in the NICIE Statement of Principles for Integrated Education but nevertheless, the school has a very strong mix in its enrolment.
109. The Expressions of Interest gathered by the school also show a mix in religious background. In providing comments on the proposal, NICIE stated that *'The mix is representative of the demographic of the area and this in turn shows that Magherafelt NS could continue to demonstrate a religious and community balance which will be supportive of the NICIE Statement of Principles. This religious mix will provide a firm foundation for the development of the Integrated ethos and status in the school.'*
110. The Education Reform (Northern Ireland) Order 1989 states that Integrated schools should be attended by 'reasonable numbers' of both Protestant and Roman Catholic pupils. The new Integrated Act defines "*Integrated education*" as *the education together, in an integrated school, of those of different cultures and religious beliefs and of none, including reasonable numbers of both Protestant and Roman Catholic children or young persons'*. Neither stipulate a required percentage in relation to religious balance of a school. Departmental guidance 'Integration Works' states that the Department will not adopt a one-size fits all approach to religious balance and recognises that the balance achieved will be dependent on the local circumstances in the area.
111. Census data evidences that Magherafelt NS already has a very mixed enrolment. The school has therefore demonstrated that it is already meeting this aspect required for Transformation as per the guidance.

Planning and Engagement in the Transformation Process

112. The Transformation guidance states that the Department will want to be satisfied about the school's commitment to Integrated education and its commitment and potential to make a successful Transformation. The interests of pupils rather than institutions must be at the centre of a school's approach to Transformation.
113. The guidance also states that the ultimate aim of the initial exploration phase is to develop a clearer understanding of:-
 - the level of support for Transformation within the school community; and
 - the type of changes that would be necessary within the school to transform successfully.

114. The CfC includes significant details of the school's journey to Transformation. It sets out that the school has been exploring the process of Transformation for the last three years. Table 10 in the CfC sets out in detail the steps already taken and those planned by the school. It details that the Governors, principal and teachers attended IEF and Transformation events from 2019 to the present and sets out the consultation that was undertaken with Governors, staff and parents and events held.
115. It further outlines that *'Since the ballot result, MNS has continued to develop the impetus for Transformation including staff development, knowledge and understanding and information sharing amongst staff, governors and stakeholders. An audit of Inclusion and Diversity resources held by the school has been completed and Journey Towards Integration will be added to the Curriculum Enrichment and Engagement Planner'*.
116. The CfC sets out the steps in the Transformation Action Plan (TAP) that the school has taken already and states *'The commitment to Integration in MNS is intentional and ongoing. MNS fully endorses the key components of the Integrated Education Act and is keen to continue its' journey towards Integration and to further develop and incorporate new programmes and practices once Integrated Status has been achieved.'*
117. It advises that:
- *'An initial exploration of the applications for academic year 2023-24 shows that MNS has drawn on a wider catchment area than in previous academic years. It is possible that the school is already attracting new families who are seeking Integrated Nursery Education':* and
 - *'A significant number of the application forms specifically referred to choosing Magherafelt Nursery School due to its intentionality in relation to developing an integrated ethos'*.
118. The CfC states that *'The significant consultation and progress to date is indicative of a school that is committed to transforming to Controlled Integrated status'*.
119. During the statutory two-month objection period, a response was provided by the school's BoG. The response enclosed a number of documents *'to demonstrate the school's ongoing commitment to Integrated Education'*. As set out above, this included a completed Monitoring and Review of the 2022-23 TAP, a TAP for 2023-24 and an End of Year Feedback 2022-23 from parents in relation to Integrated Education in Magherafelt NS.
120. NICIE confirms that *'Over the last five years staff, governors and parents of Magherafelt NS have been positive and enthusiastic in their attitude towards Integration'* and *'Details of the engagement can be found in the Case for Change (p. 2-4)'*. NICIE makes the following additional comments in relation to the school's engagement in the Transformation process:

- In addition to the normal staff, governor and parent meetings and information sessions (pre- and post-ballot) the principal took part in the full, three-day 'Anti-Bias in Education' course, delivered by NICIE (January – March 2023). This engagement was complemented by a bespoke Anti-Bias staff development session, facilitated by NICIE Development Officers in August 2023.
- Magherafelt NS has embraced the planning process and been diligent about implementing the 3-year Transformation Action Plan. The principal has fully engaged with EA Sectoral Support/NICIE to ensure that monitoring and evaluation processes have been established and there is clear evidence that progress is being made in regard to developing an Integrated ethos; and
- NICIE's experience indicates that developing an Integrated ethos requires commitment over a number of years. We note that in the Transformation Action Plan the school plans to engage with further NICIE training in the development of their Integrated ethos. The inclusive process adopted by the school to date provides a firm platform to enable them to fully develop and embrace Integrated status.

Transformation Assessment Summary

121. There are currently no nursery places in the Integrated sector in the Magherafelt area with the closest being at Phoenix IPS in Cookstown, 11 miles away. Integrated primary provision is available at Spires IPS and this school also has a current DP to establish nursery provision. Enrolments at Spires IPS have been consistent with applications generally exceeding the school's approved admissions number and the school's actual enrolment in 2023/24 just exceeded its approved number. Integrated post-primary provision in the area is provided at Sperrin IC. Enrolments at this school have been increasing year on year evidencing an increasing demand. Total applications to the school have exceeded the school's approved admissions number of 120 since 2022/23.
122. It is clear that there has been consistent demonstrated demand for Integrated provision in the Magherafelt area, although at primary and post-primary level.
123. The SSP does not apply to pre-school provision, however, the details included above are an indication of the school's sustainability. In relation to the quality of education provided at Magherafelt NS, the evidence set out above indicates that the school is providing a high quality education to its pupils. The school consistently fills its number of full-time and part-time places although, this generally includes the enrolment of some underage pupils.
124. There are no concerns regarding the school's financial management, Leadership and Management or Accessibility and the school has provided evidence of strong Links with the Community.
125. The school's enrolment is already made up of almost equal numbers of pupils from both the Protestant and Catholic traditions. The school is therefore currently achieving the requirement of reasonable numbers of both Protestant and Catholic pupils attending the school.

126. In relation to Area Context, there is a further proposal for the establishment of Integrated nursery provision in the same area i.e. DP 672 for Spires IPS which is currently being considered by the Department. The nearest current alternative Integrated nursery provision is at Phoenix IPS in Cookstown. It is considered that DP 704 is very unlikely to have any significant negative impact on Phoenix IPS or on other pre-school providers in the area, should it be approved as DP 704 will not affect the number of pre-school places available. The competing proposals of DP 704 and DP 672 however, must be a consideration.
127. As evidenced above, the CfC for DP 704 includes considerable detail in relation to the school's journey towards Transformation. The school has been working closely with NICIE and the IEF and submitted an update on its TAP during the statutory objection period. NICIE is content that the actions taken by the school 'provide *'a firm platform to enable them to fully develop and embrace Integrated status'*.
128. In relation to the evidence gathered and analysed if this proposal is approved for Transformation – it is likely that the transformation of Magherafelt NS to Controlled integrated status will be successful.

ANALYSIS OF SPECIAL CONSIDERATIONS

Article 64 of the Education Reform (Northern Ireland) Order 1989 – Integrated Education

Integrated Education

129. As stated above, Section 4 of the Integrated Education Act (Northern Ireland) 2022 has amended Article 64 of the Education Reform (Northern Ireland) Order 1989 in respect of the Department's statutory duty towards Integrated education and the duty now includes 'support' which is defined in the Act.
130. The duty does not equate to a duty to approve every proposal brought forward for Integrated education and the Department must also be mindful of its statutory duty under Article 44 of the Education and Libraries Order 1986 and under "Managing Public Money" to ensure effective and efficient use of public funds.
131. The Department must also be mindful of the ruling by Treacy J in the judicial review *McKee v Department of Education, 2011*. He said: "the Department may facilitate and encourage the Irish medium [and therefore also Integrated] sector in ways that it need not for other sectors by:
- taking positive steps; or
 - removing obstacles which inhibit the statutory objective."
132. The legislation and guidance for Transformation provide a mechanism for the Department to exercise its duty when a school meets (and can demonstrate that it meets) the criteria set out in the guidance including the SSP. The

Department's assessment of Magherafelt NS in the context of DP 704 takes due account of the information and evidence gathered in this submission, together with the Department's 'duty' under Article 64.

The Integrated Education Act (Northern Ireland) 2022

133. "Support" is defined in the Act as follows:

- 5.—(1) A reference in any provision of Northern Ireland legislation to support for integrated education (including support for the development of integrated education) is a reference to -
- (a) identifying, assessing, monitoring and aiming to meet the demand for the provision of integrated education within the context of area planning and the overall sustainability of the school estate (including, in particular, monitoring the number and success of applications for integrated education), and
- (b) providing sufficient places in integrated schools to aim to meet the demand for integrated education within the context of area planning and the overall sustainability of the school estate (including examining evidence of expected future demand).
- (2) In subsection (1) (a) "monitor" means monitor by reference to data collected in respect of relevant catchment and other areas.

134. The new Act amends the definition of Integrated education and what it means to be an Integrated school. Section 1 defines Integrated Education as the education together, in an integrated school, of:

- (a) those of different cultures and religious beliefs and of none, including reasonable numbers of both Protestant and Roman Catholic children or young persons;
- (b) those who are experiencing socio-economic deprivation and those who are not; and
- (c) those of different abilities.

135. An Integrated school has now been defined for the first time in Section 2 as '*a school which intentionally supports, protects and advances an ethos of diversity, respect and understanding between those of different cultures and religious beliefs and of none, between those of different socio-economic backgrounds and between those of different abilities*'.

136. Section 4.5 of the CfC for DP 704 demonstrates how the proposal for Magherafelt NS meets the requirements of the Integrated Education Act.

137. Magherafelt NS has addressed (a)-(c) of section 1 subsection (1) of the Act, and key comments provided are as follows:

(a) those of different cultures and religious beliefs and of none, including reasonable numbers of both Protestant and Roman Catholic children or young persons;

- The enrolment data of Magherafelt NS by religious background shows the diverse religious and non-religious enrolment;
- The school is welcoming to children of Newcomer and Refugee families and these children enrich the diverse enrolment and cultural experiences of the children of our school; and
- MNS has identified schools to partner with for Shared Education and hopes to further develop links across the Irish Medium, Controlled and Catholic Maintained and Special sectors.

(b) those who are experiencing socio-economic deprivation and those who are not;

- MNS Admissions Criteria applies the DE Criterion of Social Disadvantage and all children who have applied under this criterion have secured a place;
- With the widening of the Social Disadvantage Criterion by DE to include Universal Credit and other factors, there has been a marked increase in the number of children securing a place in MNS as a result of Social Disadvantage Criterion; and
- Table 14 [in the CfC] shows the number of children who have received or are currently in receipt of free-school meals (FSM). The 2022-23 census data for MNS, recorded 7% of the children as being in receipt of Free School Meals. As the school has a mixed pattern of attendance, it is likely that this figure would be much higher if all families had the opportunity to avail of a full-time place.

(c) those of different abilities;

- There is a significant number of children with 'SEN' (e.g. 11% of the children in the current academic year are on the Learning Support Register including four children with Statements of Educational Need). Tracking and observational evidence demonstrate that all children with identified 'additional needs' make very good progress on their Personal Learning Plans;
- Planning for teaching and learning shows evidence of differentiation and the children are subdivided into target groups to receive additional support with aspects of their development. Following observation and assessment, planned and progressive experiences are provided for the children. Talented children are also challenged in their learning;
- The school employs a permanent additional classroom assistant whose remit is to provide enhanced support for individuals and small groups of children across the six learning areas of the pre-school curriculum;

- The Learning support Coordinator and the teachers regularly access EA SEN Training and provide skilled support to children of all abilities; and
- All children in MNS are afforded extensive opportunities to develop their individual skills and abilities. By immersing the children in a varied and enriched learning environment, the children can develop their particular interests and try new skills through play, art, physical activity and wellbeing activities.

138. Section 1 subsection (2)

- Magherafelt Nursery School has a distinct vision for Integrated Education and intends to review its school ethos statement vision, values and principles in light of the Integrated Education Act (2022) and the NICIE Statement of Values and Principles for Integrated Education.

139. The CfC includes significant details of the actions that the school has taken, is taking and intends to take in relation to meeting the 'Statement of Principles for Integrated Education', the 'Integrated Education Act' and the integral components of 'Every School a Good School'.

Section 3 – Advisory Body

140. Section 3 of the Act requires the Department when exercising any functions relating to the Act to consult with:

(a) any body appearing to the Department of Education to have as an objective the encouragement or promotion of integrated education, and if required

(b) any other body the Department of Education considers appropriate.

141. The Department has identified NICIE, the Integrated Education Fund (IEF) and the Controlled Schools Support Council (CSSC) as relevant bodies for the purposes of such consultation.

142. On 12 January 2024, the Department wrote to each of these bodies, seeking their views on DP 704.

143. NICIE responded in the following terms:

'Open Days

Magherafelt Nursery School has held two successful open mornings in the previous and current academic year on Saturday 07.01.23 and 06.01.24 respectively. Parents / carers had the opportunity to book in via the online system and these mornings were attended by parents and their children.

Attendance at Open Day in January 2023, 93 families and in January 2024, 102 families. The Principal reports that the parents have been supportive of the proposal to transform.

Training Undertaken

The principal of Magherafelt Nursery School completed 2-day Anti-Bias training in academic year 2022-23 and the teaching and support staff completed 1-day Anti-Bias Training on a Baker Day in August 2023. This training was led by NICIE and was tailored to the nursery preschool programme. The principles of this training have been actioned in the current Transformation Action Plan.

Developments in the area - Standardisation Pilot

Whilst offered the opportunity to participate in the pilot to change more of the places to full-time provision, NICIE understands that Magherafelt NS declined the offer.

See Spires section for comments on the approval of Gaelscoil na Speiríní , Draperstown³.

NICIE believes that there is room for both the approval of the Transformation of Magherafelt Nursery School and the approval of a nursery unit in Spires IPS. The demand for Integrated Education places has been proved in both schools.

It is worth noting that Sperrin IC the local Integrated Post-primary school is often oversubscribed. NICIE is keen to see solid sustainable pathways from 3-19 for those families who wish an Integrated education for their children and we believe that past Minister and perhaps the present Minister have shared this aim’.

144. The IEF provided a brief, single line response as follows: *The IEF believes all parents should have the right to choose Integrated Education and would support the DP.*

145. CSSC responded in the following terms:

- Magherafelt Nursery School is a sustainable school with a strong history of providing high quality pre-school education for the community in Magherafelt.
- CSSC supports Magherafelt Nursery School in seeking to transform to Controlled Integrated status.
- Recognises that Magherafelt NS welcomes children from different socio-economic backgrounds, different abilities and from all faiths and none, compatible with the meaning of Integrated education as defined within the Integrated Education Act (Northern Ireland) 2022.
- In respect of Provision 5 within the Act, DP 672 for Spires IPS must be considered alongside the proposal for Magherafelt NS to transform to Controlled Integrated status.
- Concerns have been raised in respect of an increase in provision in this area where there are already sufficient pre-school places to meet demand.

³ DP 684 Gaelscoil na Speiríní , Draperstown nursery unit was approved on 10/1/24. It is approximately 10 miles away from Spires and the DP was published on 27/9/22. There is also an Irish Medium Nursery Unit attached to the Gaelscoil an tSeanchaí which is just over a mile from Spires IPS.

- Within the context of increasingly constrained financial resources, the efficient use of public funds is an important consideration given the cost of implementing this proposal.

146. CSSC reiterates its position that the Transformation of Magherafelt NS will provide an efficient means by which parental demand for formally recognised Integrated nursery provision can be provided in the Magherafelt area.

147. The full detailed response from CSSC is reproduced at **Appendix J(i)**.

Judgment on JR 289

148. On 6 October 2023, in a ruling by Scofield J in relation to JR 289⁴, the Judge stated that *'The Department should lean towards proposals designed to increase integrated educational provision; but not to the extent that this outweighs all sustainability concerns or strays into the realm of unreasonable public expenditure'*.

149. He further added that *'in short, the obligation to support the development of integrated education is not an obligation to do so at all costs. It is an obligation to do so within the context of area planning for schools generally, taking account of issues of sustainability, and on the basis of empirical evidence as to demand for integrated education and how it should be met.'*

150. Due regard has been given to the statutory duty and the Integrated Education Act whilst assessing the requirements for a successful Transformation as set out in the guidance, 'Integration Works: Transforming Your School'.

Effective and Efficient Use of Public Funds

151. In discharging its duties, the Department must seek to avoid unreasonable public expenditure and to make the best use of resources available to it. The SSP states *'It is important that children in rural communities have access to a quality education in cost-effective provision'*.

152. Further details on the financial implications of the proposal are set out at paragraphs 208-210 below. There are no cost implications associated with this proposal. The CfC advises that *'Any additional funding required will be met by further IEF Grant Allocations and by the small 'Surplus' that exists in the current MNS financial plan'*.

⁴ JR 289 was in relation to proposals for St Anne's PS, Donaghadee - DP 683 proposed St Anne's PS, Donaghadee will transform to Controlled Integrated Status with effect from 1 September 2023, or as soon as possible thereafter was not approved on 8 June 2023; and DP 673 proposed St Anne's PS, Donaghadee will discontinue with effect from 31 August 2022 or as soon as possible thereafter was approved on 8 June 2023.

Shared Education

153. The CfC confirms that Magherafelt NS has *'now become involved in the 'Steps into Sharing' Shared Education Initiative and the principal and teachers have been accessing the Teacher Professional Learning modules on the EA Shared Education Hub. The school looks forward to extending its partnerships to include the pre-school / Foundation Stage children in the locality and is excited to further develop partnerships with other early years settings in the locality'*.
154. The ETI update in relation to DP 704 confirms that *'The nursery school is part of a pre-school shared education partnership; it is involved in the most recent DE Steps into Sharing initiative and facilitates a DE Early Years Cluster of diverse sectoral pre-school settings (statutory and non-statutory) in the locality.'*
155. The CfC asserts that *'The teachers are committed to Shared Education and are working to complete the Shared Education modules on the Shared Education Hub. The school has identified partner schools, and these are being explored with the EA Shared Education Team.'*
156. The CfC adds that Magherafelt NS hopes to further develop links across the Irish-Medium, Controlled and Catholic Maintained and Special sectors.
157. The school believes that *'Approval of integrated status will also increase the potential for building on Shared Education links in the area as well as supporting Article 64 of the Education Reform Order (1989)'*.

OTHER CONSIDERATIONS

Policy Context - Early Years

158. The Department aims to ensure that at least one year of pre-school education is available for every target age child whose family wants it. It is also the Department's practice, where possible, not to displace good quality pre-school education provision already in existence with pre-school education provision in an alternative setting.
159. The Department's Learning to Learn Policy (A Framework for Early Years Education and Learning, published on 7 October 2013), among its key actions, placed a moratorium on any new or additional full-time provision or conversion from part-time to full-time (defined as over 4.5 hours) in advance of a review of the current levels of full-time provision, existing research and the needs of children being served by it.
160. All funded pre-school education settings regardless of location and management type are accessible to children from all backgrounds and are subject to the same inspection standards. All pre-school education settings follow the same curricular guidance the broad framework of which ensures equality of opportunity, pointing to staff acknowledging and respecting the culture, beliefs and lifestyles of the families of all children. However, it is acknowledged that parents state preferences for pre-school education provision taking into account

a wide range of factors, and in some cases parents may have a preference for pre-school education in schools with a particular management type, including an Integrated management type.

161. The importance of early years can be seen across various outcomes in the draft Programme for Government (PfG) 2021; the main Outcome associated with the early years is *'Our children and young people have the best start in life'*. The Executive Children and Young People's Strategy (CYPS) 2020 – 2030⁵ was published in December 2020. This is the strategic framework through which departments will improve the well-being of our children and young people and deliver the PfG Outcome. On 5 September 2024, the Executive agreed a draft PfG 2024-2027 *'Our Plan: Doing What Matters Most'*. The PfG further acknowledges that *'early years intervention provides the best long-term outcomes for our children, particularly those facing disadvantage. Early years intervention can make a long-term difference to a child's communication skills and their educational and health outcomes.'*

Future Policy Direction - Standardisation

162. In September 2022 the former Minister for Education, Michelle McIlveen, MLA, indicated her intention to standardise the session length for funded pre-school education provision. This is in line with both the [Fair Start Report](#), which includes an action that *"DE should standardise the length of pre-school education day to at least 4.5 hours per day, including access to free school meals for eligible children, thereby improving equality of provision"* and the [New Decade New Approach Deal](#) (NDNA) commitment: *'The Executive will publish a Childcare Strategy and will give immediate priority to developing arrangements to deliver extended, affordable, responsive, high quality provision of early education and care initiatives for families with children aged 3-4'*.
163. Implementation of a standardised session length will be on a phased basis and subject to Executive agreement and funding.
164. The Department's Early Years Team (EYT) has advised that as a first step to inform plans for standardisation of all pre-school sessions, a pilot programme "Amalgamation for Standardisation" was taken forward to facilitate new full-time nursery provision in certain areas. Only statutory nursery schools or primary schools with nursery units that have a historic enrolment pattern that is indicative of over provision were invited to participate in the pilot at this stage (i.e. 15 or more underage pupils enrolled in at least three out of the last five years using the latest census data available).
165. Twelve settings met the criteria for the programme, one of which was Magherafelt NS, and all were subsequently invited to participate in the pilot. The BoG of Magherafelt NS, however, declined the invitation to participate in the pilot programme. As participation in the pilot is voluntary, the decision of Magherafelt NS means there will be no change to pre-school provision in the area because of the pilot at this time.

⁵ <https://www.education-ni.gov.uk/publications/children-and-young-peoples-strategy-2020-2030>

166. You made a written statement to the Assembly setting out your vision and a package of measures in respect of Early Learning and Childcare measures on 23 May 2024. Among the measures, you have allocated £5m in the current year to begin the transition process to 22.5 hours, with an additional 2,200 full-time places expected to be in place by September 2025.
167. The out-workings of the standardisation programme may result in additional provision being required; however, this work is at a formative stage and the Department can only consider the current context when making recommendations in respect of this proposal.
168. In any event this proposal is not about adding extra places rather it is about Magherafelt NS transforming its management type from Controlled to Controlled Integrated status.

Quality of Education in Alternative Provision

169. The quality of education provided in the alternative neighbouring pre-school provision is set out in Table 11. As indicated, the majority of the alternative providers have been assessed by the ETI as good, very good or as having a high level of capacity for sustained improvement. Ballyronan Community Playgroup and Laughterland Early Years, however, have both been assessed as having the capacity to identify and bring about improvement.

Table 11: Quality of Education in Alternative Pre-school Provision

Ref No	Setting	ETI Assessment
	NU	
304-6691	Gaelscoil an tSeanchaí	May 2019 – ASOS. February 2011 – Good.
303-2281	St Mary’s PS and NU	October 2014 – Very Good November 2017 - ASOS
303-6562	Holy Family PS	March 2019 – ASOS. December 2012 – Very good.
	Pre-School	
5AB-0417	Discovering Kids PG	April 2017 - Discovering Kids playgroup has a high level of capacity for sustained improvement.
3AB-0264	Ballyronan Community PG	May 2016 - Ballyronan Community Playgroup demonstrates the capacity to identify and bring about improvement

3AB-0104	Kiddies Castle Early Years	March 2019 - Kiddies Castle Early Years has a high level of capacity for sustained improvement.
3AB-0138	Slievegallion Community Pre-School	November 2016 - Slievegallion Pre-school Centre has a high level of capacity for sustained improvement.
3AB-0574	Laughterland Early Years	January 2020 - Laughterland Early Years demonstrates the capacity to identify and bring about improvement

Religious Balance in Alternative Pre-school Provision

170. The religious balance of the alternative pre-school providers in this area is set out below in Table 12.

171. This shows that Magherafelt NS and Kiddies Castle Early Years in particular have mixed enrolments.

Table 12: Religious Balance in Alternative Pre-School Provision – 2023/24

Ref No	Setting	Protestant	%	Catholic	%	Other / Not known	%	Total
	Nursery School							
311-6177	Magherafelt NS	54	41	48	36	30	23	132
	NU							
304-6691	Gaelscoil an tSeanchaí	0	0	20	80	5	20	25
303-6562	Holy Family PS	0	0	49	91	5	9	54
501-2280	Moneymore PS	19	70	0	0	8	30	27
	Pre-School							
5AB-0417	Discovering Kids PG	*	8	24	92	0	0	26
3AB-0264	Ballyronan Community PG	0	0	0	0	24	100	24
3AB-0104	Kiddies Castle Early Years	16	43	16	43	5	14	37
3AB-0138	Slievegallion Community Pre-School	0	0	0	0	18	100	18
3AB-0574	Laughterland Early Years	0	0	24	100	0	0	24

Assessed Need for Pre-school Provision in the Area

172. EYT has not provided input in relation to DP 704 for Magherafelt NS, however, in providing comments on DP 672 for Spires IPS, they undertook an assessment of total pre-school provision in the area. EYT's assessment took into account the same pre-school providers which are relevant to Magherafelt NS and figures include the provision at Magherafelt NS.

173. EYT stated that in determining the need for pre-school education provision, the Department generally assumes a level of provision at 95% of target age children, predicated on the application rate for pre-school education places, which is circa 93%; however, the level of provision within local areas may be higher or lower, based on historic patterns of demand and assessment of ongoing need.

174. The current level of pre-school education provision within both a two-mile and five-mile radius of the school is used as an indicator of current capacity to meet need for pre-school education provision and is considered alongside other factors such as population projections to determine the likely future need for additional pre-school education provision in the area.

175. The number of pre-school education places and associated percentages are measured against the Year One enrolments for the 2019/20, 2020/21, 2021/22 and 2022/23 academic years using school census data.

Table 13: Level of Provision – two mile radius

Year	Statutory places	Non-statutory places	Reception places	Total pre-school provision	P1 places	Level of pre-school provision (%age of P1 places)	Underage children in statutory places	NS & NU Available pre-school places
2019/20	208	0	0	208	143	145.5%	29	9
2020/21	208	0	0	208	140	148.6%	14	7
2021/22	208	0	0	208	141	147.5%	45	5
2022/23	208	0	0	208	134	155.2%	26	7

Source: ASU

176. The level of pre-school education provision within a two mile radius has been significantly higher than the planning figure of 95% in each of the last four academic years, suggesting there is already over provision within the area.

177. Significant numbers of underage children have also been admitted to funded pre-school education places in each of the last four years, and there have also been a number of pre-school places in statutory nursery schools and/or nursery units that have remained unfilled by either target age or underage pupils at the conclusion of the admissions process each year. This would again indicate that there is more than sufficient pre-school education provision in the immediate area to meet demand for target-aged pupils.

Table 14: Level of Provision – five mile radius

Year	Statutory places	Non-statutory places	Reception places	Total pre-school provision	P1 places	Level of pre-school provision (%age of P1 places)	Underage children in statutory places	NS & NU Available pre-school places
2019/20	234	136	0	370	363	101.9%	29	9
2020/21	234	130	0	364	364	100.0%	14	7
2021/22	234	134	0	364	365	100.8%	45	5
2022/23	234	123	0	357	343	104.1%	26	7

Source ASU

178. The level of provision within the five mile radius has been considerably higher than the planning figure of 95% in each of the last four years, again suggesting over provision in the wider area, although it would appear that the increase in provision to 104.1% in the 2022/23 academic year is primarily down to a significant decrease in the Primary One cohort for 2022/23, which may indicate a drop in the birth rates in the wider area.
179. It should be noted that the references to unfilled pre-school places in the tables above only relate to under-utilised statutory pre-school provision. The EA PEG also manage funded provision in non-statutory pre-school settings, matching the number of funded places to demand during the admissions process and throughout the academic year. This means that the data shown does not reflect any additional capacity available within non-statutory settings which is not funded by EA due to the level of demand for target aged pre-school provision in the area.
180. Providers in the non-statutory sector are an essential element of the PSEP and are vital to the Department meeting its commitment of providing a funded pre-school education place for every target age child whose parents want it. All non-statutory pre-school settings are only allocated places for one year at a time and no setting is guaranteed a minimum allocation, or one that will accommodate all first preference applications. The EA PEG has responsibility for carrying out an annual assessment of need in all areas and for securing non-statutory pre-school education provision in local areas each year to meet demand. In doing so, it operates within strict parameters, allocating sufficient funded places to meet the level of demand in local areas, whilst avoiding over provision which can lead to unnecessary costs and destabilise the pre-school education programme overall.
181. EA data shows that at the conclusion of the 2024/25 pre-school admissions process a total of 367 funded pre-school places were available but only 355 first preference applications were received from target age children in the wider area. This would suggest that the current levels of pre-school provision available in the area are sufficient to meet current demand.
182. As stated above, population projections for three year olds for Mid Ulster District Council area predict an overall decrease of 241 from 2,170 to 1,929 between 2018 and 2033. However, it is noted that from 2034 to 2043 the population

projection shows a slight increase from 1930 to 2083, although this is still below the 2170 starting figure.

183. These figures suggest that demand is likely to decrease in the longer term; however, they cannot fully take into account population migration and other factors, so can only be indicators of the future pre-school population and not an exact prediction of demand.
184. It should be emphasised that this assessment does not include any pre-school provision in an Integrated setting and DP 704 for Magherafelt NS does not seek to create any additional pre-school provision.

Impact on Other Schools

185. The CfC asserts that *'there will be minimal if any impact on surrounding pre-school settings as the MNS enrolment number will remain unchanged and the next closest pre-school settings with 'fully integrated status' are situated at Phoenix Integrated Primary School and Nursery Unit and Braidside Integrated Primary School and Nursery Unit at distances of 18km and 33km respectively to Magherafelt Nursery School.'*
186. Table 3 above includes the alternative Integrated pre-school and nursery provision and would concur that Spires IPS does not currently have existing nursery provision (but DP 672 is also currently under consideration) and Phoenix IPS would be the closest Integrated provision with a nursery and is 11 miles away. However, as set out in Table 3 pre-school provision is then available at Maine IPS, 13.7 miles away which operates a pre-school playgroup which has 22 pupils enrolled in 2023/24. Round Tower IPS is over 18 miles away and has had a DP (615) for nursery provision approved with census data showing 26 pupils enrolled in 2023/24. Table 3 shows that Braidside IPS is then over 20 miles away.
187. As asserted in the CfC, the alternative Integrated pre-school provision would not be within an ideal travelable distance for families from the Magherafelt locality seeking a placement in an 'integrated' pre-school setting.
188. NICIE reiterates that *'The closest Integrated pre-school provision provides only part time places and are unrealistic distances for families to have to travel to access Integrated provision. These Nursery Units are also highly oversubscribed and it unlikely these schools would be affected by this Transformation'*.
189. DP 672 for Spires IPS seeks to provide 26 additional part-time places in the Magherafelt area and this school is in close proximity to Magherafelt NS. The proposal is also under consideration.

Other Pre-school Provision

190. The EA in providing comments on DP 704 referred to their comments previously provided in relation to DP 672 for Spires IPS which stated that *'Any additional pre-school provision within the area will detrimentally impact on current*

nondenominational pre-school providers both statutory and non-statutory'. No responses were received from potentially affected schools during the pre-publication consultation on DP 704, however, the CSSC commented that the DP should be considered in the context of the recently published DP for Spires IPS.

191. During the statutory two-month objection period, a response was received from Spires IPS. Spires IPS applauds Magherafelt NS' interest in Integrated Education and wishes them well and states that *'The two together represent a very strong endorsement of Integrated Education in the Mid-Ulster area.'*
192. NICIE comments that *'No objections were raised during the affected schools consultation and it is clear from the comments in the Case for Change that all stakeholders are in agreement that the Transformation of Magherafelt NS should be approved'*.
193. NICIE adds that *'Magherafelt NS is not seeking additional places but rather this Transformation is a change in status, therefore the level of pre-school provision across all settings in the area will remain unchanged by approval of this proposal. The change in status is therefore unlikely to impact the current provision in other sectors across the area.'*
194. The ETI update in relation to DP 704 states that *'The existing pre-school provision currently meets the demand in the wider and local community. The proposal for Magherafelt Nursery School to transform from Controlled to Controlled Integrated status should have minimal, if any impact, on surrounding pre-school settings as its enrolment number will remain unchanged.'*

Educational Impact

195. The CfC asserts that *'The school presents high-quality learning experiences to all children and is committed to further enhancing these as a central tenet of this Case for Change'*.
196. It adds that *'The CCEA Curricular Guidance for Pre-school (2018) and the Being Two and Three Framework underpins the planning and assessment framework in MNS as we strive to develop high quality teaching and learning experiences and improve outcomes for learners across the six learning areas of the pre-school curriculum'*.
197. The CfC details that the school has been able to enhance the curriculum enrichment experiences of the children and to consolidate and extend teaching and learning experiences across the range of ages and stages of ability of the children.
198. It cites that *'The school has committed to an extensive piece of work on Inclusion and Diversity as we seek to explore festivals and traditions that are celebrated Around the World and to develop a calendar of Festivals and events. A comprehensive planning programme is being produced and embedded to broaden and deepen integrated learning experiences for the children.'*
199. It further adds that:

‘Subject to approval of integrated status, the school would seek to enhance the curriculum enrichment experiences of the children and to extend the provision through the requisitioning of books, puppets, multi-cultural costumes, household props and play materials, sports equipment and small world resources that reflect cultural, social, ethnic and religious diversity. The school would also like to involve local artists, performers, artisans and authors who could contribute to the diversity of ‘The Arts’ programme on offer in MNS.’

200. In summary it states that *‘a move towards ‘Transformation’ will serve to further enhance the teaching and learning experiences and outcomes for learners provided at MNS. The educational benefits for children are manifold and the longer term societal and economic benefits of integration have yet to be quantified.’*

Contribution to Reconciliation

201. The CfC states that the school seeks *‘to play a primordial role in moving towards a shared future for our children and community.’* It makes reference to other programmes, strategies and policy drivers, as ‘worthy of mention’, as follows:

- The Education Reform (Northern Ireland) Order, Article 64(1) 1989;
- The Belfast Agreement 1998;
- Every School a Good School (ESAGS);
- Schools For the Future: A Policy for Sustainable Schools (2009);
- Together: Building a United Community (T:buc) Strategy;
- Programme for Government (PfG) 2016-2021;
- New Decade New Approach (NDNA) 2020; and
- NICIE Statement of Principals.

202. It further cites a Fair Start (2022) and advises that:

‘In recognising the above policy drivers and the ‘Statement of Principles’ for Integrated Education, MNS will seek to create a learning space where children can learn with, from and about each other with the goal of sowing the seeds for a truly integrated and shared society. The younger the children are when they embark on this journey of accepting and celebrating difference, the more likely it is to be embedded into the value system of the child and to impact on society. Through appropriate Personal, Social and Emotional experiences and curriculum enrichment activities, it is hoped that the children of MNS will develop tolerance, respect for self and others, resilience and conflict resolution strategies.’

Fair Start Report

203. An Expert Panel on educational underachievement submitted its Final Report and Action Plan - “A Fair Start” – to the Education Minister in May 2021. This was endorsed by the Executive on 27 May 2021. The Action plan contains 47 actions spanning a number of departments including Education, Health, the Executive Office, Department for the Economy and numerous Arm’s Length Bodies involving collaboration across the public sector and beyond. The first category

considers 'Redirecting the Focus to Early Years' and one of the recommendations considered is that "DE should standardise the length of pre-school education day to at least 4.5 hours per day, including access to free school meals for eligible children, thereby improving equality of provision". The out-workings of the standardisation programme may result in additional provision being required however, this work is at a formative stage and the Department can only consider the current context when making recommendations in respect of this proposal.

Housing Developments

204. The CfC states that *'a significant number of housing developments have commenced in the town which in turn will draw new families to the area and have the potential to further enhance the need for Integrated nursery provision at Magherafelt Nursery School'*.
205. It further states that additional large tracts of land have been zoned for housing development and Magherafelt NS has the capacity and the geographical proximity to service these housing developments.
206. Housing developments do not necessarily translate into reliable evidence of the need for school places, as matters such as age demographics of those who may move into a development and expressions of parental preference for types of education will have a bearing on demand.
207. The CfC adds however, that *'given the increasingly diverse religious, ethnic and National Identity of the citizens of NI, it is likely that these housing developments will continue to attract families from all ethnic communities and all faiths and none. The governors of MNS contend that the potentially 'Transformed' setting at Magherafelt Integrated Nursery School (subject to approval) is well seated to provide the pre-school places for children linked to these families'*.

Financial Implications

208. The CfC advises that the Governors of Magherafelt NS recognise that the Department has a statutory duty to Integrated education and that this must be considered in conjunction with the duty under Article 44 of the 1986 Order.
209. The CfC details that *'Given the substantial financial outlay by DENI on the accommodation and facilities at MNS campus, governors are seeking to enhance the range of sectoral provision within Magherafelt without any additional cost to the public purse'*. The governors contend that the provision of 'Integrated' status to Magherafelt NS would represent a cost-effective pathway of providing Integrated Pre-School Education to service parental demand.
210. There are no additional costs associated with this proposal.

CONCLUSION

211. This proposal needs to be viewed and considered through two lenses – the first lens being the statutory duty to encourage, facilitate and support Integrated Education; and the second lens being how the proposal meets the requirements for successful Transformation set out in the Transformation Guidance.
212. As set out above, the Planning for Sustainable Provision: Strategic Area Plan (SAP) 2022-27 (published June 2022) states that *'The managing authorities and sectoral bodies in their statutory duty will seek to identify, explore and bring forward proposals to encourage and facilitate both Irish Medium and Integrated education'*.
213. Magherafelt NS features in the associated OP1 as a short term workstream. The OP1 states that Magherafelt NS is proposing to transform to Controlled Integrated status. It cites the statutory duty to Integrated education with the associated key theme to *'Increase parity of access for all to appropriate pathways'*. Although pre-school/ nursery education sits outside Area Planning and the SSP, the proposal for Magherafelt NS has been progressed in association with Area Planning.
214. The Integrated Education Act came into operation on 26 October 2022 and this amended the duty on the Department under Article 64 of the Education Reform (Northern Ireland) Order 1989 to include "support" as defined in the Act and as set out above.
215. The CfC for DP 704 sets out how the proposal addresses the outworkings of the Act and the evidence included above indicates that the proposal meets the requirements of the Act.
216. The Department fulfils its statutory duty in a number of ways including supporting schools that wish to transform to Integrated status as this will create additional Integrated places to meet the demand for Integrated education as specified in the Act.
217. Schools wishing to transform however, must be able to demonstrate that they can transform to become a viable and sustainable entity against the requirements for successful transformation as set out in 'Transformation Works' guidance.
218. The assessment of evidence pertaining to Magherafelt NS against the requirements for Transformation is summarised above at paragraphs 67-128. The evidence would indicate that Magherafelt NS is in a position to be able to make a successful Transformation to Controlled Integrated status.
219. The proposal **does not** aim to increase pre-school provision and there is strong evidence of demand in the Magherafelt area for Integrated education, manifested through applications not only to Spires IPS but also to Sperrin Integrated College. There is a clear trajectory and pattern of a need for

increased integrated places as already demonstrated at both primary and post-primary level.

220. The Transformation guidance however, states that any DP for Transformation must consider the wider context of the network of schools. Area Planning aims to have schools of the right size and type in the right place through assessing the current and projected level of demand in an area and shaping provision to meet that demand.

221. At present, the Department is also considering DP 672 which proposes that a statutory NU will be established at Spires IPS, the closest Integrated provision in proximity to Magherafelt NS. The EA PEG in considering the proposal for Spires IPS, included a table reproduced here, which shows that the majority of pupils who go on to be enrolled in Spires IPS have previously attended Magherafelt NS.

Table 15: Pre-school Experience of P1 pupils at Spires IPS

PRE-SCHOOL	Spires IPS P1 2020-21	Spires IPS P1 2021-22
Magherafelt NS	23	24
Tober Tinys PG	1	1
Kiddies Castle PG	2	
Ballinascreen PG	1	
Our Lady Queen of Peace Belfast	1	
Omagh County PS NU	1	
Holy Family PSNU Magherafelt	1	2
Discovering Kids PG, Moneymore		1
Ballyronan PG		1
None		1
	30	30

Source – EA Primary Admissions

222. An update of this table is set out below, which includes the data captured by the Department which is not quite as detailed, but which confirms the type of pre-school provision attended by the P1 pupils who enrol in Spires IPS. This shows that the highest number of these pupils previously attended a nursery school or nursery unit in a primary school.

Table 16: Pre-School Experience of Spires IPS P1 Pupils

Year 1 previous experience	2019/20	2020/21	2021/22	2022/23	2023/24
No preschool education setting	*	0	0	0	0
Nursery unit in a special school	0	0	0	0	0
Nursery school or nursery unit in a primary school	23	28	23	27	25
Voluntary or Private Preschool (funded or unfunded)	*	*	*	*	*
Reception Class in a primary school	0	*	0	0	*
Unknown	0	0	*	0	*
Total	28	30	30	29	28

Source: NI school census

Notes:

Data is based on pupils enrolled on Census day i.e. The Friday of the first full week in October
Please note that year 1 previous experience is unvalidated

223. Even though these proposals are separate and different in what they are seeking, the common feature to both is they are about the development and growth of Integrated education in Magherafelt. NICIE believes that there is room for both the approval of the Transformation of Magherafelt NS and the approval of a nursery unit at Spires IPS. NICIE states the demand for Integrated Education places has been demonstrated in both schools. They also point out that Sperrin IC, the local Integrated post-primary school is often oversubscribed. NICIE is keen to see solid sustainable pathways from 3-19 for those families who wish an Integrated education for their children.
224. The Department's duty to Integrated education does not equate to a duty to approve every proposal brought forward for Integrated provision and the Department must also be mindful of its statutory duty under Article 44 of the Education and Libraries Order 1986 and under "Managing Public Money" to ensure effective and efficient use of public funds.
225. As set out above, there is sufficient pre-school provision currently in the Magherafelt area (with underage pupils being enrolled) however, this provision is not in a school defined as Integrated by the Integrated Education (Northern Ireland) Act 2022. An Integrated school is one which has acquired (i) Grant-maintained Integrated status, or (ii) Controlled Integrated status.
226. No responses were received from potentially affected schools during the EA's pre-publication consultation on the proposal, however one response was

received from the CSSC. The CSSC stated that *'The development proposal should be considered in the context of the recently published Development Proposal for Spires IPS. CSSC has raised concerns in respect of an increase to provision in the area which already has sufficient pre-school places'*.

227. It is noteworthy that the EA PEG supports the proposal and the EA has commented that the Transformation of Magherafelt NS would address their concerns previously expressed in relation to DP 672 for Spires IPS and parental demand, while not increasing the number of nursery places in the area. The concerns are set out at paragraph 51 above.
228. The EA points out that *'The proposed transformation of Magherafelt Nursery School could also potentially negate any additional costs which would be incurred through the establishment of a nursery unit at Spires Integrated Primary School estimated at £300,000 for accommodation and £48,000 for staffing'*. There are no additional costs associated with this proposal.
229. The Department received three responses during the statutory objection period from the BoG of Magherafelt NS, NICIE and the BoG of Spires IPS. The BoG of Spires IPS commented that *'Demand has been demonstrated for an Integrated Nursery Unit at Spires IPS by surveys and the collection of Expressions of Interest forms. The Board of Governors also recognises that the positive ballot for Transformation in Magherafelt Nursery School is an indication of demand for Integrated Education. The two together represent a very strong endorsement of Integrated Education in the Mid-Ulster area.'*
230. Population projections for three year olds for Mid Ulster District Council area predict an overall decrease between 2018 and 2033. However, from 2034 to 2043 the population projections show a slight increase from 1930 to 2083, although this is still below the 2170 starting figure. The EA's OP1 states that the downward trend in births in the Mid Ulster LGD is projected to continue.
231. NICIE is a stakeholder and has representation on all of the Area Planning structures and has a role to provide guidance and direction on innovative sustainable Integrated provision, working with all education partners in achieving Area Planning solutions. It would have been advantageous if these proposals had been linked and published together as a (strategic) area solution for nursery provision in Magherafelt. However, they have been brought by their respective BoGs separately with the support of NICIE and the Integrated Education Fund.
232. Should you approve this proposal, then further strategic (area) planning would be required especially at primary level. If parents decide they would wish for their children to continue their education from an Integrated pre-school to an Integrated primary school – then the nearest available Integrated primary school is Spires IPS which only has an approved admission and enrolment of 29 and 203 respectively – it is evident that further Integrated primary places may be required.
233. NICIE has already stated that they wish to see solid sustainable pathways from 3-19 for those families who wish an Integrated education for their children. It

may have been sensible/appropriate for a proposal to have come forward in addition to the transformation of Magherafelt NS for an expansion of Integrated primary provision in the first instance, rather than for a further Integrated pre-school i.e. DP 672.

234. In fulfilling its duty to encourage, facilitate and support the development of Integrated education, whilst taking account of the duty to ensure effective and efficient use of public funds, the Department must be convinced that the educational experiences of the pupils will be of a high quality and sustainable in the longer term. In assessing this proposal to transform Magherafelt NS to Controlled Integrated status, it is considered that this school is in a position to be able to achieve a successful Transformation and continue to provide a high quality educational experience for its pupils. Approval of the proposal will not create any additional nursery places while transforming its existing 130 places to Integrated provision. It will not therefore negatively impact other existing pre-school providers in the area. The ETI has stated that *'The existing pre-school provision currently meets the demand in the wider and local community. The proposal for Magherafelt Nursery School to transform from Controlled to Controlled Integrated status should have minimal, if any impact, on surrounding pre-school settings as its enrolment number will remain unchanged.'*

235. There are also no costs associated with the proposal.

236. The Irish-medium and Integrated Education (IMIE) Team is content that the statutory duty under Article 64 of the Education Reform (Northern Ireland) Order 1989 to encourage, facilitate and support the development of Integrated education has been fully considered and reflected in this submission.

237. As the implementation date of DP 704 has lapsed, the Department consulted with the proposer and confirmation has been provided that should you approve the proposal, the preferred implementation date would be 1 September 2025.

RECOMMENDATION

238. Based on the evidence detailed above, it is recommended that you:

- (i) Approve DP 704 with a modification to the implementation date that:

Magherafelt Nursery School will transform to Controlled Integrated Status with effect from 1 September 2025, or as soon as possible thereafter.

- (ii) Agree that this submission (with appropriate redactions) can be published on the Department's website once the school's BoG and the EA have been notified of your decision.

239. The following appendices are attached separately for your consideration:

Appendix A: Copy of Published Development Proposal (DP) 704

- Appendix B: Case for Change for DP 704**
- Appendix C: Magherafelt NS – Ballot Results**
- Appendix D: Magherafelt NS Equality Screening Document**
- Appendix E: Response from the BoG of Magherafelt NS to DP 704**
- Appendix F: Response from the BoG of Spires IPS to DP 704**
- Appendix G: Northern Ireland Council for Integrated Education (NICIE) – Response to DP 704**
- Appendix H: Education and Training Inspectorate (ETI) Commentary on DP 704**
- Appendix I: Department of Education (Policy Team) Comments – DP 704**
- Appendix J: Integrated Education Act (Northern Ireland) 2022 – Additional Supplementary Information**
- (i) CSSC Commentary
(ii) NICIE Comments



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