



Department of
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Outcome of public consultation on proposals to strengthen legislation on inspection of schools and other education and training establishments

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Executive Summary

The eight-week public consultation on the proposals to strengthen legislation to protect inspection of schools and other education and training establishments ran from 15 May 2025 to 10 July 2025.

The Department proposed the introduction of legislation to ensure cooperation in all circumstances with inspections in schools and other educational establishments. The current legislative framework, dating back to the Education and Libraries (Northern Ireland) Order 1986, does not explicitly require cooperation with inspection. This has created a legislative gap that has allowed obstruction of inspection to become a tool of industrial action.

The proposals for change follow an extended period of almost a decade of non-cooperation with inspection in schools as part of teacher unions' Action Short of Strike (ASoS) directives. Three-quarters of school inspections in the last eight academic years have been impacted by ASoS and therefore the resulting reports concluded that the Education and Training Inspectorate (ETI) was unable to assure parents/carers, the wider school community and stakeholders of the quality of education being provided for the pupils and was unable to evaluate fully the outworking of the arrangements for safeguarding.

The proposals for change align with recommendations made by the panel which undertook the Independent Review of Education and that of other independent studies. Action in this area is a key commitment within the Department's TransformedED Strategy and sits alongside a wide range of commitments and agreed measures to move at a pace to address teacher concerns regarding workload. Notably, an independent panel, chaired by Paul Sweeney, is currently undertaking a Review of Teacher Workload. The panel, which will report by the end of November 2025, is

examining all aspects of workload faced by teachers and school leaders and will make recommendations for the way forward.

The public consultation sought to gather the views of all stakeholders on the Department's proposals. This included parents and carers, children and young people, school and college leaders, teachers, lecturers, school and college support staff, education sector support bodies, trade unions and any other interested party.

The consultation resulted in the submission of 2723 responses: 2710 using the online questionnaire and 13 written responses by email. Six of the written responses were provided by individuals and seven were from organisations.

The highest number of online responses were received from teaching staff, tutors or lecturers (52.14%) followed by parents or guardians (35.28%). A number of respondents provided more than one response to the consultation, selecting a different category of the group they were representing (i.e. a number responded separately as a teacher and then again as a parent and/or a member of the public). For example, it is notable that 23.4% of the responses from parents/guardians had an identical IP address to that of a response from a teacher/tutor/lecturer. Several hundred responses took the form of a campaign response issued by a teacher union to members. A full breakdown of respondents is provided in part one of the report.

Overall, a majority of those responding to the consultation, mainly teaching staff, disagreed with the Department's proposal to strengthen existing primary legislation to ensure inspection can operate as intended by making it an offence to obstruct inspection in Northern Ireland.

The main rationale cited was that non-cooperation with inspection during industrial action was the main tool available to teachers to invoke improvements to pay and

working conditions and that teachers should choose to cooperate rather than be compelled to do so.

It should be noted however, that under the proposals, teachers and lecturers across Northern Ireland would retain the right to strike and to take other forms of industrial action, including Action Short of Strike, but inspection would be exempt from such action.

While a majority of teaching staff opposed the change, a significant number of parents - particularly those not also responding as teachers - expressed support. Focus groups revealed that many parents were unaware inspections had been halted and some were deeply concerned when they learned of it.

The Department has considered the consultation responses in detail and has reviewed the comments made and information provided by respondents against a wide range of international evidence and examples of approaches to school inspection. It has also considered the responses in the context of the legal frameworks in other jurisdictions across the UK and Ireland.

Non-cooperation with school inspections is not permitted in any other UK jurisdiction or in the Republic of Ireland where it is a legal offence to obstruct inspection. In other regions, the mere existence of such legislation has been sufficient to ensure cooperation - no prosecutions have been necessary.

Further within Northern Ireland, education itself is also an outlier. Organisations across public life are inspected – care homes, restaurants, hospitals, prisons and the police service. Cooperation is not on a voluntary basis. It is an offence to obstruct the inspection of employment agencies, of health and social care services and of all workplaces in the enforcement of health and safety law.

Non-cooperation with inspection is not, therefore, part of industrial action within these contexts. The absence of a similar protection for children in our schools, colleges and other educational settings is a significant issue. Inspection is not simply a workplace duty - it is a mechanism of public accountability. It is the only independent process through which we can verify that schools are meeting legal standards, safeguarding children and delivering quality education.

Despite the majority of respondents expressing opposition to the proposed legislative changes, there is strong empirical educational evidence in favour of the proposed approach to safeguard inspection. Inspections are a key part of the education accountability architecture in many high performing countries.

The absence of inspection has already delayed interventions in schools where support was urgently needed, disproportionately affecting vulnerable learners. It is only during the last year when inspections have proceeded unobstructed that we have begun to identify schools that have been in need of support for some time.

ETI has worked closely with the teaching profession to co-design a new, empowering inspection model that is collaborative and developmental. This legislation will reinforce that model, ensuring it can be implemented consistently and effectively.

The proposals prioritise the needs of and protection of our children and young people, ensuring public confidence in our education system and aligning Northern Ireland with best practice across the UK and Ireland.

Strengthening inspection legislation to require cooperation is a necessary and critical step to safeguard our children and ensure that our education system remains accountable, transparent and focused on continuous improvement.

The Department, therefore, remains committed to progressing the introduction of a standalone Bill to strengthen the inspection framework across educational establishments in Northern Ireland.

Introduction

On 15 May 2025, the Department launched an eight-week public consultation on proposals to strengthen the existing statutory framework for inspection of schools and other education and training establishments by making it an offence to intentionally obstruct a person involved in the carrying out of an inspection.

The consultation documents were hosted online and made available in both English and Irish. The consultation documents and associated impact assessments remain available to view on the Department's website.

Respondents had the opportunity to use an online questionnaire to provide their views or to provide a written response. The Department received 2710 responses to the online questionnaire. A summary of the responses to the online consultation is outlined in **Part One** of this document.

In addition, the Department received 13 written responses and a summary of the comments and responses is outlined in **Part Two** of this document.

Finally, the Department employed a trained moderator to undertake focus group sessions with parents and with teachers in order to garner authentic insights into perspectives on this issue and other priority policy areas. The key findings from this engagement are outlined in **Part Three** of this document.

Context

Inspections are a key part of the education accountability architecture in many high-performing countries. Inspections typically involve a team of experienced professionals working with the school, setting or college to understand its vision and how it goes about supporting the educational needs of its learners, engaging in professional dialogue with staff, parents/carers and learners, observing aspects of its provision and identifying what is working well and what could be developed further, in the best interests of the learners.

The goal of inspection is to ensure the school or other education setting is providing a good standard of education, maintaining a safe and effective learning environment and meeting all legal requirements. Inspection is intended to act as a catalyst for the continuous improvement of schools, colleges and education standards generally.

In Northern Ireland, inspection of education settings including schools and further education colleges is undertaken by the Education and Training Inspectorate (ETI) operating in accordance with Article 102 of the Education and Libraries (Northern Ireland) Order 1986. This requires that “every relevant establishment shall be open at all reasonable times to inspection”.

The current legislation, however, makes no explicit reference to the need for school and college staff to cooperate with inspection. Teaching Unions have, therefore, included non-cooperation with inspection as part of their industrial action, which has primarily taken the form of Action Short of Strike. This has significantly disrupted inspection in schools during the past decade.

In other neighbouring jurisdictions in the UK and Ireland, the law on this matter is significantly more robust, providing for the right of entry and also the right to inspect

any documents relevant to the discharge of functions. It is an offence to ‘obstruct’ the work of an inspector.

Neighbouring jurisdictions have not needed to resort to prosecution. The very existence of the legislation is sufficient to ensure cooperation and means inspection is not part of industrial action and can operate as intended.

Within Northern Ireland, it is already an offence to obstruct the inspection of health and social care services, of employment agencies and of all workplaces in the enforcement of health and safety law. The absence of a similar protection for our schools, colleges and other educational settings is a significant legislative gap. The current legislative provisions, if left unchanged, could continue to undermine the ETI’s effectiveness, leaving Northern Ireland as the only region where obstructing or non-cooperation with inspection is possible without sanction and where inspection does not function for extended periods of time.

The Department’s proposal involves augmenting the current primary legislation around inspection by making it an offence for a person to intentionally obstruct the inspection process. A person found guilty of such an offence would be liable to a fine not exceeding Level 4 on the standard scale.

The Department believes this proposal is practicable and provides a clear legislative framework to ensure the efficient and effective operation of education inspection in Northern Ireland. It aligns with arrangements for education inspection elsewhere in the UK and Ireland and also provides the same protective framework to education inspection as in other sectors within Northern Ireland.

Consultation Process

The consultation contained four questions that sought the views of all stakeholders on the Department's proposals to strengthen inspection legislation followed by an opportunity for further comments. Stakeholders include parents and carers, children and young people, school leaders, teachers, lecturers, school and college support staff, education sector support bodies, trade unions and any other interested party.

The consultation was published on the Department's website and a press release was issued to raise public awareness of the consultation. The Department wrote to all schools asking that they share the consultation links with their whole school community including staff, pupils and parents.

The Department also wrote to organisations advocating for children and young people and parents in Northern Ireland and emailed all Members of the Legislative Assembly (MLAs) and other relevant public bodies in the education sphere.

The questions were as follows:

1. To what extent do you agree that inspection should operate as intended and to ensure this happens the current legislation needs strengthened?
2. To what extent do you agree or disagree with the proposal to make it an offence for a person to intentionally obstruct an inspection, offering children and young people in Northern Ireland the same protections and safeguards supported through the inspection process - as those in other jurisdictions?
3. To what extent do you agree or disagree that the penalty for such an offence should be a fine not exceeding Level 4 on the standard scale?

4. Do you agree with the outcome of the Equality Screening and/or are there any considerations that should be reflected?
5. Are there any further comments that you would like to make in relation to the draft inspection policy proposals?

This document divides the consultation responses into three parts. Part One gives details of the 2710 responses provided to the questions posed through the online questionnaire and the Department's response.

Part Two relates to the 13 responses provided by those who submitted separate, written replies. Seven of these responses were from organisations and six were submitted by individuals.

Part Three sets out the findings of the independently moderated focus groups with parents and teachers.

Some responses referenced areas that are outside the scope of this consultation. These views are not included in this document which focuses on the proposals to strengthen inspection legislation.

PART ONE – Online Questionnaire Responses

As part of the consultation process, an online questionnaire was used to allow respondents to give their views. A total of 2710 responses were received via the online consultation survey hosted by Citizen Space.

Respondent Profile

Table 1 provides a full breakdown of the respondent profile. Teaching staff / tutors / lecturers and Parents/ guardians accounted for almost nine out of every ten respondents to the consultation, 52.1% and 35.3% respectively. All the remaining types of respondents in Table 1 accounted for less than 5% of all respondents in all instances.

Responses to the consultation were received from 1,413 Teaching staff / tutors / lecturers. Reflecting on the teachers currently employed in grant-aided schools in Northern Ireland (around 22,000) and a further 8,000 registered supply teachers; this represents a proportion of 4.7% of the teaching workforce in schools. The proportion of all teachers, tutors and lecturers working across Northern Ireland would be much smaller however this data is not held by the Department.

Less than 1,000 responses (956) were received from the parents / guardians. There are approximately 350,000 pupils in pre-schools and schools across Northern Ireland¹. The responses, therefore, represent less than 0.3% of parents of these children and young people.

¹ Source [Annual enrolments at schools and in funded pre-school education in Northern Ireland 2024/25](#)

Table 1. Respondent Profile

Respondent profile	Number of respondents	Percentage of all respondents
Leader of a school or education and training establishment	119	4.4
Member of a Board of Governors of an education or training establishment	34	1.3
Member of the public	124	4.6
Member of the voluntary and community sector	*	*
Non-teaching staff	22	0.8
Parent/ guardian	956	35.3
Political representative	*	*
Pupil / young person	6	0.2
Teaching staff / tutor / lecturer	1413	52.1
Trade union representative	8	0.3
Other	23	0.8
Total	2710	100

* Indicates a number less than five that has been suppressed for confidentiality reasons.

Note as the possible categories are not mutually exclusive it is not possible to tell the actual number of individuals the 2710 respondents represent.

In the remaining analysis of the consultation, where the type of respondent is referred to, Table 1 has been grouped as follows:

- Teaching staff / tutor / lecturer (n=1,413)
- Parent/ guardian (n=956)
- Member of the public (n=124)
- Leader of a school or education and training establishment (n=119)
- Other (n=98).

This is to ensure a minimum number of respondents in each group for analytical reasons and ensure as far as possible the confidentiality of the respondents.

A number of respondents provided more than one response to the consultation, selecting a different category of group (i.e. a number responded separately as a teacher and then responded again as a parent and again as a member of the public). For example, 224 of the 956 (23.4%) of the parent/guardian responses had an identical IP address to that of a response from a teacher/tutor/lecturer. Whilst it should be noted that this has potentially skewed the consultation outcome, all responses have been included as the Department did not specify that individuals could respond only once.

In addition, over 200 responses formed part of a campaign response utilising the directed responses to quantitative questions and wording for additional comments that one teaching union emailed to all their members. It is notable that the same wording was also detailed in a number of responses from parents.

Question One

Question One asked: *To what extent do you agree that inspection should operate as intended and to ensure this happens the current legislation needs strengthened?*

63% of respondents strongly disagreed and 13.5% of respondents disagreed with this question. Approximately one fifth of respondents strongly agreed (15.9%) or agreed (4.3%) and 3.3% neither agreed nor disagreed (Table 2).

Table 2. Number and percentage of respondents agreeing or otherwise that inspection should operate as intended and to ensure this happens the current legislation needs strengthened.

Response	Number of respondents	Percentage of all respondents
Strongly Agree	432	15.9
Agree	116	4.3
Neither Agree nor Disagree	90	3.3
Disagree	365	13.5
Strongly disagree	1707	63.0
Total	2710	100.0

It is notable that 93.5% of responses from teaching staff/tutors/lecturers disagreed or strongly disagreed with the statement. 53.3% of parents/guardians disagreed or strongly disagreed with the statement. However, it should be noted that when IP addresses for parents that match those for teacher responses are removed; 54.5% of parents agree or strongly agree with the proposals, 4.6% neither agreed nor disagreed and 40.8% disagreed or strongly disagreed.

Additional comments regarding respondents' views on this statement were possible through a free response option which 1250 respondents utilised.

Comments were provided by 1096 (52.9%) of the 2072 respondents who disagreed or strongly disagreed with the statement. These are summarised in Table 3 below.

Table 3. Additional comments from respondents who disagreed with the statement that inspection should operate as intended and to ensure this happens the current legislation needs strengthened.

Consultation Summary Report on Proposals to Strengthen Inspection Legislation – August 2025

Comment	Number	Percentage of all comments
Removal of inspection from the remit of industrial action	525	47.9
Working conditions e.g., teachers' pay and workload; education funding.	141	12.9
Inspections are not necessary / have no impact	113	10.3
Current inspection requirements do not need to be strengthened / made legal	86	7.8
Lack of trust in, autonomy of, teachers	67	6.1
More collaboration needed	57	5.2
Information regarding safeguarding	33	3.0
Inspections don't portray the whole school	27	2.5
Current inspection process is not fit for purpose	8	0.7
Other	39	3.6
Total	1096	100.0

The most frequent comment related to opposition to the removal of inspection from the remit of industrial action. There was a concern that proposals criminalised lawful industrial action, that the rights to take action were being diminished and that the proposed legislation would undermine efforts to express discontentment around pay and workload issues and achieve change. There was a sense that teachers were being coerced to engage with inspection and that it was not possible to engage positively with inspection whilst staff were on industrial action. Many respondents believed the focus should be on resolving the issues resulting in the action. Some respondents raised concern about the perceived stress of inspections, referring to challenges faced by Ofsted in England and citing the case of Ruth Perry. Some respondents contended that inspections were not needed (or that obstruction of inspection had no impact on education quality) as GCSE and A level results demonstrated Northern Ireland had a highly performing education system.

The second most frequent comments related to working conditions namely that teachers' pay and workload and pressures on education funding had caused the industrial action and there was a potential need for future action and non-cooperation.

Of the 548 respondents who agreed or strongly agreed with the statement, comments were provided by 122 respondents (28.6%). The most frequent comment, made by 64.8% of these respondents related to the necessity of inspection for reasons such as accountability and parental choice.

Departmental Response

It is noted that a majority of respondents, and notably a very high percentage teachers/lecturers/tutors, disagreed with the proposals to strengthen inspection legislation. The Department considers there are nonetheless sound educational reasons for taking forward the legislation. It is noted that when those who also completed the form as teachers are excluded, a majority of parents supported the proposal.

The most frequent comment in response to this question is that it is not appropriate to remove inspection from the remit of industrial action. However, evidence from other jurisdictions indicates that it is not the norm for school inspection to be included within industrial action. It is not the position in any of the other UK jurisdictions nor in the Republic of Ireland. Internationally it is not usual for school inspections to be subject to widespread non-compliance across many years. The statutory powers of inspectorates usually include that inspectors can enter schools, early childhood and other educational services and are entitled to receive such information as they consider necessary for the purpose of inspection.

All evidence indicates that Northern Ireland is an outlier in this regard and the proposed legislation would align Northern Ireland with the position in the rest of the British Isles.

Further within Northern Ireland, education itself is also an outlier. Organisations across public life are inspected and co-operation is not on a voluntary basis – care homes, restaurants, hospitals, prisons and the police service. It is an offence to obstruct the inspection of employment agencies, of health and social care services and of all workplaces in the enforcement of health and safety law. Non-cooperation with inspection is not, therefore, part of industrial action within these contexts. The absence of a similar protection for our schools, colleges and other educational settings is a significant legislative gap.

In addition, it should be noted that inspection within the education system is not merely a workplace duty - it is a mechanism of public accountability. Unlike tasks such as attending meetings or completing administrative paperwork, inspection is an externally mandated process designed to ensure that schools meet legal, professional and educational standards. It plays a critical role in serving the broader public interest by safeguarding the quality of education and the welfare of pupils. Therefore, obstructing inspection undermines not just internal operations but the transparency and trust that underpin the entire education system. It is important, therefore, that the legal framework distinguishes inspection from discretionary or negotiable duties that may be subject to industrial action.

When educators take action to express grievances or negotiate better conditions, they do so with the understanding that certain core responsibilities - especially those tied to legal compliance and child safety - remain protected. Legally exempting inspection from industrial action, safeguards its critical system-wide role.

The comments from respondents in regard to concerns about working conditions and the need for future industrial action are noted by the Department. The Department is fully committed to bringing about real reductions in the pressures and workloads facing teachers. The Independent Review of Teacher Workload Panel has been specifically

commissioned to develop proposals in this regard. However, the proposals in respect of inspection in no way preclude future industrial action. Teachers will still be able to take both strike action and Action Short of Strike. It is rather that inspection will no longer form part of such action. School inspection is simply too important to be used as a tool in industrial action. As highlighted above, this proposal is not about preventing lawful industrial action rather it is about normalising cooperation with a vitally important process in our education system.

There is no strong educational evidence to support the view expressed by some respondents that inspections are unnecessary and have no impact on the education system. International research highlights that well-designed inspection systems can lead to meaningful improvements in teaching quality, school leadership and student outcomes. Effective inspection is a cornerstone of school improvement and ensuring it operates as intended requires a robust legislative framework. It is a stark reality, with the resumption of inspection after the prolonged period of industrial action, that it is only now that schools are being identified for which intervention is critical and has been needed for a number of years.

In response to the comments about improved educational performance, it should be noted that the Independent Review of Education highlighted that there are concerning differences in performance at GCSE level between schools with similar levels of disadvantage and some schools continue to perform poorly. There are also key limitations to our data. For the period between 2018-19 and 2024-25, we did not have data on how our children are performing in literacy and numeracy at the end of each Key Stage.

Further, performance in the Programme for International Assessment (PISA) - the large-scale international assessment which is undertaken at post primary level by 15-year-olds – indicates that Northern Ireland's educational performance could and

should be better by the crucial stage at which young people are nearing completion of compulsory education. Northern Ireland's outcomes in PISA 2022 are above average in reading but average in mathematics and science.² Notably our PISA results have declined in the longer-term. In 2000 and 2003, our 15-year-olds were significantly above the OECD average in maths, reading and science. Over the last decade our scores have decreased significantly across all three domains. As a system, our performance has stagnated whilst that of England and the Republic of Ireland has improved relative to international comparators.

International parallels also suggest that inspection systems in education do not imply a lack of trust in teachers as suggested by some respondents. In many cases internationally, inspection frameworks are designed specifically to support and enhance professional practice. In countries like the Netherlands and Finland, and in the recently redesigned inspection framework in Northern Ireland, inspections are framed as collaborative and developmental, rather than punitive. Inspectors work with schools to identify strengths and next steps, fostering a culture of continuous learning.

In Northern Ireland, teachers and school leaders were involved in co-design to shape the current inspection framework. The framework aims to reinforce trust and promote shared ownership of quality standards. ETI has worked extensively to rebuild the trust of education professionals and transform the inspection process, lowering the stakes for schools and colleges, while empowering them to make impactful changes to continuously improve teaching standards and the outcomes attained by the children and young people.

All professionals operate within systems of accountability. Inspection is very much part of a broader system of professional accountability, where teachers are trusted to deliver quality education but are also supported through feedback and oversight. This

² [PISA 2022 National Report for Northern Ireland | Department of Education](#)

reflects a balanced approach — trusting teachers while ensuring public confidence in the education system.

Question Two

Question Two asked: *To what extent do you agree or disagree with the proposal to make it an offence for a person to intentionally obstruct an inspection, offering children and young people in Northern Ireland the same protections and safeguards supported through the inspection process - as those in other jurisdictions?*

73.3% of respondents strongly disagreed and 6.1% of respondents disagreed with the proposal to make it an offence to obstruct inspection. Approximately one fifth of respondents strongly agreed (14.2%) or agreed (4.8%) with the proposal. A summary of responses is provided in Table 4 below.

Table 3. Number and percentage of respondents agreeing or otherwise with the proposal to make it an offence for a person to intentionally obstruct an inspection, offering children and young people in Northern Ireland the same protections and safeguards supported through the inspection process as those in other jurisdictions.

Response	Number of respondents	Percentage of all respondents
Strongly Agree	384	14.2
Agree	130	4.8
Neither Agree nor Disagree	43	1.6
Disagree	166	6.1
Strongly disagree	1987	73.3
Total	2710	100.0

It is notable that 96.1% of teaching staff/tutors/lecturers disagreed or strongly disagreed with the statement, as did 73.9% of leaders of a school or education and

training establishment and 56.7% of parents/guardian responses. When parental responses with identical IP addresses to teacher responses were removed, the level of disagreement with the statement amongst parents / guardians fell to 44.5%, with a majority agreeing or strongly agreeing.

Additional comments regarding respondents' views on this statement were possible through a free response option and 1221 comments were submitted.

Additional comments were provided by 999 (46.4%) of the 2153 respondents who disagreed or strongly disagreed with the statement. Table 5 shows the additional comments made by these respondents.

Table 5. Additional comments from respondents who disagreed with the proposal to make it an offence for a person to intentionally obstruct an inspection, offering children and young people in Northern Ireland the same protections and safeguards supported through the inspection process as those in other jurisdictions.

Comment	Number	Percentage of all comments
Disproportionate to make non co-operation an offence	435	43.54
Reduces impact of industrial action	158	15.82
Working conditions e.g., teachers' pay and workload; education funding.	88	8.81
Information regarding safeguarding and child protection is misleading	81	8.11
Lack of trust in teachers, damage the profession	51	5.11
Needed to strengthen accountability and / or compliance	33	3.30
Inspections are not necessary / have no impact	25	2.50
More collaboration needed	24	2.40
Do not copy other jurisdictions' inspection system	22	2.20
Other	82	8.21
Total	999	100.00

The most frequent comment, made by 43.5% of these respondents, was that the proposal to make non-cooperation an offence was disproportionate. Comments

related to the right to take industrial action and the use of inspection as part of Action Short of Strike were made by 15.82% of these respondents.

If you do not agree, what educational argument underpins your position?

There were 236 responses to this part of the question. Arguments presented included the need for improved industrial relations and working relationships between the teaching workforce and the Department or employers or inspectors. Concerns were also raised around staff morale.

Departmental Response

It is noted that a significant majority of respondents, and a notably high proportion of teachers/lecturers/tutors disagreed with the proposals to make it an offence for a person to intentionally obstruct an inspection. It is noted that when the IP addresses from those who also completed the form as teachers are excluded, a majority of parents supported the proposal.

While it is acknowledged that many respondents have expressed concerns about making it an offence to obstruct inspection, there are compelling educational and safeguarding reasons to support this legislative change. Inspections are a vital mechanism for ensuring that all children and young people receive a high-quality education. They provide independent assessments of school performance, help identify areas for improvement and ensure that appropriate child protection arrangements are in place. Without full cooperation, the inspection process cannot function effectively, potentially leaving gaps in oversight that disproportionately affect the most vulnerable learners.

Critically, strengthening the legislation to require cooperation - by making obstruction an offence - would ensure that inspections operate as intended, safeguarding the integrity of the process and the wellbeing of pupils. In the absence of a requirement to cooperate and an offence to obstruct inspection, there has been significant disruption to inspection across almost a decade. Three-quarters of ETI inspections in the last eight academic years have been impacted by Action Short of Strike and therefore the resulting reports concluded that the ETI was unable to assure parents/carers, the wider school community and stakeholders of the quality of education being provided for the pupils and was unable to evaluate fully the outworking of the arrangements for safeguarding. This is clearly stated in published reports from inspections impacted by Action Short of Strike.

There are many reasons to ensure inspection is consistently in place to provide a unified framework to help ensure any gaps in policies, procedures or implementation that could put children at risk are identified and that corrective action is taken.

Moreover, this proposal would bring Northern Ireland in line with other jurisdictions such as England, Scotland, Wales, and the Republic of Ireland, where obstructing inspections is already an offence. This alignment is not about penalising educators, but about reinforcing the importance of transparency, accountability and child safety across all educational settings.

In short, while concerns from stakeholders are acknowledged, the educational rationale for this proposal is strong. It is about protecting learners, supporting school improvement and ensuring that inspection remains an effective means for raising standards.

Question Three

Question three asked: *To what extent do you agree or disagree that the penalty for such an offence should be a fine not exceeding Level 4 on the standard scale?*

71.1% of respondents strongly disagreed and 4.9% of respondents disagreed. Under one fifth of respondents strongly agreed (11.7%) or agreed (5.9%) with the question (Table 6).

Table 4. Number and percentage of respondents agreeing or otherwise that the penalty for such an offence [to intentionally obstruct an inspection] should be a fine not exceeding Level 4 on the standard scale.

Response	Number of respondents	Percentage of all respondents
Strongly Agree	318	11.7
Agree	161	5.9
Neither Agree nor Disagree	171	6.3
Disagree	133	4.9
Strongly Disagree	1927	71.1
Total	2710	100.0

It is notable that 90.45% of teaching staff/tutors/lecturers disagreed or strongly disagreed with the statement, as did 72.4% of leaders of a school or education and training establishment and 56.0% of parents/guardians responses. When parental responses with identical IP addresses to teacher responses were extracted, 45.6% of parent /guardians disagreed or strongly disagreed, whilst 45.2% agreed or strongly agreed and 9.2% neither agreed nor disagreed.

Additional comments regarding respondents' views on this statement were possible through a free response option and 1078 comments were received.

921 (44.7%) of the 2060 respondents who disagreed or strongly disagreed with the statement provided comments. Table 7 shows the additional comments made by these respondents.

Table 7. Additional comments from respondents who disagreed with the statement that the penalty for such an offence [to intentionally obstruct an inspection] should be a fine not exceeding Level 4 on the standard scale.

Comment	Number	Percentage of all comments
Fine for lawful / legitimate industrial action is not appropriate	339	36.8
Fine is a disproportionate response	299	32.5
Lack of trust in, respect for teachers and principals; damage the teaching profession	90	9.8
Working conditions e.g., teachers' pay and workload parity with other nations of the UK; education funding.	70	7.6
More collaboration needed	41	4.5
Parity with other jurisdictions is not a reason to impose a fine in Northern Ireland	33	3.6
Fine is not a severe enough response	11	1.2
Other	38	4.1
Total	921	100.0

The most frequent comment, made by 36.8% of those respondents who disagreed or strongly disagreed with the statement, was that a fine for lawful or legitimate industrial action is not appropriate. Teaching staff / tutors / lecturers accounted for 72.5% of all comments related to this issue.

Comments related to a fine being a disproportionate offence, were made by 32.5% of those respondents who disagreed or strongly disagreed with the statement.

Departmental Response

Whilst respondents most commonly noted that a fine was not appropriate for something that was part of legitimate industrial action – it should be noted that the entire rationale of the legislation is that inspection should not be included within

industrial action. Should the legislation be implemented such non-cooperation would no longer form part of legitimate industrial action and indeed could no longer be included within it. It would in no way impact on the wider right to strike and to take Action Short of Strike.

Some respondents were concerned about the severity of the proposed measure, however, there are sound reasons why such a fine is both appropriate and necessary. First and foremost, inspections play a critical role in safeguarding children and ensuring that educational standards are upheld. Obstructing an inspection undermines this process and can prevent inspectors from identifying issues that may affect the wellbeing and learning of pupils. A Level 4 fine, currently set at up to £2,500, reflects the seriousness of this offence and sends a clear message that obstruction will not be tolerated.

This level of penalty is also proportionate. It is not excessively punitive, but it is sufficient to act as a deterrent. It reinforces the expectation that all educational settings must cooperate fully with inspection processes, which are designed to support improvement and accountability, not to penalise.

Furthermore, introducing this fine would bring Northern Ireland into alignment with other jurisdictions, such as England, Scotland, Wales and the Republic of Ireland, where similar offences already carry legal consequences. This consistency strengthens the credibility of the inspection system and ensures that children and young people in Northern Ireland benefit from the same protections and safeguards as their peers elsewhere.

It should be noted that there are no known prosecutions in the other jurisdictions as the legislation has removed failure to comply with inspection from industrial action.

Ultimately, the proposed fine is in place to act as a deterrent - it is about ensuring that inspections can be carried out effectively, without obstruction, so that every child receives the education and support they deserve.

Question Four

Question Four asked: *Do you agree with the outcome of the Equality Screening and/or are there any considerations that should be reflected?*

Table 8 summarises the responses. A small majority (55.90%) agreed with the outcome of the screening that a full Equality Impact Assessment was not required.

Table 8

Option	Total	Percent
Yes	1515	55.90%
No	1195	44.10%
Not Answered	0	0.00%

Additional comments were provided in 685 responses to this part of the question which asked about other equality considerations that should be taken into account. The majority of those that disagreed with the outcome of the screening considered that there would be a disproportionate impact on females due to the higher proportion of females working in the teaching population.

Departmental Response

A majority of respondents agreed with the outcome of the screening that a full Equality Impact Assessment was not required.

The purpose of screening is to identify those policies that are likely to have an impact on equality of opportunity and help to draw considerations of equality of opportunity into the policy making process. The Department's screening concluded that the policy proposals do not reduce or increase equality of opportunity for any Section 75 category; nor is there an impact on good relations between people of differing religious belief, political option or racial group.

It is notable that 214 users downloaded the screening report from the Department's website during the period of the consultation. Therefore, of the 1196 respondents that disagreed with the outcome, at least 82% did so without reviewing the full screening report which may have resulted in a misunderstanding as to the purpose of equality screening. Those respondents that disagreed with the outcome of the screening who provided comments regarding other considerations that should be reflected; contended that there was a higher proportion of females than males within the teaching workforce.

The 2023/24 statistics show 77.1% of all teachers are female - a higher proportion than the proportion of females in the population generally. However, an individual's gender category does not impact on how they would be treated under, or impacted by, the policy proposals. There is no evidence that the proposals would impact differently and unfairly on different groups of people as all staff, regardless of gender or any other Section 75 grouping, are treated the same under the policy proposals in that it will be a legal requirement for all members of the workforce in an educational institution to cooperate fully with the inspection process.

Question Five

Question five asked: *Are there any further comments that you would like to make in relation to the draft inspection policy proposals?*

There were 1545 responses to this part of the question. The commentary presented did not differ significantly from the themes emerging from the four key questions.

PART TWO – Written responses to the consultation

In addition to the online survey, the Department received 13 written responses, seven of which were from organisations.

Key themes from written consultation responses

Five responses were received electronically in the form of a completed word version of the consultation questionnaire booklet (same format as the online survey). All five responses were representative of teachers/tutors/lecturers and all five disagreed with the proposals. The comments were very similar or identical to the themes already included in the analysis of the survey responses set out in Part One. The key points made highlighted that obstructing inspection as part of industrial action had brought about changes to working conditions and set out the need for trust in the teaching profession.

Two written responses were received from teacher unions – the Ulster Teachers' Union (UTU) and the National Education Union (NEU). Both responses firmly opposed the proposals considering the legislation to be unnecessary, disproportionate and damaging to industrial relations and professional relationships. Concerns were raised that seeking to remove inspection from the scope of industrial action curtails teachers' legal rights and ignores the root causes that have led to industrial action in education settings. Both unions called for the Department to cease further action around the proposals.

Five written responses were received from school managing authorities and sectoral support bodies including the Council for Catholic Maintained Schools (CCMS), the Governing Bodies Association (GBA), the Northern Ireland Council for Integrated Education (NICIE), the Controlled Schools' Support Council (CSSC) and the Catholic

Schools Trustee Service (CSTS). All five of the responses strongly supported the inspection process and agreed on the need for inspection to be protected and to proceed unimpeded. Positivity was expressed regarding the ETI's work to reform the inspection model and it was considered important that more of the teaching workforce had an opportunity to experience this model. Some noted the need to ensure that the good progress made to resolve industrial disputes was not hindered.

One response was from an anonymous 'ASOS mum' in the form of an open letter asking all MLAs to support the consultation and proposals setting out how non-cooperation with inspection within her child's school had meant that the ETI had been unable to follow-up on areas for improvement. She stated that the school had not actively reviewed or considered her child's Special Educational Needs (SEN) and this non-compliance with statutory processes was not identified nor addressed due to obstruction of inspection.

Annex A provides fuller detail of the key points made in the letters received by the Department in responding to the consultation.

PART THREE – Focus Groups

Eight focus groups on educational issues were conducted by a professional moderator in June with teachers and parents from different school phases and sectors from across Northern Ireland. The focus groups covered the wide area of inspection generally as well as the proposals to bring forward legislation to ensure cooperation with inspection.

Focus Groups with Parents

The key findings of the four focus groups held with parents from across Northern Ireland are summarised below:

- All parents were aware that schools could be inspected, but knowledge and understanding of the process was relatively limited.
- The principle of inspecting schools was supported to ensure safety and maintain standards.
- Safeguarding was a main concern for many parents.
- Some questioned whether an announced inspection would provide a true picture of the standard and practice of the school. Many expressed a desire for unannounced inspections with no prior warning.
- Although there was no previous awareness that school inspections had not been happening due to industrial action, there was an underlying sense that things had been quiet for a number of years on the issue of inspections.
- For some, learning that inspections had not been taking place during industrial action was a concern.
- There was some confusion around why teachers would choose not to participate in inspections – even in industrial action.

- The majority felt that inspections should continue regardless of industrial action.
- Some felt that a lack of inspections would inevitably have an impact on standards and ultimately on children.
- Most parents were uncomfortable with the notion of potentially criminalising teachers or making them pay fines.
- The potential pressure on schools and teachers was recognised.
- The difference with other parts of the UK was not known, but when informed, there were questions around why Northern Ireland had to be different. This caused confusion for most. Although a minority felt that Northern Ireland was a different environment from other areas.

Some anonymous quotes from the focus groups are set out below:

It is good the inspections go on and they keep an eye on what schools are doing. It keeps a standard up and you can know what kids are being taught. There will be teachers that if they know there is an inspection going on, their attitude will be a whole lot better than if it wasn't there.

In my job, if I'm not doing my job right then I get put on micromanaged. It is like any job; they need to be reaching a certain standard.

It is for the protection of the kids to make sure that schools are all meeting the minimum standard. Inspections are very important to ensure that the schools aren't falling below that.

It would be better if they just arrived unannounced. It should be random like a mystery shopper.

I just assumed that they happened periodically, I wasn't aware that they were halted

at all. I always assumed that inspectors were there to make sure that certain standards were being met. It would be very concerning if no auditor was checking on standards in schools.

That is quite alarming. I understand that you're fighting to get a better pay grade or whatever, but there's responsibility to make sure that our children are looked after and safe.

How many kids have been let down because these inspections weren't happening?

Why wouldn't you do inspections? Why wouldn't you be proud of the job that you're doing? If someone is inspecting them then surely, they just keep doing their job? If you don't want to be inspected, then what are you hiding?

Surely inspection should be compulsory? I thought they said they just weren't going to do extras over and above what they're meant to do, but inspections are kind of core are they not?

I would be very concerned if they weren't happening. There has to be some standards. I would have thought there would be some sort of legal requirement to take part. Participation should be mandatory.

They should never have stopped them. It is ridiculous to stop them.

It should be a legal requirement, but I wouldn't want to see someone fined.

If it is a criminal offense across the water, but over here it is we can't be bothered, why is there such a difference?

I am kind of on the fence. I think, if they're not getting paid properly, then they're well within the rights not to do that.

Focus Groups with Teachers

The key findings from the four focus groups with teachers are summarised as follows:

- The principle of school inspection was supported. It was felt that they were necessary to ensure standards and a safe environment for children.
- Some felt that inspections could act as a source of reassurance.
- A number of teachers had experience of in-house or peer evaluation.
- Some teachers talked of being fearful of the inspection process. The very public nature of inspections and how they can be reported concerned some teachers.
- For some it was viewed as an additional burden on their role.
- Some questioned whether you could get a true representation of a school through an inspection.
- There was an underlying concern that the inspectors were looking to find fault rather than promote good practice.
- Some had concerns that it could become a tick the box exercise for schools, with little or no impact on the quality of teaching that was delivered.
- There was also a belief that an inspection would not take into consideration the intangible, human side of teaching or the additional hours that teachers put in.
- Many questions were raised about whether the inspectors had a true understanding of what it was like to teach in a modern classroom and the challenges that teachers faced.
- Some, who had been inspected, had positive experiences.
- There was frustration amongst a small minority that inspections had started so quickly after industrial action ended.

- There was awareness that there had been debate around making school inspection mandatory, even during industrial action.
- There was some annoyance that media reports had suggested that the safety of children had been put at risk by the lack of inspections.
- There were mixed views on the prospect of new legislation to make school inspection mandatory. Some felt that this was inevitable. Some teachers were strongly opposed.
- There was strong opposition to the prospect of fines. Some felt that it would not get to the stage of teachers being fined.

The extracts below provide a flavour of some of the comments made by participants:

I want to be doing the best job I can do and if there are things that we need to be doing better, then we have to be held to account. There are teachers in Northern Ireland that can just close the classroom door, and no one ever comes near them. We need some accountability.

All public bodies are inspected. So, we should be no different.

I want to know that I am doing a good job.

I know that I can say in my school that every human being in there is working so hard and could do no more, yet they are still afraid of this [inspection] coming.

It was evident that a lack of inspections in recent years created a nervousness around the process, particularly for recently qualified teachers who had been not previously been through an inspection. They haven't been through the doors of classrooms for ten years.

I haven't actually been through an inspection in my career yet because of strike action. It is framed as we can come in and help you and support you, but as a member of staff, school inspection just puts dread in me. You are waiting for someone to come in and catch you out almost and tell you all your faults and all the things you are doing wrong.

How inspections were carried out and by who was critical for a lot of teachers. It is all about how they do it. You just don't want to be criticised or crucified. If they are nice about it, then you wouldn't mind inspections.

I have a deep scar from a previous terrible inspection over a school, but I think they have tried to revamp their process a wee bit and from what I have heard it is better. I am not saying it is perfect or great, but it is better.

We were very open and honest with them when they came in. We were open about where we were and where we wanted to be in the next two years. To be fair they were quite receptive to that.

They are trying to bring it in so that it would be illegal for you to prevent an inspection during industrial action. That puts peoples backs up. It is ridiculous.

There were happening for a safe-guarding perspective because I was involved in one, but they were implying to the public that they weren't happening. We did one. They weren't allowed in the classrooms, but they were allowed to question us.

I think we have to be grown-ups. I didn't know that England, Scotland, and Wales had to, so I was a bit embarrassed. I think if that is the professional standard then I think we have to raise ourselves and stop hiding behind it.

I know what goes on in my school and I know that during industrial action everyone was still doing their job to the best of their ability, but then I know schools were they haven't kept on top of things so I would say maybe there should be inspection going on even when we are on union action because some schools let it slip.

Ultimately industrial action is a legal right and teachers who are taking part in industrial action shouldn't have to be inspected in my view. If you are sending inspectors in, then they are going to be looking for things that your union are telling you actively not to do and stopped doing.

All those other countries mentioned (Rest of UK and Republic of Ireland), they get their pay offer in September. We don't get our pay offer until February because Stormont are saying that they have to wait on Westminster to sort their budget. That creates friction.

Our school is very strong union school, so I would imagine there would be a whip round by the staff to cover anyone who was fined.

That is not going to happen (fining). We will accept it and move on.

I can't see anyone in a school saying, "We are not taking part in that," if everyone else is.

PART FOUR – Conclusion

The consultation on strengthening legislation to protect inspection generated 2723 responses highlighting the importance of this issue.

Most respondents to the consultation disagreed with the Department's view that the current legislation needs strengthened to ensure that inspection operates as intended. The most frequently cited reason for disagreeing was that the proposals would limit the future scope of Action Short of Strike. Consequently, a majority of respondents also disagreed with the proposal to make it an offence for a person to intentionally obstruct an inspection, together with the proposed penalty of a fine not exceeding Level 4 on the standard scale.

A majority of respondents agreed with the outcome of the Department's screening exercise that a full Equality Impact Assessment on the proposals is not required. The main rationale given by respondents who disagreed with the screening outcome was the high proportion of the teaching workforce who are female. However, an individual's gender category does not impact on how they would be treated under, or impacted by, the policy proposals.

The vast majority of respondents were from the teaching profession, key stakeholders, indicating both the level of interest within the profession and that the vast majority of respondents from this background did not support the proposals. It should be noted that the consultation responses predominantly reflect the views of those responding from the teaching profession and, therefore, in all likelihood those engaged in industrial action rather than the wider public. It is unsurprising that many teachers would wish to retain the option of obstructing inspection as a means of industrial action. However it is not the position across the public sector that external inspection, for example of nursing homes or prisons, is only permitted on a voluntary basis. Nor is it the position

in the rest of the UK and Ireland in regard to schools or other educational establishments.

By contrast, a small majority of the parents responding (who were not also recorded as having IP addresses and responding as teachers) were supportive of the proposals. It was noticeable that in the four parent focus groups, many parents were not previously aware that inspections had not been happening due to industrial action. The principle of inspecting schools was supported to ensure safety and maintain standards. For some learning that inspections had not been taking place during industrial action was a concern. The majority of parents in the groups felt that inspections should continue regardless of industrial action.

Consultation Summary and Legislative Intent

The Department would like to thank all those who took the time to respond to this consultation.

The Department has considered the consultation responses in detail and has reviewed the comments made and information provided by respondents against a wide range of international evidence and examples of approaches to school inspection. It has also considered the responses in the context of the legal frameworks in other jurisdictions across the UK and Ireland.

Despite the majority of respondents expressing opposition to the proposed legislative changes, there is strong empirical evidence in favour of the proposed approach to safeguard inspection. The Department, therefore, remains committed to progressing the introduction of a standalone Bill to strengthen the inspection framework across education establishments in Northern Ireland.

Whilst the consultation highlighted a range of concerns, including the timing of the proposals, potential implications for professional autonomy and future industrial action, the Department maintains that safeguarding the integrity of the inspection process is essential to ensuring high standards of education and the protection of children and young people. All professionals are expected to operate within the context of an appropriate accountability framework.

The Department has responded in detail to the comments raised in the consultation. The Department's view is that whilst concerns about teacher workload must be addressed as a matter of priority, there are no sound educational or child-centred arguments against the proposals. In regard to timing, it is also noted that the legislative process will mean that a Bill is unlikely to progress into law until early 2027 providing significant time for both the implementation of recommendations from the Independent Review of Teacher Workload Panel and engagement with the new model of inspection prior to enactment.

Rationale for Legislative Action

The goal of inspection, undertaken independently in Northern Ireland by ETI, is to provide assurances to government and to society that the school or other educational setting is providing a good standard of education, maintaining a safe and effective learning environment and meeting all legal requirements.

The absence of inspection over the past decade - largely due to industrial action - has significantly disrupted the Department's ability to identify and support schools requiring improvement. This has had a disproportionate impact on disadvantaged and vulnerable learners, whose interests must be protected. It is a stark reality, with the resumption of inspection after the prolonged period of industrial action, that it is only

now that schools are being identified for which intervention is critical and has been needed for a number of years. It is not considered tenable to allow this situation to continue should there be further periods of industrial action.

The proposed legislation will remove ambiguity in the current law and establish a clear, statutory requirement to cooperate with inspection at all times. It will also bring Northern Ireland in line with other UK jurisdictions and the Republic of Ireland, where obstruction of inspection is already an offence. The inclusion of inspection within industrial action makes Northern Ireland an outlier across the British Isles where it is not the norm for it to be included within industrial action.

Annex A – Summary of key points in letters submitted to the Department

	Respondent	Comments
1	An ASOS Mum (Anonymous)	<p>Weak governance has the capacity to cause harm to children and during ASOS that is likely to have gone unnoticed. During ASOS teachers unintentionally shielded school leadership across Northern Ireland from accountability.</p> <p>Parents can spend significant time and money challenging unlawful actions by school principals and Boards of Governors that refuse to recognise a pupil's needs. Has anyone in the last eight years been there to hold them to account?</p> <p>Children are the future of our society, and if our Assembly truly believes in an inclusive society, then it must be committed to the importance of every school modelling this principle. At the moment, there is a gap between the 'Every School a good School' policy and the reality that, during ASOS, current legislation with regards to school inspections allowed too much discretion in how (or whether) schools followed the laws meant to protect and value every child.</p> <p>This calls for a unified approach to align legislation with the rest of the UK and the South of Ireland, ensuring accountability that remains permanent. If the Executive is serious about the role of ETI in its SEN Reform Agenda, then it must enact robust legislation that guarantees that ETI will be able to do its job.</p> <p>It is an objective fact that ETI has not been able to verify child safeguarding measures in schools for eight years. Concerns about pupil safeguarding have come up again and again.</p>
2	Catholic Schools' Trustee Service (CSTS)	<p>School inspections offer the only available independent measure of school performance and the absence of this data over a prolonged period means that we have not had an independent assessment of many schools for over a decade.</p> <p>CSTS appreciates that the process to change primary legislation will take a considerable time and would encourage DE to work towards attaining Option 1, achieving this may be possible if a</p>

	Respondent	Comments
		<p>successful outcome can be found to the proposals included within the Teachers Negotiating Committee TNC 2025/1.</p> <p>CSTS accepts that, as a last resort option 3 offers a solution which is presented as consistent with agreements in other jurisdictions across these Islands.</p> <p>CSTS would hope that while the legislation provides for punitive action against individuals that industrial relations would not reach a level where such action has to be taken and is reassured that, while a similar position is outlined regarding other jurisdictions, no such action has been required against an individual.</p>
3	Controlled Schools' Support Council (CSSC)	<p>CSSC recognises the need for clarity in the legislative framework that underpins inspection and accepts that strengthening the law to ensure full cooperation is a necessary step toward restoring a fair, consistent and effective inspection process.</p> <p>While CSSC supports the principle of legal alignment and the need to protect the integrity of the inspection process, the implementation of such a measure must be thoughtful, proportionate, and accompanied by positive efforts to rebuild confidence in the inspection system and ensure that the system equitably and effectively supports all schools.</p> <p>While CSSC agrees with addressing deliberate obstruction, it urges that the response to any new offence be proportionate, with clear guidance, fairness and a commitment to professional dialogue. The emphasis should remain on fostering a cooperative and improvement-focused inspection culture, with legal recourse being a last resort in cases of deliberate and sustained obstruction.</p> <p>CSSC believes this approach recognises the seriousness of wilful obstruction while maintaining a fair and measured stance that aligns Northern Ireland with the broader UK and Irish context.</p>
4	Council for Catholic Maintained Schools (CCMS)	<p>CCMS is supportive of appropriate and proportionate measures being introduced that enable the full implementation of an inspection framework and prevent the obstruction of inspection.</p> <p>CCMS would welcome further clarification on the arrangements for enforcement of legislation. Specific consideration should be given to the support and guidance required by employing authorities, school leaders and Boards of Governors, as well as any impact on existing TNC procedures; particularly should the circumstance arise that schools or individuals refuse to participate/cooperate.</p>

	Respondent	Comments
		<p>We acknowledge the significant disruption to inspection activity caused by prolonged industrial action. The absence of inspection has limited the system’s ability to identify schools requiring support and to disseminate effective practice.</p> <p>CCMS notes that TNC 2025/1 marked a significant and positive turning point in industrial relations and consideration should be given to whether the proposed approach might undermine positive progress or conflicts with the commitments therein.</p> <p>CCMS strongly supports the emphasis on safeguarding and the need for external assurance that schools are meeting statutory requirements. Strengthening inspection legislation will enhance public trust and ensure that the interests of children and young people remain paramount.</p> <p>Welcome the Department’s recognition of the collaborative work undertaken by ETI with the teaching profession to co-design a transformed inspection framework. It is essential that any legislative change is accompanied by continued engagement with the profession to maintain trust and ensure that inspection remains a supportive and developmental process.</p>
5	Governing Bodies Association Northern Ireland (GBA)	<p>The GBA strongly agrees that inspection should operate as intended and to ensure this happens the current legislation needs strengthened.</p> <p>The GBA note that the purpose of inspection is to promote the highest standards of learning, teaching training and achievement throughout the education, training and youth sectors and we are supportive of the proposal to make it an offence for a person to intentionally obstruct an inspection. This will provide children and young people in Northern Ireland the same protections and safeguards supported through the inspection process - as those in other jurisdictions.</p> <p>We agree with the proposal that the penalty for obstructing the work of an inspector should be comparable to other jurisdictions and that the penalty for such an offence should not exceed level 4 on the standard scale (currently £2,500).</p>
6	National Education Union (NEU)	<p>Strongly disagree with the proposals which should be withdrawn.</p> <p>Trade Unions have always taken the position that safeguarding is excluded from action.</p> <p>The proposals are not in line with or in the spirit of the Teachers Pay Agreement 2024/25 which seeks to resolve the underlying</p>

	Respondent	Comments
		<p>issues around workload and pay which have led to industrial action taking place.</p> <p>The intent set out has the potential to criminalise teachers is a measure that will make many teachers feel threatened and vulnerable.</p> <p>The proposals could distract from inspections whose purpose includes supporting and maintaining professionalism, by diverting time and resources into pursuing and penalising individual teachers.</p> <p>The proposals acknowledge that no prosecutions have taken place across ROI, England, Scotland and Wales. Seeking to bring legislation in line with other jurisdictions through punitive measures will import difficulties.</p> <p>The current hyper accountable system is not working and adding another component has the potential to contribute to a workload and mental health crisis when already unacceptable pressures exist is detrimental, particularly where steps are currently being taken to address root cause issues.</p>
7	Ulster Teachers' Union (UTU)	<p>The UTU strongly disagree that legislation is required or needs to be strengthened.</p> <p>The UTU strongly supports the goals of high-quality education, effective safeguarding and system-wide improvement but are firmly opposed to the proposal to introduce legislation that would make it a criminal offence to obstruct inspection processes. This measure is disproportionate, unnecessary and damaging to already fragile professional relationships, teacher morale and the fundamental rights of workers.</p> <p>While the legislation may align Northern Ireland with other jurisdictions, the consultation itself acknowledges that no prosecutions have occurred in those places. This suggests the legislation is largely symbolic, and in our context, unnecessary.</p> <p>The Independent Review of Education advised the Department to address the causes of industrial action as part of any legislative review. Instead, this proposal targets the symptoms, while ignoring the root causes. It should be noted that a strengthened ETI with a central role in relation to educational improvement and sharing of best practice was also in this report.</p> <p>We note with concern the timing of this consultation, which coincides with an independent review of teacher workload due to</p>

	Respondent	Comments
		<p>report in November 2025. This proposal could derail fragile negotiations and undo recent progress toward resolving industrial disputes.</p> <p>The future of inspection of schools in Northern Ireland should be based on partnership—not prosecution.</p>
8	Northern Ireland Council for Integrated Education (NICIE)	<p>NICIE agrees that school inspections play a key role in maintaining, improving and supporting standards in our education system, ensuring that safeguarding systems are effective and providing assurances that our education and training establishments provide quality education for all learners.</p> <p>Given the overlap between the work of the Independent Teacher Workload Panel (benchmarking arrangements with other jurisdictions and consideration of evidence in the context of teachers’ employment contract and TNC agreements) and the focus of this consultation; NICIE suggests that it would be judicious to await the findings of the Review and any recommended actions before embarking on legislative change. Without prejudice to the final report, it is possible that Review findings may require significant regulatory or legislative change. It may therefore be more efficient to consider these in the round at that juncture, rather than a focus on one element.</p> <p>Furthermore, this approach would allow for more school communities to experience the new ‘empowering improvement’ inspection model, which ETI has co-designed with the Teaching Unions and other stakeholders over three years, to reduce any prior unease around inspections.</p>