

COPY OF DEVELOPMENT PROPOSAL SUBMISSION

Cover Note

DP No.	DP 738
School	All Children's Controlled Integrated Primary School.
	<i>A statutory nursery unit will be established at All Children's Controlled Integrated Primary School to provide 26 part-time places with effect from 1 September 2026, or as soon as possible thereafter.</i>
Minister's Decision	DO NOT APPROVE
Date of Decision	19/11/25
Minister's Comments	<p>I have read and considered all the papers provided in this proposal.</p> <p>In particular I have considered my duty under Article 64 of the Education Reform (Northern Ireland) Order 1989, to encourage, facilitate and support the development of Integrated education.</p> <p>I am also mindful of my statutory duty under Article 44 of the Education and Libraries (Northern Ireland) Order 1986 and further articulated within Managing Public Money to ensure effective and efficient use of public funds.</p> <p>Overprovision and Demographic Decline I note that while there are sufficient pre-school places in the area there is no integrated pre-school provision.</p> <p>I further note that if the proposal is approved, the existing overprovision will increase, likely causing a negative impact on other preschool settings in the area due to duplication, displacement, and excess capacity. Currently, overprovision in the area leads to additional costs for the department by accommodating under-target age children in statutory settings.</p> <p>The Newcastle area already has sufficient pre-school provision, with no unmet demand for places. In fact, the level of provision within a two-mile radius is 131.5% and within a five-mile radius is 106.1%, both significantly above the planning figure of 95%. Approval of this proposal would raise these figures to 160.6% and 120.5%, respectively, equating to 58 and 46 excess places. Additionally, NISRA</p>

population projections show a decline in the 0–4 age group by 10.47% by 2028, further reducing future demand. This proposal would exacerbate existing overprovision and lead to inefficient duplication of services.

Risk of Displacement and Harm to Existing Providers

The proposal risks displacing existing good-quality voluntary and statutory pre-school providers in the area. Providers such as Newcastle Pre-school Playgroup and Castlewellan Community Playgroup have expressed concerns about sustainability if the proposal is approved. The Pre-School Education Group (PEG) and CSSC both acknowledge the risk of destabilising the local early years ecosystem, which could result in closures or reduced quality of provision. This undermines the Department’s commitment to not displacing existing good-quality provision.

Financial Burden and Inefficient Use of Public Funds

In relation to costs two aspects are worthy of consideration - Capital costs and revenue costs.

Full year costs to the Aggregated Schools Budget are likely to be around £65k (for new provision, not previously funded).

The CfC estimates the capital cost of the new unit to be approximately £500K.

These capital figures represent a significant financial commitment at a time of severe budgetary pressures in education. The Department has a statutory duty under Article 44 of the Education and Libraries (Northern Ireland) Order 1986 to ensure the efficient use of public funds.

Demand for Integrated Education

I acknowledge that there is no alternative local integrated pre-school, and the ongoing applications of reception pupils, indicate a clear level of demand, however, based on the analysis above it is clear to me that were this not an integrated school the application would have no prospect of success whatsoever. As is pointed out in the report in 2024/25, the level of provision within the two-mile radius is significantly higher than the planning figure of 95%, as it is 131.5%. Over the last four years it has ranged between 116.2% and 156.6%. This is a very significant level of over provision.

If approved, this proposal could have an impact on existing good quality pre-school education provision in the area,

	<p>which may result in displacement of existing funded places at other pre-school settings.</p> <p>However, I am under a duty pursuant to Article 64 of the Education Reform (Northern Ireland) Order 1989, to encourage, facilitate and support the development of Integrated education.</p> <p>The key question is what does this mean in the present context?</p> <p>I am cognisant of the comments of Scofield J in JR 289.</p> <p><i>“In short, the Department should be an advocate for integrated education. The obligation of “support” is also designed, in my view, to require the Department to be prepared to devote additional resources to the development of integrated education proposals than it might otherwise do, where this falls within its task of “aiming to meet the demand for the provision of integrated education. The Department should lean towards the approval of 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”</i></p> <p>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.</p> <p>Officials in recommending approval note that the application is finely balanced.</p> <p>I think if it were only an issue of creating additional places in an area which was already over-subscribed that would be correct.</p> <p>It would be a close call, but the Article 64 duty could very well justify such an approval for integrated places in circumstance where other provision would be refused. However, in this case there is the additional fact of cost at a time of extreme financial challenge while the resource costs are likely to be justifiable, I cannot say the same for the capital costs.</p> <p>Capital challenges have been highlighted by both NIAO and PAC. There is a pending capital funding crisis for 2026-27 given the scale of need in regard to SEN places, which I have highlighted to the Executive.</p>
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	<p>Though it is surprisingly often underappreciated self-evidently if money is spent on one project the same money cannot be spent on another, including other integrated projects. There is an opportunity cost.</p> <p>It is my view that, balancing the relevant statutory duties, given the very limited public funds available the priority should be directed towards addressing under-provision by creating new spaces where they are most needed, rather than expanding provision for specific sectors in areas which are overprovided for.</p> <p>In light of the above, the proposal should be rejected.</p>								
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" data-bbox="584 1115 1465 1375"> <thead> <tr> <th data-bbox="584 1115 699 1151">Key</th> <th data-bbox="699 1115 1465 1151">Details</th> </tr> </thead> <tbody> <tr> <td data-bbox="584 1151 699 1187">■</td> <td data-bbox="699 1151 1465 1187">Redaction</td> </tr> <tr> <td data-bbox="584 1187 699 1263">*</td> <td data-bbox="699 1187 1465 1263">refers to less than five cases where data is considered sensitive</td> </tr> <tr> <td data-bbox="584 1263 699 1375">#</td> <td data-bbox="699 1263 1465 1375">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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#	means figure has been suppressed to prevent disclosure of sensitive information under rules of disclosure								

CM Ref: ED1/24/182065

From: Bill Stevenson
Area Planning Policy Team (East Region)

(Cleared by Eamonn Broderick 14 March 2025)
(Cleared by Heather Cousins 04 April 2025)

Date: 24 February 2025

To: Paul Givan MLA
Minister of Education

Copy distribution below:

DEVELOPMENT PROPOSAL (DP) 738 – ALL CHILDREN’S CONTROLLED INTEGRATED PRIMARY SCHOOL (CIPS), NEWCASTLE ESTABLISHMENT OF A STATUTORY NURSERY UNIT

Issue: To decide on DP 738:

A statutory nursery unit will be established at All Children’s Controlled Integrated Primary School to provide 26 part-time nursery places with effect from 1 September 2026, or as soon as possible thereafter.

Timescale: Routine.

Financial /Resource Implications: Capital:

An area has been identified within the school grounds which would be suitable and the estimated cost of additional accommodation would be approximately £500,000.

Resource: There would be an additional cost to the Aggregated Schools Budget (ASB). A new 26 part-time nursery unit is likely to create a funding need of around £38k. Full year costs to the ASB are estimated at £65k for new provision not previously funded.

Finance highlights that the Education budget faces an overcommitment of c£310m in 2025-26 for inescapable pressures only. If high priority, desirable and other pressures are factored in, Education’s overcommitment exceeds c£360m.

In light of this, Finance stress that sufficient funding is not currently available to meet all pressures identified

for 2025-26 and that provision of funding for this proposal will impact on the availability of funding for other proposals.

Staffing: Additional funding would be required for a part-time teacher and one part-time classroom assistant and this would be met from the school's delegated budget.

Transport: There are no additional transport costs as the proposal relates to pre-school.

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.*

The Integrated Education Act (Northern Ireland) 2022.

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

The Rural Needs Act (Northern Ireland) 2016

The Shared Education Act (Northern Ireland) 2016

Presentational Issues: It is likely that there will be local political, stakeholder and media interest in your decision. In the event of any queries arising, Press Office will liaise with officials as required.
(Cleared with Press Office)

Recommendation: It is recommended that you:

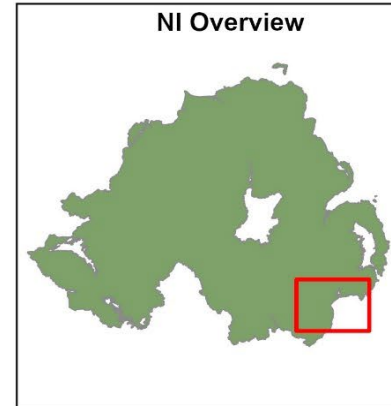
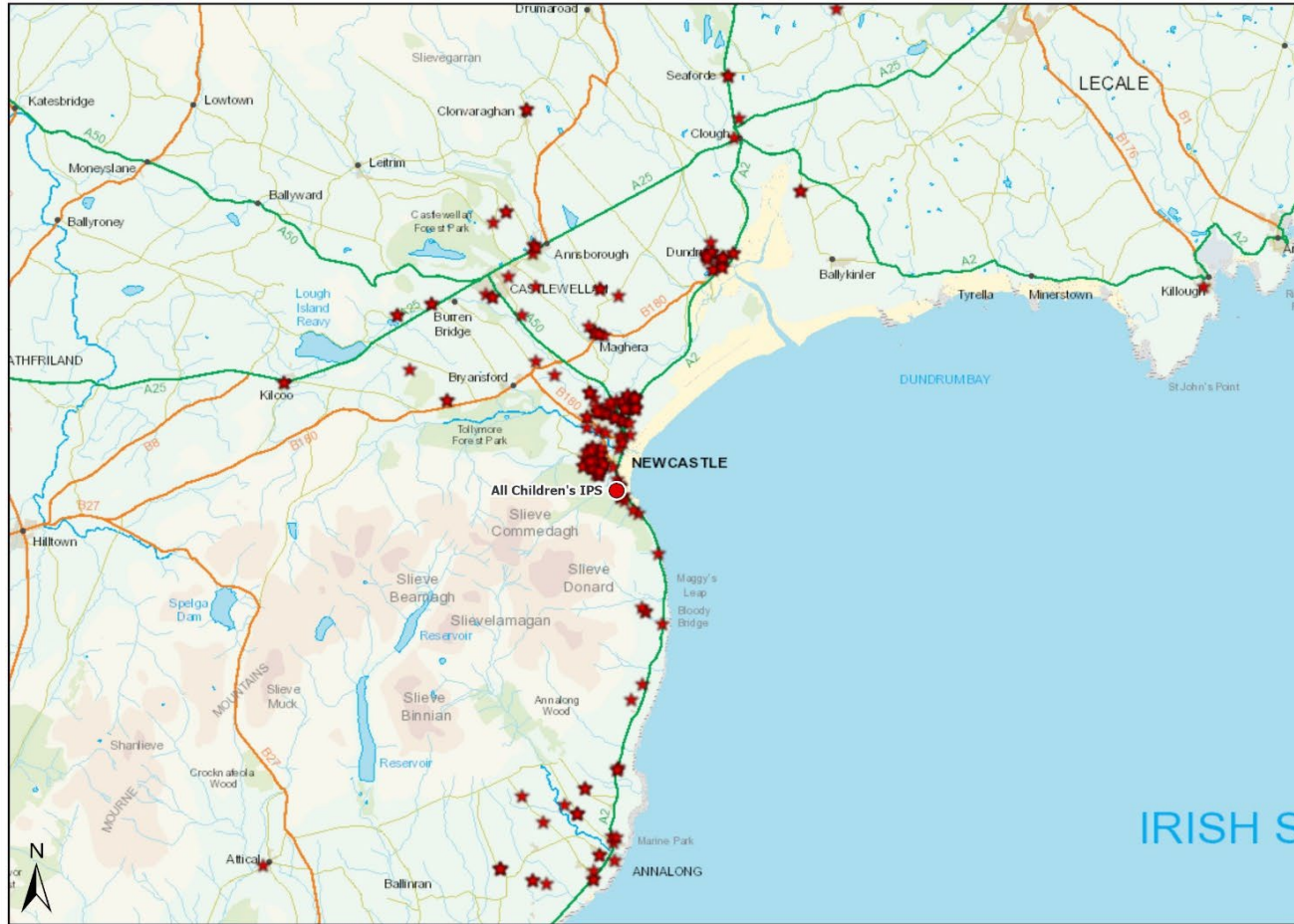
- (i) Approve DP 738 that:
A statutory nursery unit will be established at All Children's Controlled Integrated Primary School to provide 26 part-time nursery places with effect from 1 September 2026, or as soon as possible thereafter.
- (ii) Agree that this submission (with any appropriate redactions) can be published on the Department's website once the school and the Education Authority (EA) have been informed of your decision.

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All Children's Controlled Integrated Primary School – Pupil Locations and Alternative Integrated Provision

All Children's IPS & Pupil Locations



- All Children's Integrated Primary School, Newcastle
- ★ All Children's IPS 22/23 Pupils

Supporting Information

Base mapping was derived from OSNI Fusion. School/pupil data source : NISRA/DENI School Census Datasets 2023/24
 Note: There are some pupils found outside the map extent. Due to ASOS some pupil locations are plotted using DE Census data 22/23

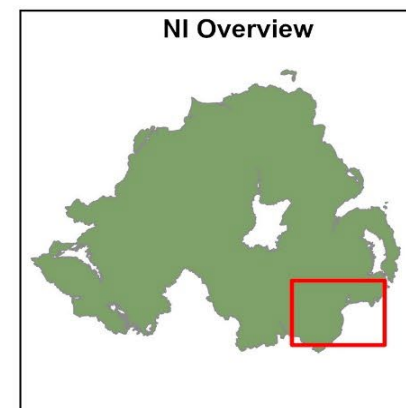
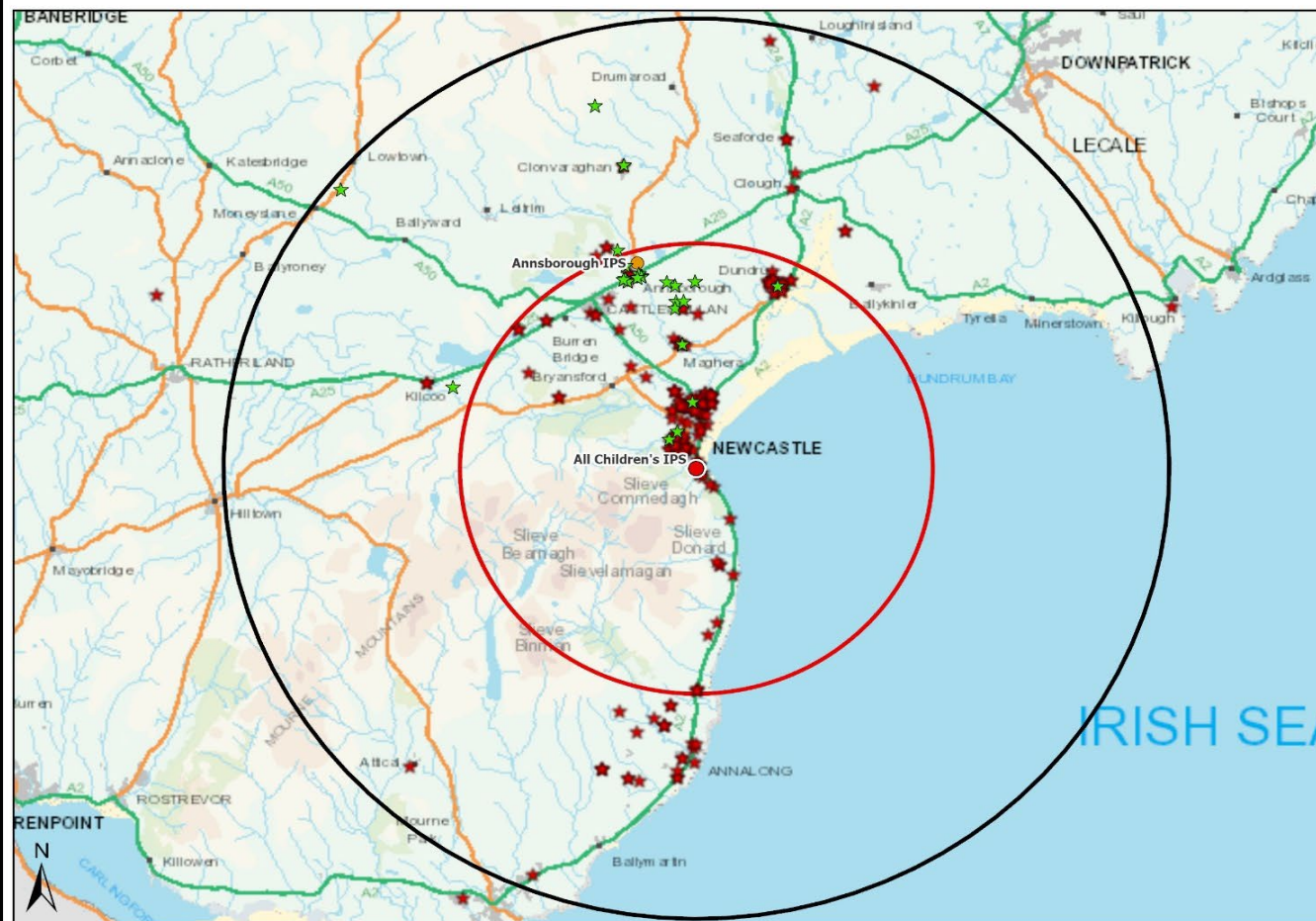


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All Children's IPS- Neighbouring Integrated Primary Provision & Pupils - 10 Miles Radius



- All Children's Integrated Primary School, Newcastle
- ★ All Children's IPS 22/23 Pupils
- Controlled Integrated
- ★ Annsborough IPS Pupils
- 5 Mile Buffer around All Children's Integrated PS
- 10 Mile Buffer around All Children's Integrated PS

Supporting Information
 Base mapping was derived from OSNI Fusion. School/pupil data source : NISRA/DENI School Census Datasets 2023/24
 Note: There are some pupils found outside the map extent. Due to ASOS some pupil locations are plotted using DE Census data 22/23

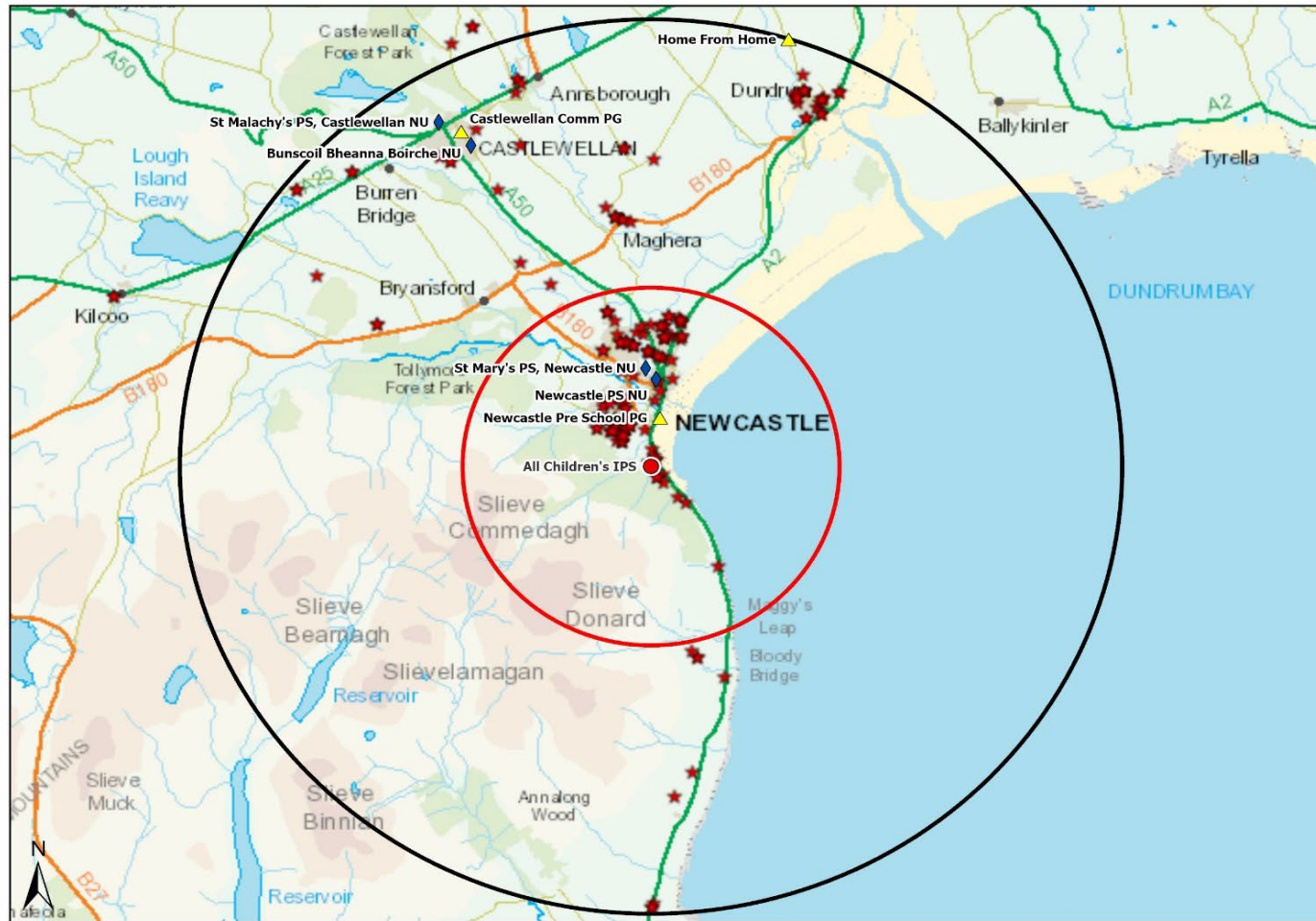
0 1.25 2.5 5 Miles

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All Children's IPS- Neighbouring Pre School Provision - 5 Miles Radius



- All Children's Integrated Primary School, Newcastle
- ★ All Children's IPS 22/23 Pupils
- ▲ Vol/Private Pre School 5 Miles
- ◆ Nursery Units in 5 Miles
- 2 Mile Buffer around All Children's Integrated PS
- 5 Mile Buffer around All Children's Integrated PS

Supporting Information

Base mapping was derived from OSNI Fusion. School/pupil data source : NISRA/DENI School Census Datasets 2023/24
 Note: There are some pupils found outside the map extent. Due to ASOS some pupil locations are plotted using DE Census data 22/23



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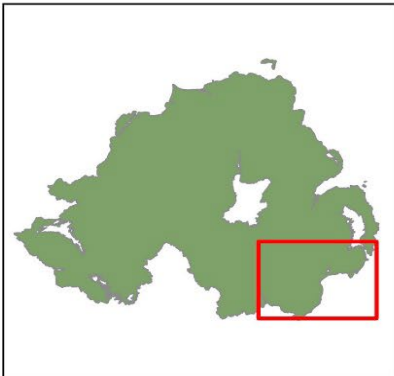
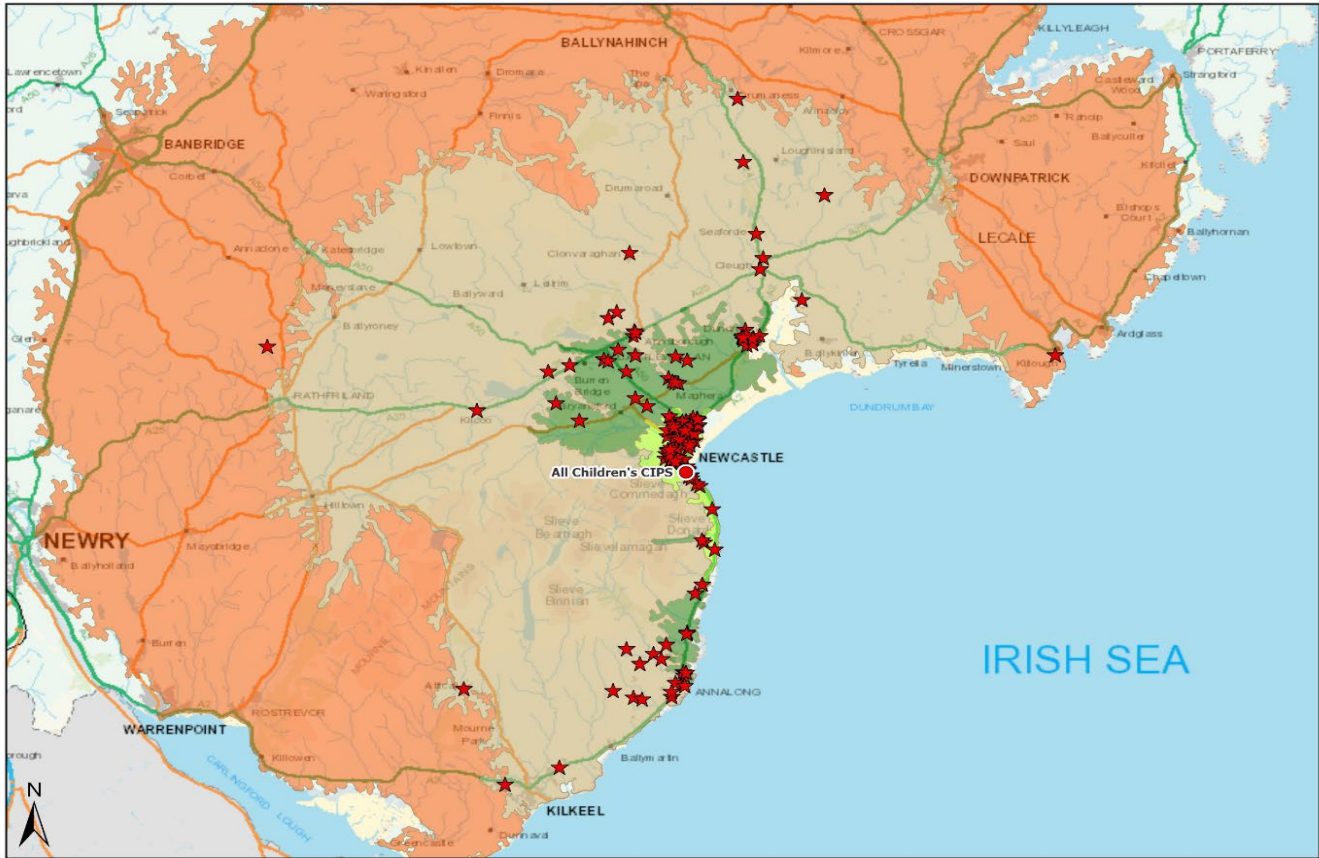
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Map 4

All Children's CIPS – Pupil locations up to 30 Minutes 'Drive Time

All Children's CIPS : Pupil Locations - up to 30 minutes drive time



- All Children's CIPS
- ★ All Children's CIPS pupils

Drivetime

- 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 data 2023/24 Pupil data 2022/23 ASOS

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INTRODUCTION

1. On 11 September 2024, the Education Authority (EA) published Development Proposal (DP) 738 in consultation with the Board of Governors (BoG) of All Children's Controlled Integrated Primary School (CIPS) proposing that: -

“A statutory nursery unit will be established at All Children's Integrated Primary School to provide 26 part-time nursery places with effect from 1 September 2026, or as soon as possible thereafter.”

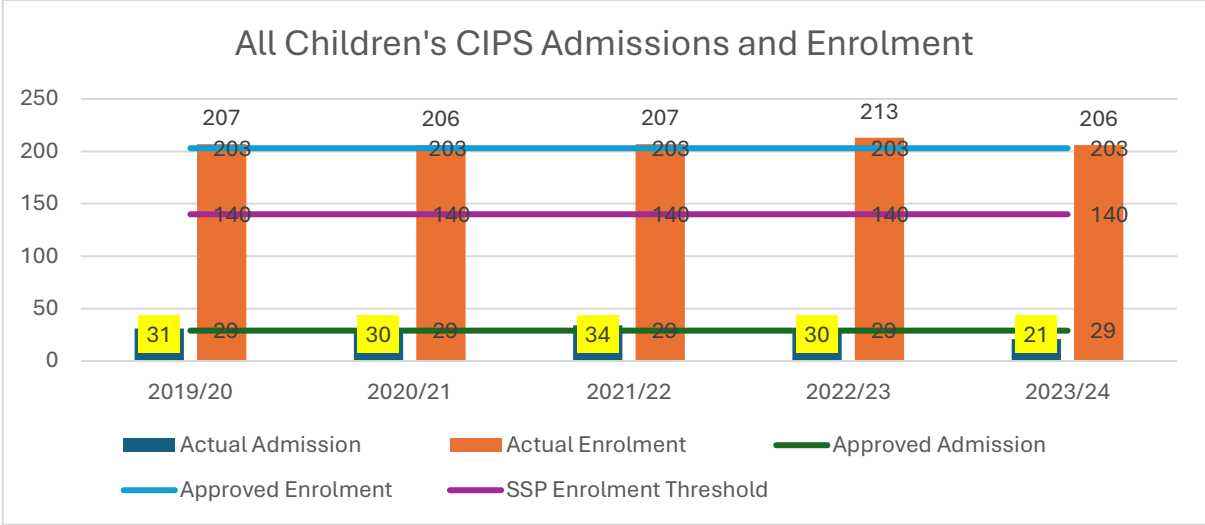
2. The statutory two-month objection period for this proposal commenced on the date of publication and ended on 11 November 2024. A copy of the published DP and the proposer's Case for Change (CfC) are reproduced at **Appendices A and B** respectively.

BACKGROUND

3. All Children's CIPS is located at the Walled Garden, King Street, Newcastle, Co Down. It opened in September 1986 with an initial enrolment of 62 pupils. In 1991 the school was vested into the education estate as a Controlled Integrated primary school under the direct administration of the former South-Eastern Education and Library Board.
4. All Children's CIPS has approved admissions and enrolment numbers of 29 and 203 respectively. In 2023/24, there were 206 pupils enrolled at the school in Years 1-7, plus four (4) Reception aged pupils. The school had an intake of 21 pupils to Year 1 at school census date. The figures include 12 pupils with a Statement of Special Educational Needs (SEN). There were nine available places that pupils could apply for through the competitive admissions process. Provisional census figures for 2024/25 show an enrolment of 203 with admissions of 27 pupils including nine (9) reception pupils.
5. A small number of primary schools provide a 'Reception' class for children who are aged four at the date of their admission, but who are not yet of compulsory school age (i.e. children whose first birthday is after 1 July in a year.) An aim of the Pre-School Education Expansion Programme (PSEP) is the replacement of existing reception provision with suitable alternative provision. Reception classes do not always provide an appropriate pre-school environment for children, and the Department has not approved new reception provision since 1998/99.
6. **Chart 1** below illustrates All Children's CIPS' admissions and enrolment trends over the last five years. It shows that the school's enrolment has consistently exceeded its approved enrolment number of 203 when including pupils with Statements of SEN.

- 7. At the conclusion of the 2024/25 primary admissions process, the school received a total of 22 first preference applications for the 29 approved places.
- 8. All Children’s CIPS’ actual enrolment is significantly above the Schools for the Future: A Policy for Sustainable Schools (SSP) recommended minimum enrolment of 140 pupils for a sustainable urban¹ primary school.

Chart 1 – All Children’s CIPS – Historical Admissions and Enrolments*



*Includes pupils with Statements of SEN

AREA CONTEXT

- 9. On the Northern Ireland Multiple Deprivation Measure 2017 the Donard 1 Super Output Area (in which All Children’s CIPS is located) is placed 442 out of 890 (1 being most deprived and 890 least deprived). In 2023/2024, 40 pupils (19.4%) at the school were entitled to Free School Meals (FSM), provisional figures for 2024/25 show this has fallen slightly to 38 (18.7%).
- 10. Northern Ireland Statistics Research Agency (NISRA) projections for the former Newry, Mourne and Down Local Government District (LGD), the smallest geographical area breakdown for which population projections are available, in which All Children’s CIPS is located, provides an estimate of population numbers as set out in **Table 1** below. The table shows the predicted increases and decreases at age three (3) and other age groups for the periods 2018-2028 and 2018-2043.

¹ From September 2022, the urban/rural definitions used in the SSP reflect those used by the Northern Ireland Statistics and Research Agency (NISRA) and under the NISRA definition. Urban: schools are defined as urban if they are located in settlements with a population greater than or equal to 5,000 people (NISRA Bands A-E); and Rural: schools are defined as rural if they are located in settlements with less than 5,000 people (NISRA Bands F-H).

Table 1 – 2018-Based Population Projections for former Newry and Mourne and Down LGD

Age	2018	2028	2028	2043
3	2557	2293	2293	2386
00-04	12,624	11,303	11,303	11,902
05-09	13,374	12,098	12,098	11,756
10-14	12,330	13,273	13,273	11,696

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

11. **Table 2** below shows significant reductions of 10.3% from 2018 to 2028 then, due to a slight increase in births, a smaller reduction of 6.7% from 2018 to 2043 at age three (3). The overarching 0-4 age group also shows reductions of 10.47% from 2018 to 2028 and a smaller reduction of 5.72% to 2043.

Table 2 - Population Change in Newry and Mourne and Down LGD by Age Group

Age	2018 to 2028		2018 to 2043	
	Individuals	Percentage	Individuals	Percentage
3	-264	-10.3%	-171	-6.7%
00-04	-1321	-10.47%	-722	-5.72%
05-09	-1276	-9.55%	-1618	-12.1%
10-14	+943	+7.64%	-634	-5.14%

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

12. On 29 June 2022, the EA in partnership with the Council for Catholic Maintained Schools (CCMS); the Catholic Schools' Trustee Service (CSTS); Comhairle na Gaelscolaíochta (CnaG); Controlled Schools' Support Council (CSSC); Governing Bodies Association (GBA); NICIE (Northern Ireland Council for Integrated Education) and Transferor Representatives' Council (TRC) published a new Strategic Area Plan 2022-27 – Planning for Sustainable Provision (the Area Plan). 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'*.
13. All Children's CIPS features in the EA's Operational Plan 1 2022-2024 (OP1) under a Short-Term Work Stream which states *"The Education Authority is proposing the establishment of a new part-time nursery unit at the All Children's Controlled Integrated PS. The school currently has an approved admission number of 29 and approved enrolment number of 203. At September 2021, the school had an enrolment of 207 pupils. The school does not currently have nursery provision."*

14. On 16th January 2025, the EA published its second Operational Plan (OP2) 2024-2026 which includes birth statistics and school phase projections and shows a slight downward trend in births in the Newry, Mourne and Down Local Government District (LGD) is projected to continue.

Alternative Integrated Education Provision

15. **Map 2** illustrates the closest alternative Integrated primary provision within a 10-mile mapping radius of All Children’s CIPS. Annsborough IPS, Castlewellan, at 6.3 miles away, is the closest provision and does not have pre-school provision.

Table 3 – All Children’s CIPS – Enrolments at Alternative Integrated Provision*

Name of School	Distance** from All Children’s CIPS	2020/21	2021/22	2022/23	2023/24	2024/25*
Annsborough IPS	6.3 miles	30	29	32	30	33

* Census data includes pupils with a Statement of SEN

**Distance as per Google Maps

16. Annsborough IPS has approved admissions and enrolment numbers of 12 and 85 respectively. In 2023/24, the school had 30 pupils enrolled including two pupils with a Statement of SEN. The school also had two reception pupils enrolled. Provisional census data for 2024/25 shows an enrolment of 33 pupils and one reception pupil. The school enrolment is significantly below the recommended SSP enrolment threshold. EA data for 2024/25 shows the school received a total of four first preference applications to Year 1 at the conclusion of the primary admissions process.

Alternative Pre-School Provision

17. **Map 3** illustrates pre-school provision within a five-mile radius including nursery schools, primary schools with nursery units (NUs) and playgroups.
18. **Table 4** below shows the nearest alternative statutory pre-school provision within a five-mile radius showing both full-time and part-time places. The closest provision is at Newcastle PS (1.1 miles) and St Mary’s PS, Newcastle (1.2 miles). Enrolments in statutory provision within five miles of All Children’s CIPS have remained relatively consistent. However, in some settings underage pupils have been admitted. **Table 5** shows the number of underage and target aged pupils

Table 4 - Alternative Statutory Pre-school Provision Within a Five-Mile Distance

DE No	Ref	Provision	Post code	Distance in miles Google maps	2020/21		2021/22		2022/23		2023/24		2024/25 *	
					f/t	p/t	f/t	p/t	f/t	p/t	f/t	p/t	f/t	p/t
		Nursery School (NS)			f/t	p/t	f/t	p/t	f/t	p/t	f/t	p/t	f/t	p/t
		None												
DE Ref		Nursery Units (NU)			f/t	p/t	f/t	p/t	f/t	p/t	f/t	p/t	f/t	p/t
401-1698		Newcastle PS	BT33 0AS	1.1	0	52	0	53	0	50	0	43	0	43
403-6635		St Mary's PS	BT33 0BA	1.2	0	51	0	51	0	52	0	55	0	52
404-6648		Bunscoil Bheanna Boirche	BT31 9EB	4.7	0	26	0	26	0	25	0	26	0	26
403-6454		St Malachy's PS	BT31 9DN	5.0	26	0	26	0	28	0	28	0	28	0
TOTALS					26	129	26	130	28	127	28	124	28	121

f/t = full-time p/t = part-time * provisional census figures for 2024/25

Table 5 Alternative Statutory Pre-School Provision Underage / Target Age (info as per the annual Census returns)

DE No	Ref	Nursery Units	Postcode	Distance in miles - Google maps	2020/21		2021/22		2022/23		2023/24		2024/25*	
					UA	TA	UA	TA	UA	TA	UA	TA	UA	TA
4011698		Newcastle Primary School	BT33 0AS	1.1	15	37	22	31	13	37	18	25	17	26
4036635		St Mary's Primary School	BT33 0BA	1.2	0	51	17	34	5	47	N/A	N/A	7	45
4046648		Bunscoil Bheanna Boirche	BT31 9EB	4.7	0	26	7	19	0	25	N/A	N/A	0	26
4036454		St Malachy's Primary School	BT31 9DN	5.0	0	26	0	26	0	28	N/A	N/A	0	28
Totals					15	140	46	110	18	137	N/A	N/A	24	125

UA = Under Age TA = Target Age N/A = Not Available * 2024/25 Provisional data
Some 2023/24 data not available due to Action Short of Strike (ASOS)

19. **Table 6** shows the nearest voluntary pre-school provision showing the number of funded pupils and total enrolment for each setting. The nearest provision is at Newcastle Pre-school Playgroup (PG) (0.8 miles away) and Castlewellan Community PG (4.6 miles). The table shows that enrolment numbers for non-statutory pre-school provision have fluctuated over the past five years, particularly in 2022/23 when one provider closed. All four affected schools/pre-school providers submitted comments in objection to the proposal during the pre-consultation period.

Table 6 - Alternative Non-Statutory Pre-School Provision Within a Five-Mile Distance

DE Ref No	Name	Postcode	Distance in miles - Google maps	2020/21		2021/22		2022/23		2023/24		2024/25*	
				T	F	T	F	T	F	T	F	T	F
4AB0181	Newcastle Pre-school Playgroup	BT33 0AA	0.8	18	18	18	18	15	15	18	15	21	12
4AB0435	Castlewellan Community PG	BT31 9ED	4.6	36	22	34	21	20	20	29	21	22	22
4AB0276	Dundrum Cross Community PG **	BT33 0LU	5.1	20	20	17	17	-	-	-	-	-	-
4CA0671	Home from Home Daycare PG ***	BT33 0NS	6.0							13	13	16	16
Total				74	60	69	56	35	35	60	49	59	50

T = Total places F = funded places

* 2024/25 Provisional census figures

** 4AB0276 Dundrum Cross Community PG closed June 2022

*** 4CA0671 Home from Home Daycare PG was established 2023/24 school year

20. **Table 7** below shows the quality of education provided by alternative pre-school providers within a five-mile distance from All Children’s CIPS. The table shows that there are no major concerns with the nursery units, however there were areas for improvement with the pre-school providers which have now been addressed.

Table 7 - Quality of Education in Alternative Pre-School Provision

DE Ref	Setting	ETI Assessment (Overall Effectiveness)
Primary Schools with Nursery Units		
4011698	Newcastle Primary School	January 2019- ASOS May 2012- Good (Focused)
4036635	St Mary’s Primary School	June 2017- ASOS March 2010- Good (Focused)
4046648	Bunscoil Bheanna Boirche	October 2017- ASOS November 2010- Good (Follow-Up)
4036454	St Malachy’s Primary School	October 2017- Continues to demonstrate a high level of capacity to being about improvements for learners.
Pre-Schools (with PEG funded places)		
4AB0181	Newcastle Pre-School Playgroup	May 2019- Capacity to identify and bring about improvements in the interest of all learners. March 2018- Important Areas for Improvement
4AB0435	Castlewellan Community Playgroup	June 2018- Capacity to identify and bring about improvements in the interest of all learners. January 2017- Important Areas for Improvement
4AB0276	Dundrum Cross Community Playgroup	February 2015- Good June 2008 -Areas for improvement (Follow- Up)

ASOS = Action short of strike.

STATUTORY CONSIDERATIONS

Education Reform (Northern Ireland) Order 1989 – Article 64

21. 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’*.
22. The Integrated Education Act (Northern Ireland) 2022 (the Act) came into operation on 26 October 2022. The new Act amends the previous duty on the Department under Article 64 of the Education Reform (Northern Ireland) Order 1989 to include “support” as defined in the Act.

Effective and Efficient Use of Public Funds

23. The Department must 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.
24. Article 44 states that *‘so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, pupils shall be educated in accordance with the wishes of their parents’*.
25. In light of this, it aims to maximise available pre-school places for target age children, avoiding over provision and the resulting enrolment of children younger than 3 years and 2 months (underage children) in statutory settings. The financial implications associated with this proposal are considered later in the submission.

Rural Needs Act (Northern Ireland) 2016

26. Rural proofing has been a requirement for all Government Departments in Northern Ireland since 2002 and has been an integral part of the policy development process. In 2016 the commitment to rural proofing was strengthened with the introduction of the Rural Needs Act (Northern Ireland) 2016. The Rural Needs Act places a duty on Government Departments to have due regard to rural needs when developing, adopting, implementing or revising policies, strategies and plans and when designing and delivering public services. It came into operation for Government Departments and District Councils on 1 June 2017 and applied to public authorities from 1 June 2018.
27. All Children’s CIPS is located in Newcastle and under the NISRA definitions, as now used in the SSP, the school is situated in the Donard 1 Super Output Area

and is classified as urban, therefore, the Rural Needs Act is not applicable to this proposal.

Shared Education Act (Northern Ireland) 2016

28. 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 of Education to encourage, facilitate and promote Shared Education and a power on relevant arms-length bodies to encourage and facilitate Shared Education.
29. 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.
30. While any Shared Education programme must initially meet the Shared Education definition² 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 partnerships in a local geographical area can differ across partnerships.
31. The CfC states that All Children's CIPS has been involved in a Shared Education Signature Project with St Mary's PS in Newcastle since 2015.

CASE FOR CHANGE (CfC)

32. The CfC asserts that All Children's CIPS is the only primary school provider in the town of Newcastle which does not have pre-school provision. The EA is aware of the current pre-school provision and the impact additional pre-school places may have on the area. However, the EA notes that where there is parental demand the Department has clarified the position in terms of meeting its statutory duties towards integrated education and pre-school provision. A letter from Tommy O'Reilly dated 31 October 2017 states: -

"It is important that the Education Authority and the PEG (Pre-school Education Group) support the Department in fulfilling its statutory duty by striving to meet demonstrated parental demand in an area for pre-school education at grant-maintained and controlled integrated primary schools, as well as demand for Irish-medium pre-school education".

² 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.

33. Based on the direction, the EA asserts that it is incumbent on them to investigate the potential for establishing pre-school provision within primary integrated settings, in this case at All Children's CIPS.
34. The CfC asserts that the rationale for the proposal as follows: -
- All Children's CIPS is the only primary school provider in Newcastle town not to have pre-school provision.
 - While there are sufficient pre-school places in the area there is no integrated [*pre-school*] provision.
 - Approval of this proposal would be supportive of the duty outlined in Article 64 of the Education and Reform Order (1989) and the Integrated Education Act (Northern Ireland) 2022 for the Education Authority to encourage, facilitate and support integrated education.
 - The inclusion of a 26 part-time nursery unit into All Children's CIPS will allow all parents in the area that want to avail of integrated education the opportunity to do so.
 - It would support the school to become an even stronger, sustainable integrated school which, in turn, would support the community in building good relations going forward.
 - There is strong evidence of good community balance at the school.
 - It would enable the school to match its Year 1 provision with a pre-school provision and allow a clear pathway into integrated primary provision for those families in the area who have indicated a preference for integrated education.
35. The CfC is reproduced in full at **Appendix B**.

STATUTORY DP PROCESSES

Pre-publication Consultation

36. The CfC states that the EA undertook pre-publication consultation from 17 April 2024 to 12 June 2024. Staff, Governors and parents/guardians were notified of the launch of the pre-publication and the consultation documentation was available on the EA website.

37. The EA received a total of 86 responses with 78 in support of the proposal and eight (8) against the proposal as outlined below –

Respondent	Agree	Disagree	Neither agree nor disagree	Total
Governors – All Children’s IPS	3			3
Governors – Local Schools	6	1		7
Parents/Guardians – All Children’s IPS	37			37
Parents and Guardians – Local Schools	8			8
Staff/Principal – All Children’s IPS	15			15
Staff – Local Schools	2	1		3
Principals – Local Schools	1	1		3
Political Representatives	3	1		4
Other/Parent of Past Pupil	1			1
Affected Schools		4		4
Education/sectoral Support Group	1			1
Controlled Sector Support Council	1			1
Total Responses	78	8		86

38. In accordance with Article 14 of the Education and Libraries (Northern Ireland) Order 1986, on 17 April 2024 a copy of the proposal was sent to schools which, in the opinion of the EA, might be affected by the proposal. A total of 27 local schools and pre-school settings which might be affected by the proposal were forwarded correspondence. Comments were invited from the BoGs and Trustees, to be returned to the EA by 12 June 2024.

39. Four (4) responses were received from affected schools and one response from the Controlled Schools Support Council (CSSC). All four affected schools / pre-school providers do not support the proposal. The CSSC supports the proposal.

40. A summary of the emerging themes is set out in the CfC reproduced at **Appendix B**. The points in support of the proposal include: -

- Parents currently do not have an option for Integrated nursery provision in the Newcastle area;
- Other schools have an unfair advantage as the nursery provision is already established; and
- Ensures a pathway for 3-19 Integrated provision in the Newcastle area.

41. The main concerns not in support of the proposal which emerged were: -

- there is currently over provision of nursery places within the Newcastle area;
 - potential displacement of existing pre-school provision;
 - perception that the sustainability of All Children’s CIPS will be to the detriment of Newcastle PS;
 - declining birth rate within the Newcastle area and the proposal constitutes unreasonable public expenditure; and
 - concern regarding the capital cost of a new building to accommodate a nursery class at All Children’s CIPS.
42. The CSSC comments acknowledge the historical interest in reception provision which is presented to evidence parental demand. Whilst supportive of the establishment of a nursery unit, CSSC urges the EA to consider a solution which will not threaten the sustainability of other pre-school providers.

Pre-School Education Group (PEG) Comments

43. The CfC states that the proposal to establish pre-school provision at All Children’s CIPS was circulated to the Pre-School Education Group (PEG) members on 8 August 2024. PEG considered the DP from All Children’s CIPS for comment in accordance with the EA’s duty outlined in the Integrated Education Act (Northern Ireland) 2022, to encourage, facilitate and support Integrated education.
44. PEG *“supports the DP based on demonstrated parental demand as evidenced by application trends for the school Reception Applications and the [Primary 1] intake over several years, which would suggest that 26 part-time nursery places would be sustainable.*
45. However, PEG would have concerns regarding the potential impact of this *additional provision including potential displacement of the following existing voluntary/private funded pre-school providers in the area: -*
- *Newcastle Pre-school Playgroup*
 - *Castlewellan Community Playgroup.*”
46. PEG commented that there are sufficient pre-school places in the area, however, currently there are no Integrated pre-school places available within the area. Within a five-mile radius of All Children’s CIPS for the 2024-25 pre-school year, a total of 193 funded places were available with 174 first preference applications received for September 2024. All children who applied for a funded pre-school

place and remained with the process to the end received an offer of a funded place. The figures would suggest sufficient provision already exists to cater for demand.

EA Comments

47. The CfC states that the *'The Education Authority notes the comments from PEG in support of the proposal and the potential negative impact on pre-school providers in the area. The Education Authority also notes the concerns raised by a number of schools in the area regarding the potential negative impact on their respective provisions should the proposal be approved. However, the Education Authority considered the proposal in light of the timescale for implementation of the proposal as well as the Minister of Education's letter of 13 June 2024 outlining the standardisation of pre-school which will positively impact/change pre-school provision in all areas.*

Two-Month Statutory Objection Period

48. The two-month statutory objection period for this proposal commenced on the date of publication and ended on 11 November 2024. During this period, the Department received six responses from parents and relatives in support of the proposal and no objections to the proposal. Key themes are expressed below, however it must be noted that these are assertions/opinions from interested parties.

49. The main issues raised include: -

- Integrated education is of particular importance to my family, my in laws and myself as we have a number of mixed marriages. I feel that integrated education is important in our community to reduce hate crime, discrimination. Northern Ireland in general has a significant history of these issues between local people, when you add immigration into the mix, this can have a devastating effect all involved and the wider community.
- At present in the town there are two pre-schools, one linked to a "Protestant" ethos school and a "Catholic Maintained" school. This means that parents from mixed marriages have to make a decision on where to send their children, this would be remedied by the introduction of an integrated pre-school.
- A number of asylum seekers and migrants are looking to start a fresh due to issues in the countries they were born.
- An Integrated Pre-school brings the community together, offers opportunities for people from different backgrounds to mix and learn about each other without the preconceptions of difference, this leads to unity and equality being something that is normal and not learnt over time.

- I feel that it is vitally important for children to experience integrated education from age of 3 - 18 years. The overwhelming success of both the oversubscribed primary and secondary sectors shows the desire of families locally for a complete integrated education for their children.
 - I wanted to write to convey my enthusiasm for the proposed nursery unit at All Children's PS. Both my son and daughter both attend the school. My son who has an early birthday was able to get a place in their reception class and has loved his time there since. My daughter's birthday is later in the year and wasn't able to get a place in the reception class and I found it difficult to find a nursery place for her in the surrounding area. She has now started P1 and loves her time there.
 - I am a grandfather of four grandchildren one of which greatly benefited from getting a nursery [Reception] place in All Children's. Unfortunately, the next one because of her birthday missed out, she now is at the school in primary one at the school. There are so few places available in the local area but it would be beneficial for them to attend with older siblings.
50. The detailed responses received in support of DP 738 are reproduced in a schedule in **Appendix C**.

CSSC Commentary

51. The CSSC provided an input to DP 738 which represents Council's response to the statutory consultation process and comments in respect of consultation in accordance with provisions in Section 3 of the Integrated Education Act (Northern Ireland) 2022.
52. CSSC noted from the pre-consultation that the EA was aware of the current level of pre-school provision in the area, which currently exceeds demand. The EA considered the impact which additional provision may have on existing provision but expressed support for the proposal referencing the duty to support and facilitate integrated provision. Council requested that the proposal to establish additional pre-school provision in Newcastle be considered in the context of an area solution which would address all the issues highlighted in the consultation document: the statutory duty in respect of Integrated Education, inequity of existing provision, overprovision of pre-school education places, underage children in preschool education classes and small Reception classes within All Children's CIPS.
53. CSSC acknowledges the historical interest in reception at All Children's CIPS which is presented as evidence of parental demand and notes that the nearest integrated nursery provision is over 16 miles from the school.

54. Whilst supportive of the establishment of a nursery unit, which will potentially ensure the long-term sustainability of All Children's CIPS, the CSSC is also conscious of the sustainability of other controlled pre-school providers in the area and the potential for displacement and negative impact on these providers due to this proposal.
55. CSSC is also conscious of the Ministerial Statement (13 June 2024) on Early Learning and Childcare measures which confirmed the Executive's commitment to the process of transitioning all funded pre-school education places to 22.5 hours per week.
56. In its response CSSC seeks assurance that if approved, the implementation plan to establish a nursery unit at All Children's CIPS would include existing pre-school providers in the area. They assert that this will ensure that displacement is avoided as an unintended consequence and will also assist in reducing the number of underage children in the system.
57. CSSC asserts that the Executive commitment to standardising pre-school session times provides an opportunity to ensure equitable access to 22.5 hours pre-school education for all children in the Newcastle area.
58. CSSC supports DP 738 taking into account the statutory duty to encourage, facilitate and support the development of Integrated Education whilst being mindful of other relevant statutory duties such as those in relation to the efficient use of public resources.
59. The full detailed response from CSSC is available at **Appendix D**.

SUSTAINABILITY ASSESSMENT

60. The Department's SSP sets out six criteria supported by quantitative and qualitative indicators, which provide the framework for consideration of a school's longer-term sustainability. The primary objective of the policy is to ensure that all children and young people receive a high-quality education in schools that are educationally and financially viable in the longer term. Although the SSP does not apply to pre-school provision, it is important when considering the establishment of statutory pre-school provision that the host school is assessed. An assessment of All Children's CIPS against the six sustainability criteria and their associated indicators is as follows:

Criterion 1 - Quality Education Experience

61. The Education and Training Inspection (ETI) carried out an Inspection in January 2018 which was impacted by Action Short of Strike (ASOS). As a result the ETI was unable to assure parents/carers, the wider community and stakeholders of the quality of education being provided for the children.
62. The previous ETI report from September 2011, while now dated, assessed the quality of education provided by the school as **'good'**.

Teaching Staff

63. Statistics confirm that in 2023/24 the school employed 8.2 full-time equivalent teaching staff which is above the minimum of four teachers at primary school level recommended in the SSP.

Special Education Needs (SEN)

64. In 2023/24, All Children's CIPS has 12 pupils enrolled with a Statement of SEN and a further 21 at Stages 1-2 of the SEN process. Provisional census data for 2024/25 indicates there are 15 pupils with a Statement of SEN and 21 at stages 1-2 of the SEN process. An ETI inspection in September 2011 (although very dated) assessed *'The quality of the provision for special education needs SEN is good'*. The ETI Inspection Report states the following:-

'The children's needs are identified early and additional support for literacy is provided. The school has prioritised the formal provision of numeracy support in the SEN action plan; the inspection endorses this course of action. There are good processes for consulting with the parent, children and teachers about the writing and updating of individual action plans.'

Physical Environment

65. The prospectus states that pupils were taught in mobile classrooms until 2005 when the school opened a new purpose-built school within the confines of an old walled garden and located beside the Mourne Mountains. The CfC notes that although the existing accommodation is relatively new its' site is restricted which limits potential growth. The school is close to Shimna Integrated College where many of the pupils transfer to for post-primary education. Approval of this proposal would provide a pathway of provision from 3-19.

Pastoral Care

66. The ETI Inspection Report of September 2011 states that ‘*The quality of the arrangements for pastoral care is very good and is characterised by an ethos of mutual respect throughout the school. The excellent behaviour of the children is promoted through the effective use of positive behaviour strategies, including peer mediation.*’

Criterion 2 – Stable Enrolment Trends

67. In 2024/25 All Children’s CIPS has an approved enrolment number of 203 and approved admissions of 29. **Table 8** below sets out the school’s actual total enrolment in each of the last five years and shows that the school’s enrolment has been consistent and above its approved numbers. The figures include pupils with a Statement of SEN. The school is above the recommended minimum threshold for a sustainable urban primary school as set out in the SSP.

68. **Table 8** shows that All Children’s CIPS’ has also admitted reception pupils in each of the last five years. The BoGs has confirmed that reception provision would cease should the proposal for a new nursery school be successful.

Table 8 – All Children’s CIPS – Historical Admissions and Enrolment*

Year	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25*
Enrolment P1-P7 Inc SEN	207	206	207	213	206	203
Enrolment P1-P7 Excl SEN	200	196	196	200	194	188
Admissions	31	30	34	30	21	27
Reception	10	9	4	4	4	10

Source - Census Data * 2024/25 Provisional Census Data

Temporary Variations (TVs)

69. If a school receives more applications than it has places available, it can request a TV to its admissions and/or enrolment number from the Department. The Department may approve TVs to a school’s numbers to respond to demographic pressures in an area in a particular year. As All Children’s CIPS enrolment (excluding SEN pupils) is within the 203 approved enrolment no temporary variations have been required.

First Preference Applications

70. **Table 9** below shows the first preference and total applications received between 2020/21 and 2023/24. The table provides evidence that first preference applications were below the school’s approved admissions number of 29.

Table 9 – All Children’s CIPS – First and Total Preferences

Preferences	2020/21	2021/22	2022/23	2023/24	2024/25
1st preference	22	26	25	18	20
Total preferences (All preferences)	23	26	25	18	20

*Excludes pupils with a Statement of SEN.

71. At the start of the EA admissions process for 2025/26 there were 14 first preference applications.

Table 10 - Reception pupil Intakes info. (as per the EA information at the conclusion of the Primary School Admissions process) -

2020/21			2021/22			2022/23			2023/24			2024/25		
Total 1 st Pref	Total Apps	Total Acct	Total 1 st Pref	Total Apps	Total Acct	Total 1 st Pref	Total Apps	Total Acct	Total 1 st Pref	Total Apps	Total Acct	Total 1 st Pref	Total Apps	Total Acct
26	26	6	10	11	3	21	23	4	9	9	9	22	32	9

1st Pref = First Preference Apps = Applications Acct = Accepted

72. At the start of the EA admissions process for 2025/26 there were 13 applications for reception places.

73. While the total number accepted is different from the ‘Reception’ pupils on **Table 8** this is because reception pupils only start school on the date of their fourth birthday and at the time of the census in October not all the pupils would have been registered. The number accepted can also increase after the conclusion of the admissions process if those offered a Year 1 place do not accept it.

74. Reception pupils are accepted into the school in their reception year and therefore do not count towards Year 1 admissions in the following year, this reduces the number of Year 1 places available.

Criterion 3 – Sound Financial Position

75. At 31 March 2024, All Children’s CIPS’s budget was in a provisional **surplus** position at £2,421. The school had a small deficit in the previous year, up to 31 March 2023, of **-£2,282**.

76. All schools received a delegated budget for the financial year based on verified enrolment as at the October census prior to the financial year. All Children’s

CIPS received a total Common Funding Formula budget of £786,188 in the **2024-25 financial year** for **210** FTE [Full-Time Equivalent] pupils, which generates a per capita of £3,744. The average for all primary schools is £3,938.

77. The total Free School Meals Entitlement for the school is **40** pupils, which represents **19.05%** of the total FTE, which places the school in **Band 1** for funding purposes.
78. The school received £23,323 for Small Schools Support funding, which represents **45.00%** of the maximum funding for this factor, within the Nursery & Primary funding stream.
79. The school also received £7,389 in respect of Primary Principals' Release Time.

Criterion 4 – Strong Leadership and Management by Boards of Governors and Principals

80. The ETI Inspection of September 2011, although very dated, assessed the quality of the leadership and management as 'good'.
81. In the report, the ETI states that the Principal leads the school effectively and is strongly supported by all staff, particularly the co-ordinators.
82. The ETI has now advised that the previous principal and two longstanding middle managers retired in August 2024. The school website notes that a new Principal, Mr David Lister, has recently been appointed and that former Principal, Mr Jon Beattie, retired at the end of June 2024 after nine (9) years. There is no recent assessment of the Leadership and Management at the school.
83. The CfC notes the school undertook a parental survey in June in which 44% of parents submitted a response – of those that responded 95.6% felt that the school was managed well by the staff and Governors.

Criterion 5 – Accessibility

84. **Map 1** illustrates the location of the pupils who currently attend All Children's CIPS and shows that the majority of pupils live within five miles of the school while some pupils travel over 10 miles to attend.
85. The CfC states that the school is located within the town of Newcastle with the pupils accommodated in relatively new accommodation. The site itself is restricted with limited potential for growth.

86. The SSP includes guidance on the maximum travel times recommended for primary school pupils of 30 minutes for a single journey, i.e. one hour per day in total. **Map 4** confirms that most pupils live within 30 mins travel time from All Children's CIPS and the school is therefore accessible to its pupils as stipulated in the SSP.

Criterion 6 – Strong Links with the Community

87. The CfC asserts the school has strong links with the local community. The school has been involved in a Shared Education Signature Project with St Mary's PS, Newcastle since 2015. The CfC states that Shared Education is fully incorporated into the School Development Plans and teaching staff availing of the Teacher Professional Learning modules as applicable.
88. Examples of shared connections with local community (prior to Covid-19 pandemic) include establishing links with Forestry Commission; Tollymore Outdoor Centre (school visiting over 10 times each year); Community Relations in Schools and Sentinus. Parents are invited to shared assemblies and receive regular newsletters. Staff from All Children's CIPS meet with staff from four local primary school through the Joint Principal's Group and the recently established SENCo Cluster Group.

Sustainability Summary

89. Although now dated evidence, the quality of education at All Children's CIPS was assessed by the ETI in 2011 as 'Good'; however, there is no new evidence to confirm the quality of education at the school. The school's enrolment is consistent and is above the 203 approved enrolment number when pupils with a statement of SEN are included.
90. The school's budget is in a provisional surplus position at 31 March 2024 and the per capita cost of £3,744 is below the primary school average of £3,938. All Children's CIPS is accessible to its pupils with most of the pupils living within a five-mile radius. There is evidence of links with the local community including long term shared education links.
91. Notwithstanding the lack of up-to-date evidence for some of the SSP criteria, the evidence provided shows that All Children's CIPS is considered to be a sustainable and popular primary school.

ANALYSIS OF STATUTORY CONSIDERATIONS

92. Under Article 64 of the Education Reform (Northern Ireland) Order 1989 the Department has a statutory duty to ‘encourage and facilitate the development of integrated education’.
93. The Integrated Education Act (Northern Ireland) 2022 extended the current duty on the Department under Article 64 and now the duty includes “support” which 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.*
94. As highlighted by the EA, the Department wrote to the statutory planning authorities on 31 October 2017 reminding them of the need to support the Department in the fulfilment of the duty to encourage and facilitate the development of Integrated education and highlighting the role that the PEG should play in striving to meet demonstrated parental demand in an area for pre-school education at Integrated primary schools.
95. The Department’s letter stressed the importance of supporting the Department in fulfilling its statutory duty ‘*by striving to meet demonstrated parental demand for pre-school education at GMI (Grant Maintained Integrated) and controlled Integrated primary schools*’. It specified that it is essential that the Department ‘*does not inadvertently constrain the development of Integrated education*’.
96. Further clarification was set out in the Department’s letter of 15 January 2018 referencing that Justice Treacy had concluded that the statutory duty applies only

to Integrated education as a standalone concept as defined in Part V1 of the 1989 Education Reform Order rather than religiously mixed provision more generally. It further states that *'we should encourage and facilitate the development of Integrated (and Irish-medium) education in ways we need not for other education provision by taking positive steps, or removing obstacles which inhibit the statutory duty'*. However, the letter also states that *'the implications of these statutory duties must be considered on a case-by-case basis, analysed and balanced alongside other relevant statutory and policy requirements to reach a reasoned conclusion'*.

97. In recent case law (JR 289) Judge Scoffield commented on 'support' and how in the view of the Court, the new duty should be reflected in the Department's consideration of proposals to increase integrated provision, adding the following comments (both of which are lifted from the judgement): -

"In short, the Department should be an advocate for integrated education. The obligation of "support" is also designed, in my view, to require the Department to be prepared to devote additional resources to the development of integrated education proposals than it might otherwise do, where this falls within its task of "aiming to meet the demand for the provision of integrated education"

"The Department should lean towards the approval of 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"

98. There is no other pre-school education provision with an integrated management type within a five-mile radius of All Children's CIPS. Integrated provision in the area is considered further at paragraphs 149 – 152.

The Integrated Education Act (Northern Ireland) 2022

99. Section 1 of the Act 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.
100. 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’.

101. All Children’s CIPS is already recognised as an Integrated school and the following sets out how it meets those requirements.

Section 1

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

102. The CfC states that All Children’s CIPS provides a learning environment in which children from Catholic and Protestant faiths, children from other faiths, cultures and communities learn together on a daily basis.

103. **Table 11** shows that in 2022/23, the school enrolled 34 pupils (15.7%) of its total enrolment from a Protestant background; 99 pupils (45.6%) from a Catholic background and 84 (38.7%) of pupils identifying as Other Religions or Religion not known. As a consequence of Action Short of Strike (ASOS), some pupil data sets for the 2023/24 academic year are unvalidated or missing therefore the submission relies on 2022/23 verified census data.

Table 11 – All Children’s CIPS – Historical Religious Balance

Academic Year	Protestant	%	Catholic	%	Other	%
2022/23	34	15.7	99	45.6	84	38.7
2021/22	27	12.8	94	44.5	90	42.7
2020/21	29	13.5	98	45.6	88	40.9
2019/20	29	13.4	94	43.3	94	43.3
2018/19	28	13.3	106	50.2	77	36.5

** Includes 4 Reception Pupils
Information from School Census Data*

104. The 2021 Census data shows for the Newry, Mourne and Down LGD a religious breakdown of 72.3% Catholic 23.9% Protestant and Other Christian (including Christian related); and 3.8% for Other religions and none. **Table 11** demonstrates that the school attracts pupils from a Protestant background in an area which has a predominately Catholic population and that it is reflective of the

area that it serves. There is also significant number of pupils that identify as 'Other'.

105. In 2023/24 the enrolment of All Children's CIPS included eight newcomer pupils. The information provided suggests that the school is welcoming and supportive of pupils from different cultures and religious beliefs.

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

106. The school is located in the Donard 1 Super Output Area which is placed 442 out of 890 on the Multiple Deprivation Measure (MDM).

107. The current level of Free School Meals at All Children's CIPS is 19.5%. The CfC asserts that the school caters for pupils from various socio-economic backgrounds.

(c) those of different abilities;

108. The CfC asserts that All Children's CIPS provides for the needs of all children. The school provided a table which shows the range of standardised scores achieved by pupils in GL Assessment conducted in May 2022 (**Table 12** below). It also notes that the wide range of results is also evidenced in other assessments including Salford Reading – the school caters for children across all nine stanine bands, within the majority of year groups.

Table 12 : Range of Standardised Scores Achieved by pupils from All Children's CIPS

Range of Standardised Scores Achieved by pupils in All Children's Controlled Integrated Primary School - May 2022		
Data from May 2022 Assessments	Progress Test English (standardised scores: range)	Progress Test Maths (standardised scores: range)
Primary 3	70-127	69-127
Primary 4	77-134	73-117
Primary 5	69-141	73-141
Primary 6	72-141	72-132
Primary 7	70-132	83-137

Source : Information Provided By School in the Case for Change

109. In 2023/24, All Children's CIPS had 12 pupils with a Statement of SEN and a further 21 pupils with SEN at Stages 1-2 statementing process. Provisional census figures for 2024/25 show that this has increased to 15 pupils with a statement of SEN. At the September 2011 ETI inspection, the provision for pupils with SEN was reported as being good with children's needs being identified early.

110. The evidence above shows that All Children's CIPS can be defined as an Integrated School under the Act.

Section 3 – Advisory Body

111. 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.

112. The Department has identified the NICIE, the IEF and the CSSC as relevant bodies for the purposes of such consultation.

113. The Department wrote to each of these bodies on 3 October providing them with an opportunity to consider and provide any commentary on the proposal by **28 November 2024**.

NICIE Comments

114. The NICIE submission notes that it was provided in response to the statutory objection period and as an 'advisory body' under Section 3 of Integrated Education Act (Northern Ireland) 2022 and states that NICIE strongly supports DP 738.

115. It is NICIE's view that approval would support parity of pre-school provision in the Newcastle area, enabling more parents who seek Integrated Education from pre-school onwards, the opportunity to access it. They note that the proposal carries the support of both the EA and the PEG.

116. NICIE asserts that approval of the DP would enable the school to move out of the cyclical nature of enrolment they find themselves in due to the rules around Reception classes, which not only has this caused issues for the school regarding sustainability of a steady pre-school and primary 1 intake, it has also led to financial pressures on the school.

117. The establishment of a nursery unit will not encroach on the enrolment of Year 1 as currently happens with the reception class. This will support parents who wish to access Integrated Primary Education to have a better opportunity to do so and will help the DE to fulfil its statutory duties in relation to Integrated Education.

NICIE notes that All Children’s CIPS is the only primary school in the town without pre-school provision.

118. NICIE notes that All Children’s CIPS has campaigned for some time to develop a nursery unit at the school and believe it would be important that the Department approves it to enable a parity of access and choice across all school types.
119. NICIE asserts that the school already has a strong compliance with, and a commitment to, Sections 1 and 2 of the Integrated Education Act (2022) and notes that the school holds the NICIE “Excellence in Integrated Education Award (EIEA) and is about to embark on renewal of the award. The renewal would also include developing excellent practice across nursery provision if the DP were to be approved.
120. The full detailed response from NICIE is reproduced at **Appendix E**.

IEF Comments

121. The IEF response to DP 738 states: -

“The Integrated Education Fund (IEF) appreciates being consulted in relation to the Development Proposal 738 for All Children’s Controlled Integrated Primary School. The IEF supports this Development Proposal for a 26 place part-time nursery by September 2026. This proposal will assist meeting the demand for Integrated provision in the Newcastle area and help the Department fulfil its requirements of the Integrated Education Act 2022. The IEF is making this one submission covering objection period and Section 3 comments.”

122. The full response from IEF is reproduced at **Appendix F**.

CSSC Comments

123. CSSC provided a response during the Statutory Objection period and this is set out in paragraphs 51 to 59 above and notes: -
- that the historic demand for reception provision demonstrates parental demand for integrated pre-school provision and that the nearest integrated provision currently is over 16 miles away;
 - whilst supportive of the establishment of a nursery unit, the CSSC is also conscious of the sustainability of other controlled pre-school providers in the area and the potential for displacement and negative impact on these providers due to this proposal; and

- in the response CSSC seeks assurance that if approved, the implementation plan to establish a nursery unit at All Children’s CIPS would include existing pre-school providers in the area. They assert that this will ensure that displacement is avoided as an unintended consequence and will also assist in reducing the number of underage children in the system.

124. The Department will identify and assess the impact on neighbouring provision and will ensure that the decision taker has all relevant evidence on which to take the decision, however, the Department cannot provide assurances of the nature sought by CSSC, nor do we attach conditions to approval of DPs.

125. The full detailed response from CSSC is reproduced at **Appendix D**.

Effective and Efficient use of Public Funds

126. The Department has a responsibility under Article 44 of the Education and Libraries (NI) Order 1986 and under Managing Public Money to ensure effective and efficient use of public funds.

127. The CfC also states that additional teaching and non-teaching staff will be required at approximately £80,000. The cost of staff would be covered by Local Management of Schools (LMS) funding.

128. The Department’s Finance Team have advised that any new provision (including new Nursery units) opening during the year are a pressure for the Department’s “New Schools & Units” fund. A new 26 P/T Nursery Unit is likely to create a funding need of **around £38k** – based on past costs for such units opening during the financial year – for the period from Opening to the end of that financial year. Full year costs to the *Aggregated Schools Budget* * are likely to be around **£65k** (for new provision, not previously funded).

129. The Department aims to maximise available pre-school places for target age children, avoiding overprovision and the resulting enrolment of children younger than three years and two months in statutory settings. It is clear from Tables 13 and 14 below that significant numbers of penultimate age children have been accessing funded pre-school education places within the two and five radii of All Children’s CIPS in each of the last four years.

130. Underage children may only receive a funded pre-school place when places remain available in a statutory pre-school setting after applications from target age children have been considered. It is a strong indicator that sufficient pre-school provision already exists to meet current demand and any increase to this will likely lead to an increase in the numbers of penultimate children accessing funded pre-school provision in the area.

131. Due to continuing decreasing birth rates, increasing numbers of underage children are attending pre-school provision across Northern Ireland. It is anticipated that legislation will ultimately be brought forward to remove all penultimate aged children from pre-school provision. However, until such times as new legislation is introduced, and in line with Article 44, underage figures must continue to be a factor when considering proposals for new or additional statutory nursery provision.
132. If the proposal is approved, the existing overprovision will increase, likely causing a negative impact on other preschool settings in the area due to duplication, displacement, and excess capacity. Currently, overprovision in the area leads to additional costs for the department by accommodating under-target age children in statutory settings.
133. To address this, the PSEP should consider any level of over provision in the area and flex the voluntary provision accordingly. The Department's Early Years Team has noted that, should this DP be approved, the EA would take forward standardisation of pre-school provision in the area into account within its implementation planning.

Shared Education

134. The CfC states that the All Children's CIPS has been involved in a Shared Education Signature Project since 2015. Shared lessons have tended to focus on developing scientific skills in the outdoors, making use of the mountains, forests and coastline given the geographical context of the locality part of a pre-school shared education partnership.
135. The CfC also asserts that Shared Education is fully incorporated into the School Development Plans and continues to be embedded with teaching staff availing of the Teacher Professional Learning modules as applicable.

OTHER CONSIDERATIONS

Policy Context - Early Years

134. The Department's Early Years Team (EYT) has advised that 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's Children and Young People's Strategy (CYPS) 2020-2030 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.

135. The latest PfG 2024-2027 “Our Plan: Doing What Matters Most” was published on 27 February 2025 and includes as a priority “Deliver more affordable, accessible, high quality early learning and childcare”.
136. The Department’s aim is 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.
137. 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. The potential impact of plans for pre-school standardisation is considered separately.
138. Another key action under the Learning to Learn framework is the removal of reception provision. While All Children’s CIPS does not operate any pre-school provision at present it does currently have reception provision. This is considered later in the submission.

Future Policy Direction – Standardisation

139. In May 2024 you announced your intention to standardise the funded pre-school session length to 4.5 hours per day (22.5 hours per week) for all target aged pupils as part of the proposed Executive’s Early Learning and Childcare Strategy. To date 106 pre-school settings have been approved by you to move to transition to the standardised full-time session length from September 2025. The EYT has advised that it will, however, take a number of years for all pre-schools to transition to the standardised session length. The speed of transition will largely be dependent of the resources available from the Executive at each stage, as well as the circumstances of individual pre-school settings.
140. It is reasonable, however, to consider the potential impact of pre-school standardisation on this DP. Should DP 738 be approved to establish new statutory nursery provision at All Children’s CIPS, that provision would be considered in due course in respect of plans for the standardisation of the pre-school session length. Therefore, if approval is granted, the transition of the setting to full-time provision in the near future should be taken into account. As

with all newly approved pre-school provision, if this DP is approved the EA will take the pre-school provision into account within its planning immediately.

Assessed Need for Pre-school Provision in the Area

Decline in Cohort Population

141. NISRA population projections for Newry, Mourne and Down at age three (3) show numbers are projected to fall by 10.3 % from 2018 to 2028 or by 6.7% from 2018 to 2043.
142. **Table 2** shows at age three (3) significant reductions from 2557 in 2018 to 2293 in 2028 (a reduction of 264 children) then, due to a slight increase in births, a reduction from 2557 in 2018 to 2386 in 2043 (a reduction of 171 children). The overarching 0-4 age group also shows reductions of 10.47% from 2018 to 2028 and a smaller reduction of 5.14% to 2043.
143. 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 c.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. The EYT have provided details of the level of provision at a two and five-mile radius.

Table 13: Level of Provision – two-mile radius of All Children’s Controlled IPS.

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
2021/22	104	18	4	126	105	116.2%	39
2022/23	104	15	4	119	76	156.6%	18
2023/24	104	15	4	119	87	136.8%	18
2024/25	104	13	9	117	89	131.5%	25
Proposed	130	13	0	143	89	160.6%	-

Source: School Census and provisional EA data

144. The level of provision within the two-mile radius has been significantly higher than the planning figure of 95% in each of the last four years ranging from 116.2% to 156.6%. In addition, large numbers of penultimate age children have also accessed funded pre-school education places in the area in each year, suggesting that current levels of provision are in excess of demand. Should the proposal be approved, the level of pre-school provision in the immediate area would increase further to approximately 160.6%.

Table 14: Level of Provision – five-mile radius of All Children’s Controlled IPS.

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
2021/22	156	39	15	195	231	84.4%	46
2022/23	156	35	15	191	185	103.2%	18
2023/24	156	36	13	192	200	96.0%	18
2024/25	156	35	23	191	180	106.1%	25
Proposed	182	35	23	217	180	120.5%	-

Source: School Census and provisional EA data

145. The level of provision within the five-mile radius has fluctuated over the last four years ranging from 84.4% to 106.1%. However, this is in the main due to fluctuations in the Primary One cohort rather than the number of funded pre-school places available which has remained fairly constant over these years. Similar to the two-mile radius, large numbers of penultimate age children have also accessed funded pre-school education places in the wider area in each of the last four years, which is an indicator of over provision in an area.
146. Should the proposal be approved, the level of pre-school provision in the two-mile and five-mile radii would increase to 160.6% and 120.5% respectively. This equates to approximately 58 and 46 funded pre-school places respectively above what would be necessary to achieve the planning figure based on the 2024/25 Primary One figures.
147. It is clear from this data that sufficient pre-school provision is available in both the immediate and wider area to meet current demand and any increase in the level of provision could result in the displacement of existing good quality pre-school provision in the area.

Demand for *Integrated* Pre-school Provision in the Area

149. 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 preschool 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.

150. There is no other pre-school education provision with an **Integrated management** type within a five-mile radius of All Children's CIPS. The closest Integrated statutory pre-school education provider is at Cedar IPS which is approximately 16.2 miles away. Cedar IPS has a statutory nursery unit that provides 26 part-time places and in 2024/25 it received 24 first preference applications.
151. DP 674 was published in January 2022 which sought to establish a new statutory nursery unit at Drumlins IPS, Ballynahinch to provide 26 part-time nursery places. This proposal was approved by the then Permanent Secretary in June 2023. The new statutory nursery unit at Drumlins IPS is due to open in September 2025. There have been 30 first preference applications for the 26 available places at end of the first stage of the EA Admissions process. Drumlins IPS is approximately 13.9 miles from All Children's Controlled IPS. The proposed unit for Drumlins IPS has also been included in the Department's pre-school standardisation programme and has been approved by you to transition to full-time when it opens in September 2025.
152. The EYT advise that if DP 738 is approved, it is not expected that this would have any impact on provision at either Cedar IPS or the planned new provision at Drumlins IPS.

Expressions of Interest

153. While All Children's IPS does not have nursery provision at present it has accepted pupils for reception provision. The CfC notes that the school has limited accommodation and it has been restricted on the number of reception pupils that it can accept. The school has however provided details of the reception applications received over the past nine years, as evidence of the demand for Integrated pre-school provision.

Table 15 All Children's CIPS – Reception Application History

All Children's CIPS - Reception Application History		
Year	Number of Reception Applications Received	Number of Reception Applications Accepted*
2016/17	16	6
2017/18	15	9
2018/19	16	6
2019/20	18	10
2020/21	26	6
2021/22	11	4
2022/23	21	4
2023/24	10	4

2024/25	22	9
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154. The reception pupil application data from the EA, **Table 15**, shows there was a demand for 22 reception places in 2024/25. It would appear from the application data that there is a level of demand for pre-school provision of an integrated management type in the area with an average of 18 Reception applications received in each of the last five years. It is possible therefore that a new statutory nursery unit may be sustainable in the long term.

Impact on Neighbouring Provision

155. The EA PEG supports the proposal on the basis of demonstrated parental demand as evidenced by overall application trends for the school for reception applications and intake over several years, which would suggest that a 26 part time nursery places would be sustainable. However, the EA PEG would have concerns regarding the potential impact of this additional provision, including potential displacement of existing voluntary/private funded pre-school providers in the area.

156. The EA PEG's assessment of need for pre-school provision is met with spare capacity available within non-statutory settings. The over provision has been a factor for a number of years and the PEG has role in the strategic planning and management of this over provision. However, within the local area there is no Integrated pre-school provision and consequently there remains an unmet need for Integrated pre-school provision in the area. The PSEP is a partnership between statutory and voluntary/private pre-school education providers and both sectors are equally valued for their contribution to the education of pre-school children. Both sectors adhere to the same curricular guidelines and are inspected to the same educational standards. In considering DPs for statutory provision, careful consideration is given to the impact of any new provision on existing good quality voluntary/private providers in the PSEP. In addition to considering the potential for over provision and duplication, this also considers the potential for a proposal to destabilise provision in an area and considers the preferences of parents who have chosen pre-school provision of other management types in the area.

157. During the pre-publication consultation comments from affected schools centred on a declining birth rate, the current over provision of nursery places in the Newcastle area and potential displacement of the existing pre-school provision. There were no responses received from the affected schools during the statutory objection period. The EA PEG also highlighted concerns regarding the potential impact, including displacement, the proposal could have on existing non-statutory provision in the area.

158. There are currently sufficient funded pre-school places in the Newcastle area to accommodate every child whose parents want a place for them. If approved,

the proposed additional 26 part-time statutory pre-school education places would increase the levels of provision within the two mile and five-mile radii to 160.6% and 120.5% respectively, and the level of over provision would be some 58 and 46 places respectively above what is required to achieve the planning figure of 95%.

159. There is a very strong likelihood therefore that the proposed additional provision, if approved, could have a detrimental impact on other existing pre-school settings in the area. If approved the current levels of over provision would increase and there would be a strong likelihood that this would have a detrimental impact on other pre-school settings in the area through duplication, displacement and over provision. The PSEP is flexible and could therefore flex provision to better reflect levels of demand should additional statutory provision be put in place via approval of this DP.

160. The EYT note that the school already caters for a number of target aged pupils via reception provision. As the school has confirmed that this provision would cease if the DP were approved, this could mitigate the impact on other settings (albeit to a limited extent), as between four and ten target aged children have attended the school's reception provision in each of the last five years.

Financial Implications

Capital

161. The CfC indicates that although the school's existing accommodation is relatively new, its site is restricted which limits potential growth. However, it also suggests that an area has been identified within the school grounds that would be suitable for accommodating a new nursery unit. The potential locations on the site will be subject to topographical surveys and a feasibility study which will seek to identify a preferred location.

162. The CfC estimates the cost of the new unit to be approximately **£500K**. The Department's Estates Operation Team (EOT) would agree that this figure is largely accurate but is subject to unknown variables and inflation. Costs can vary significantly due to the complexity of some sites and capital investment required could exceed this figure. An accurate representation of costs will only be obtained following the feasibility study, business case and ultimately through the tender process.

163. The CfC takes into consideration lead in times for design, planning and delivery and proposes an indicative date of September 2026 (or as soon as possible thereafter). While the typical timeframe for the delivery of a new modular unit is 18-24 months this is subject to planning approvals, capital availability and any

other unforeseen variables. EOT could not guarantee that appropriate accommodation will be in place by September 2026 if the DP was approved.

Resource

164. Additional salary for a full-time teacher, one part-time classroom assistant and overhead costs would be met from the school's budget.
165. Any new provision (including new nursery units) opening during the year are a pressure on the Department's "New Schools and Units" fund. A new 26 P/T NU is likely to create a funding need of around **£38k** – based on past costs for such units opening during the financial year – for the period from Opening to the end of that financial year. Full year costs to the *Aggregated Schools Budget* are likely to be circa **£65k** (for new provision, not previously funded).
166. Finance highlights that the Education budget faces an overcommitment of c£310m in 2025-26 for inescapable pressures only. If high priority, desirable and other pressures are factored in, Education's overcommitment exceeds c£360m.
167. In light of this, Finance stress that sufficient funding is not currently available to meet all pressures identified for 2025-26 and that provision of funding for this proposal will impact on the availability of funding for other proposals.

168. **Summary – Considerations in favour of approval**

- Under Article 64 of the 1989 Education Reform (Northern Ireland) Order, the Department has a statutory duty to '*encourage and facilitate the development of integrated education*'. The duty has been amended and extended further by the new Integrated Education Act (Northern Ireland) 2022 which includes 'support', as defined, in the Act. The duty relates to education provision in a school with an Integrated management type and applies to pre-school provision;
- Judge Scofield's commented on 'support' from JR 289 and how in the view of the Court, the new duty should be reflected in the Department's consideration of proposals to increase integrated provision.
- While pre-school is accessible to all, evidence suggests a level of unmet demand for Integrated pre-school provision in the area, based on the numbers currently applying to the reception class at the school;
- If the proposal is approved the school has advised that reception provision at the school would end;
- It would give those parents seeking and preferring an integrated education a pathway from 3 -19 at this site.
- There are no sustainability issues with the host school;
- There is no other pre-school education provision with an Integrated management type within 16 miles distance from All Children's CIPS;

- While existing funded pre-school education provision in the area is sufficient to meet demand, this is not the case for pre-school education provision in a setting of an Integrated management type and approval would also support a wider examination of need in the area as a means of managing the existing costs associated with over-provision; and
- The EA PEG supports the proposal in the context of the statutory duty to encourage and facilitate the development of Integrated education and demonstrated parental demand.

169. Considerations in favour of not recommending approval

- The statutory duty should be considered alongside the duty under Article 44 of the 1986 Order and the requirements of the Integrated Education Act. There would be additional costs for accommodation of approximately £500k and additional costs to the ASB if the proposal is approved. This is at a time when there are extreme financial and budgetary pressures for education;
- In 2024/25, the level of provision within the two-mile radius is significantly higher than the planning figure of 95%, as it is 131.5%. Over the last four years it has ranged between 116.2% and 156.6%;
- Significant numbers of underage pupils have been admitted to funded pre-school education places in the area in each of the last five years with 25 pupils admitted in 2024/25. If the proposal is approved, there is a strong possibility that this would lead to an increase in the numbers of underage pupils accessing funded pre-school places in the area;
- If approved, this proposal could have an impact on existing good quality pre-school education provision in the area, which may result in displacement of existing funded places at other pre-school settings;
- There is no statutory requirement for all primary provision to have pre-school provision;
- NISRA population projections indicate a decline in the short and long term of the pre-school cohort; and
- The EA PEG has concerns regarding the potential displacement of existing funded pre-school provision in the area; additional provision may affect the sustainability of the non-statutory pre-school education settings and the potential uptake of younger pupils into statutory nursery settings.

CONCLUSION

170. 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 provision already in existence with pre-school provision at an alternative setting. Both the statutory and voluntary/private sectors are equally valued as they adhere to the same curricular guidelines and are inspected to the same

educational standards. However, it is acknowledged that parents may have a preference for pre-school provision of a particular management type. The impact of proposals for statutory provision must be balanced against their impact on existing good quality voluntary/private providers; and each case is assessed on its own merits.

171. The evidence suggests that there is a level of demand for education of an integrated management type in the Newcastle area and that this is likely to extend to a level of demand for pre-school education of an integrated management type which is not currently being met through the existing reception provision at the school. In line with the relevant statutory duties, it is reasonable that pre-school provision of an integrated management type should be made available in the area to address this demand.
172. There is, however, insufficient evidence of the need for additional pre-school education provision overall in the area at this time. The current level of pre-school provision in the area is above the planning figure in both the two-mile radius (131.5%) and the five-mile radius (106.1%) and would increase further if the proposal were approved. In addition, during the 2024/25 pre-school admissions process all children who applied for a funded pre-school place and remained with the process to the end received an offer of a funded place, with EA data showing that fewer first preference applications were received within the five-mile radius than there were places available (174 / 193). This is further evidenced by the fact that significant numbers of penultimate age children also accessed a funded pre-school education place in the 2024/25 academic year.
173. If approved, the proposal would increase the levels of provision to 160.6% and 120.5% respectively, which would equate to 58 and 46 more pre-school places than the planning figure within each radius and consequently could result in displacement of existing good quality pre-school education provision and/or lead to an increase in the number of underage children attending statutory pre-school education in the area. While the school has confirmed that approval of the DP would allow the cessation of reception at the school, the very limited numbers attending the reception provision as set out in the CfC suggest that this would not significantly mitigate the impact on other settings.
174. There were no objections and six responses from parents and relatives in support received to the proposal during the statutory objection period. The EA, NICIE, CSSC and the IEF have all written in support of the proposal. Strategically, an examination of Operational Plan 2 shows that there are no other workstreams planned in this area to address the need for integrated places at any phase.
175. Having carefully considered all of the information, evidence, views for and against this proposal, the Department's EYT consider that on balance, particularly in light

of the statutory duties contained within the Integrated Education Act, the proposal to provide pre-school provision of an integrated management type in the area is likely to be reasonable, but that provision of additional places of any management type at this time may, and is even likely to, have a detrimental impact on wider pre-school education provision.

176. The Article 64 duty applies equally to pre-school education and case law has determined that pre-school provision at an Integrated setting is distinct from other forms of pre-school provision.
177. The Department has however, issued guidance which requires, in this context, the demonstration of parental demand for additional pre-school education at a school of an Integrated management type and the new Integrated Education Act states that support for Integrated education involves 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. It is considered that demand for Integrated education has been demonstrated in the evidence set out above.
178. This is a finely balanced proposal. On the one hand the data indicates there is likely to be over-provision of pre-school places, impacting on existing good quality provision and a likely decline in the demographics in the area, and to implement the proposal would require capital investment which would all point towards this proposal not being recommended for approval. However, this must be tempered against the clear and obvious parental demand for an extension to pre-school provision at an Integrated statutory setting with existing and well-established Integrated provision in an area that does not currently hold this type of provision. The continued roll out of standardisation has the potential to mitigate some of the risks of overprovision should you decide to approve this proposal. There is also a cost associated with maintaining the existing level of over-provision, which is a matter that could and should be considered by PEG when flexing provision in line with demand.
179. Officials are also aware of case law when decisions regarding Integrated and Irish-medium Education are challenged in court. Judicial comments indicate that the Department should respond positively to parental demand for integrated and Irish-medium education, take proactive steps, and be inclined to support such proposals. At the same time, each proposal should be considered on a case-by-case basis, carefully analysed and balanced against other relevant statutory and policy requirements to inform a reasoned decision. (see paragraphs 96-97)
180. Colleagues in the Integrated and Irish-medium (IMIE) Team state that All Children's CIPS meets Section one definition of the 2022 Act and that the CfC has provided sufficient information and evidence to indicate that if a DP to

establish a statutory nursery unit is approved then the school is likely to ensure the provision of integrated education within the newly established nursery unit as defined in the Integrated Education Act (Northern Ireland) 2022.

RECOMMENDATION

181. Taking into account the evidence set out above, it is recommended that you:

- (i) Approve DP 738,

A statutory nursery unit will be established at All Children's Controlled Integrated Primary School to provide 26 part-time nursery places with effect from 1 September 2026, or as soon as possible thereafter.

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

182. The following appendices are attached for your consideration:-

Appendix A - Copy of Published DP 738

Appendix B - Case for Change for DP 738

Appendix C - Statutory Objection Period Responses:

Appendix D – CSSC Comments

Appendix E – NICIE Comments

Appendix F - IEF Comments

Appendix G - Education and Training Inspectorate Commentary

Appendix H - DE (Policy Team) Comments



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