

Statement to the Northern Ireland Assembly

Pre-School Admissions Consultation: Socially Disadvantaged Circumstances (SDC) Criterion

7 September 2026

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Minister of Education**

Mr Speaker,

Since taking office in February 2024 my approach has been characterised by three simple ambitions; excellence in education, choice for parents and a fair deal for hard working families.

No doubt by this stage you will be familiar with my educational reform plan – grounded in evidence and informed by international best practice - known as TransformED.

And in a few weeks I will set out my ambition to organise the education system based on the choices of parents and children, not bureaucratic structures.

But today, I want to set out some of what I have been doing to help out the hard-working families who are the bedrock of our community and announce an important next step.

Too often they are over-looked, ignored or taken for granted. They don't complain or make a fuss, but I know they are the ones who raise their families, pay their taxes and meet their mortgages.

In my constituency and in my mailbox, I hear their concerns. I have already responded with practical support, but I intend to do more.

When the Executive was restored in February 2024, "Early Learning and Childcare" was widely regarded as a priority by parties across this House. It was an early example of how devolution could make a difference to the real lives of real people.

With the support of Executive colleagues, I brought forward a range of measures to revolutionise early years and childcare provision in Northern Ireland. Though it is only a start, in a constrained financial environment, I believe that we are beginning to make a real difference.

Amid all the challenges and difficulties that are being faced and with sustained investment, I believe it will stand the test of time as one of the signature achievements of the Executive during this Assembly term.

There are those who oppose devolution. Or at the very least, whose approach would end any form of devolution which is reasonably available, but be in no doubt in the absence of devolution none of the progress that has been made in providing increased early learning, education and childcare support to thousands of families across Northern Ireland would have been achieved.

Exceptional civil servants have delivered these changes, but they would not have been empowered to do so in the absence of Ministers. This is not speculation but an empirical fact.

In the coming weeks, the Executive will consider a final Early Learning and Childcare Strategy, but in reality this will be to confirm a direction of travel upon which we have long since commenced.

Between April 2024 and March 2026, the Executive allocated £80 million additional funding to deliver on these measures, and they are making a tangible difference for thousands of children, families and providers across Northern Ireland. They include the design and implementation of a bespoke Northern Ireland Childcare Subsidy Scheme (NICSS).

This has secured over £26.4 million in savings for eligible working parents since its launch in September 2024. When combined with Tax-Free Childcare, the savings to families are estimated at approximately £55.6 million.

Let me give an example of what this has meant in practice. A family claiming the full subsidy for two children below Primary school age will have saved just under £8,800 since the scheme was introduced. This is £8,800 which these families would otherwise have had to pay out in fees but, as a direct result of the action we have taken, they have been able to retain and use for other purposes. When combined with Tax Free Childcare, their childcare bills over this period will have been reduced by an estimated £16,800. It is a significant achievement that this Executive has been able to ease the financial pressure on working families to this extent in just two years and at a time when many other costs have been rising.

In 2025/26 alone, the subsidy scheme supported 27,486 children from 20,210 families. Eligible families could receive a subsidy of up to £184 per child per month (over £2,200 per child, per year with no limit on the number of children that could be claimed for). Analysis of NICSS data indicates that only 2.7% of claims reached the maximum monthly subsidy, confirming that the majority of families continue to receive the 15% reduction available on the full value of their childcare costs rather than being constrained by the cap.

It is also worth pointing out the extent to which the scheme has specifically benefited working families on low-middle incomes. This is further evidence of my commitment to target hard working families, often where both parents are working in average income jobs but still struggling with the various financial demands of bringing up young children.

In addition to the NICSS, I have strengthened the support provided to thousands of families through established and highly respected programme such as Sure Start and

the Pathway Fund. This investment is enabling over 9,000 additional children across Northern Ireland to benefit from high quality early learning, health and family support, that have not previously had access to the programmes.

Building on the policy set out by my predecessor Michelle McIlveen, we have also made huge progress in moving towards a universal full-time pre-school education offer. This will ensure that all children, regardless of their background or where they live, will be able to access 22.5 hours of structured, age-appropriate education, learning and development in the year before starting school.

Pre-schools are starting the new academic year as we meet here today and I am delighted to confirm that the latest Education Authority data indicates that over 65% pupils will have the benefit of a full-time pre-school education place. This compares to just 40% only two years ago.

The Executive has committed to delivering this as a universal offer and my work to do so is continuing at pace. Members will be well aware of the significant benefits families are reporting from full-time provision and we can see how popular it is with settings that moved to the longer day in the first year receiving on average a 300% increase in applications.

The work to transition all pre-school provision to 22.5 hours must be prioritised. It is too important to children and their families to risk losing momentum.

I have therefore tasked my Department and the EA to progress standardisation for approximately 100 more settings, so that even more children can benefit from full-time provision next year.

The speed of standardisation will be largely dictated by the resources made available to me by the Executive, as well as by the state of readiness of individual settings.

My Department recently consulted on the draft ELC Strategy which contained a wide range of actions to further progress the Executive's priorities in this area.

In addition to the core objective of providing a universal full-time pre-school education offer, the ELC Strategy includes other pre-school education actions, including consulting on legislative changes to remove the current statutory admissions criterion prioritising children from Socially Disadvantaged Circumstances (SDC) when applying for funded pre-school education places during the pre-school admissions process.

The SDC criterion was first introduced in 1998 to prioritise access to a limited pre-school programme for those children deemed likely to benefit from it most. At that time, there were only enough funded pre-school education places available for

approximately 45% of children, meaning more than half of our children could not access any funded pre-school provision at all.

Back then, the criterion was an important intervention to maximise access for children from socially disadvantaged backgrounds.

That was nearly 30 years ago and the context today is very different.

Following the expansion of provision, all children have been able to access some level of pre-school education provision for over a decade.

There is therefore no longer a need for a law to prioritise children for access, because there are enough funded places in every area of Northern Ireland to accommodate every target-aged child whose parents want a funded pre-school place.

There have been numerous consultations about the SDC criterion, and they have all told us the same thing; it is no longer fit for purpose. There have been calls for over 20 years for it to be amended or repealed.

Many parents, pre-school education practitioners and elected representatives from across the Assembly have been clear; the legislation is now outdated, unnecessary and unfair. And I believe that it should go.

Most recently, consultees who commented on the SDC action in the ELC consultation which closed on the 24 March 2026 gave a very clear response – change is long overdue and the current legislative requirement should be removed without further delay.

Today, I can confirm that my Department has listened and will respond positively to those comments.

The current legislative requirements will be removed, in line with the outcome of previous consultations. This will place pre-schools on an equal footing with primary and post primary schools.

This change is not about removing protections for disadvantaged children; it is about removing outdated provisions to ensure that children at pre-school age have fair access to education provision, just as they do at primary and post primary age.

Many parents have made clear that they consider the continued imposition of a blanket statutory criterion to be wholly unfair.

It is no longer needed to prioritise access, but its continued use unfairly decreases their chances of securing their first preference setting, including full-time places, which can in turn also impact on their childcare arrangements.

Both parents and pre-schools in various localities have raised the case for children from other circumstances to be given top priority in their area, but this cannot be done, due to the current legislation.

Elected representatives from across the Assembly have written to me on many occasions on behalf of pre-schools and families of pre-school children who are frustrated at the unintended consequences of the current outdated legislation.

Many feel that local children, children of working families, particularly lower-paid families, and children who are looked after or who face other barriers to learning not reflected in the SDC criterion are disadvantaged by the current legislation.

A small number of stakeholders have previously suggested that there may be some benefit from maintaining a priority for children from socially disadvantaged circumstances in certain cases.

I am open to considering how this could be achieved in a tailored way if evidence can be presented to support it.

The consultation I am launching today will seek views on whether the present regulations should simply be repealed or if new, fit for purpose legislation is required.

However, it is important to understand that we do not need new legislation to permit settings to prioritise disadvantaged children. Without it, they would have the same power that primary and post primary schools have to set their own criteria, with the benefit of guidance from my Department. This means they can prioritise children in a way that best reflects the children and communities they serve.

My Department is therefore consulting on the potential next steps. This is an important part of the process to ensure that the pre-school admissions process is the best it can be and I ask that Executive colleagues, particularly those who have previously written to me on this issue, respond to the consultation and provide their views and those of their constituents.

Responses are welcome from all stakeholders and interested parties, particularly parents and carers, early years sectoral bodies and providers of pre-school education, including nursery schools, primary schools with nursery units and voluntary and private pre-school education settings participating in the Pre-school Education Programme.

Subject to the outcome of the consultation which will launch this week, and the legislative process, it is the Department's intention to repeal the current outdated provisions and, if necessary, put in place replacement legislation and/or guidance prior to the commencement of pre-school admissions process in January 2028.

But in advance of the consultation, I intend to take one further significant step today.

The impact of ongoing welfare reforms over the three decades means that the benefits referenced within the SDC legislation have been almost entirely replaced and phased out, leaving the Education Authority reliant on 'reading in' new welfare payments such as Universal Credit that did not exist at the time the legislation was written.

After careful consideration of this issue, I have concluded that this is no longer a legally permissible approach.

In the preparation of this consultation, it has become clear that we are in practice imposing criteria which are not provided for in legislation. Setting aside the intrinsic merits of such an approach; it is not consistent with the prevailing legislation.

Universal credit is a significantly wider welfare payment than those named in the legislation – in 2019-20, approximately 15% of children's pre-school applications indicated they met the SDC criterion. This year, that figure was more than double, at almost 36%.

This significantly changes the priority criteria, to the point that it is no longer possible to properly target those originally intended.

The current approach is not legally sustainable and must now be changed.

Therefore, today I am writing to the Education Authority and all pre-school providers to make clear that – pending any amendment to the Regulations – for the admissions process for the academic year beginning September 2027, the only SDC criteria that must be applied relate to those in receipt of the benefits specifically named in the legislation; income support or income-based jobseeker's allowance. As these benefits have almost completely been phased out or superseded, I would expect this will apply to a negligible number of applications next year.

This approach will essentially place pre-schools on an equal footing with primary and post primary schools, empowering them to select admissions criteria that best reflect their individual settings and the communities they serve.

This is not a mere tinkering with admissions criteria – this is a fundamental change of approach.

Conclusion

In the last few years, we have come a long way with early learning and childcare, yet we are still in the foothills of what we hope to ultimately deliver for the people of Northern Ireland as set out in the draft Early Learning and Childcare Strategy.

Building on the progress that we have made, this consultation will allow for renewed focus on what we want to achieve moving forward.

For my part I am clear. I want to make sure that working families have a fair chance at securing the pre-school setting of their choice.

We can't guarantee that they will all get the one they want – though I am working on that – but we can make sure that the odds aren't stacked against them.

Today, we launch a consultation on what admissions criteria pre-school settings should apply but more importantly we realign practice with the law that governs admissions.

Hard working families make this country what it is: today I stand with them, acting to ensure that their hard work is not disadvantaged and that they, along with all families, are properly supported to have fair access to pre-school education for their children.

I commend this statement to the House.