



PRE-SCHOOL ADMISSIONS CONSULTATION: SOCIALY DISADVANTAGED CIRCUMSTANCES (SDC) CRITERION

CONSULTATION INFORMATION BOOKLET

FOREWORD

Pre-school education is an important, non-compulsory stage of education that makes a significant and long-term impact on a child's overall development. Research consistently shows that high quality pre-school education significantly benefits children's cognitive, social, and emotional development. It is especially impactful in mitigating the effects of disadvantage, improving long-term educational, social, and economic outcomes.

In the coming weeks, the Executive will consider a final Early Learning and Childcare Strategy, but in reality this will confirm a direction of travel upon which we have long since commenced. As Education Minister, I am proud of the huge progress made in moving towards a universal full-time pre-school education offer for Northern Ireland. My Department, in conjunction with the Education Authority (EA), is progressing the Pre-school Standardisation Programme (PSP) to effect this change over time.

The pace of standardisation has been extremely fast to date with the latest Education Authority (EA) data indicating that over 65% children have started in a full-time pre-school education place in this new academic year, compared to 40% just two years ago. The Executive has committed to delivering this as a universal offer and my work to do so is continuing at pace.

It will take a number of years for all pre-schools to transition to the standardised session length and 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.

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.

This consultation relates to the legislation regarding the SDC criterion which was first introduced in 1998¹ to prioritise access to a limited pre-school programme for those 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 in their immediate pre-school year. Back then, the criterion was an important intervention to maximise access for children from SDC, who research had shown, were less likely to achieve their potential without access to pre-school provision.

After almost 30 years, the context today is very different. Following expansion of pre-school education provision, all children have been able to access some level of pre-school education provision for over a decade. There is no longer a need for a law to prioritise children access to funded pre-school places, 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 education place for them.

¹ [Pre-School Education in Schools \(Admissions Criteria\) Regulations \(Northern Ireland\) 1999](#)

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 and there have been calls for over 20 years for it to be amended or repealed. Most recently, during the public consultation for the ELC Strategy, which closed on 24 March 2026, consultees gave a clear response – the current legislative requirement should be removed without further delay, placing pre-schools on an equal footing with primary and post primary schools.

Parents have advised that they consider the continued imposition of a blanket statutory criterion to be wholly unfair and its continued use unfairly decreases their changes of securing their first preference setting, including full-time places, which can in turn also impact on their childcare arrangements.

I have also received much feedback from elected representatives and pre-school settings 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 barriers to learning which are not reflected in the statutory SDC criterion are disadvantaged by the current legislation.

I have therefore decided to act on the findings of previous consultations and repeal the current SDC legislation. Repeal is not about removing protection for disadvantaged children; it is about removing outdated provisions to ensure all pre-school aged children have fair access to education provision, just as they do at primary and post primary age.

A small number of stakeholders have previously suggested that there may be some benefit from maintain a priority for children from SDC in certain cases and I am open to considering how this can be achieved in a tailored way, if evidence can be presented to support it. It is important to understand that new legislation is not needed to permit settings to prioritise disadvantaged children. Placing pre-schools on a par with primary and post primary school would give them the same power to set their own criteria, with the benefit of guidance from my Department, meaning they can prioritise children in a way that best reflects the children and communities they serve.

This consultation seeks views on whether the present regulations should simply be repealed or if new, fit for purpose legislation is required. Consultation is an important part of the process to ensure that the pre-school admissions process is the best it can be. My Department is keen to receive as many views as possible 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.

[Minister signature]

Exploration of options

Given the current circumstances and the strong stakeholder support for removal of the SDC as demonstrated through correspondence and multiple consultations, the Department is content that the current legislative provisions should be repealed.

This consultation is seeking views on the options available to the Department relating to any future prioritisation of children from SDC. Feedback on two main options are sought, namely:

- **Option one: DE Guidance:** Place pre-schools on par with primary and post-primary settings, providing individual settings with full control to set all their own admissions criteria, taking into account guidance provided by the Department; or
- **Option two: New Legislation:** Enact legislation to impose a new statutory criterion on all funded pre-school education settings to prioritise children from Socially Disadvantaged Circumstances (SDC) above all others in their admissions criteria.

There are many advantages and disadvantages when considering each option and this section will explore, consider and outline these for both options.

Option One

The focus of Option one is to place pre-school education settings on par with primary and post-primary settings rather than imposing a legal requirement to prioritise children from SDC. This option would provide individual settings with full control to set their own priority admissions criteria, taking into account guidance provided by the Department, enabling settings to set admissions criteria that best serve and reflect their circumstances and the communities they serve. Settings could still prioritise children from disadvantaged circumstances if they wished to, but they would not be required to, and they could choose different ways to prioritise them. Settings could choose to give higher priority to other criteria and could choose different ways to define 'socially disadvantaged circumstances'.

Advantages

- a. Creates a level playing field with primary and post primary schools, where pre-school education settings are able to set admissions criteria that best serve and reflect their circumstances and the communities they serve.
- b. Individual settings would be free to choose which barriers to learning to prioritise if they wished to do so, taking into consideration Department guidance, local need and the provision available at the setting.
- c. Children from SDC could still be prioritised where appropriate and prioritisation could be tailored to local needs as required.
- d. Reflects the change in level of provision, i.e. there is sufficient provision for every child to access a funded place, so priority is no longer required to ensure access.
- e. Parents are more likely to avail of a pre-school education place now than they were in 2012. Therefore removing the legal priority criterion is unlikely to significantly impact on the overall

up-take of places, as the majority of children access a pre-school education place whether or not they are prioritised.

- f. The majority of children are offered a place in their parents' **first preference** setting, **whether they have been prioritised under the statutory criterion or not**. In the admissions process for the 2026/27 academic year, 94.59% of parents were offered a funded place for their child in their first preference setting. Therefore removing the legal priority criterion is unlikely to significantly impact on access to first preference settings, as the majority of children access a pre-school education place in their first preference setting whether or not they are prioritised
- g. Reduced administration and information requirements for parents and pre-school education settings as parents currently submit documentary evidence to demonstrate benefit entitlement to support their claim for priority.
- h. Removing a one-size-fits-all criterion that may act as a barrier to prioritisation of children with equal or greater needs.

Disadvantages

- a. Some parents may perceive any removal of legal requirement of priority criterion as a barrier to accessing a pre-school education place, despite there being sufficient pre-school education places overall to provide a funded place for every child whose parents want one.
- b. There is a significant overlap in SDC and Free School Meal (FSM) eligibility. The absence of a statutory criterion may be perceived as potentially limiting priority of access to full-time provision for children who could access FSM provision at those settings. Over time, all pre-school provision is being standardised to full-time with access to FSM for all eligible children.
- c. Home to school transport assistance is not available for mainstream pre-school education. Prioritisation of children from SDC may assist children in accessing provision close to home, thus removing a potential barrier to their participation, however EA pre-school planning does take travelling distance into account regardless of income or social background and this may also displace others, such as local and/or working families.

Option Two

The focus of Option two is to enact new legislation that will impose a statutory duty on all funded pre-school education settings to prioritise children from SDC above all others in their admissions criteria. This criterion would prioritise children with a parent who has an entitlement to:

- Income Support; or
- Income-based Jobseeker's Allowance; or
- Income related Employment and Support Allowance; or
- Universal Credit

All settings would be required to prioritise children from disadvantaged circumstances above all others, using a standard priority criterion. Settings would not be permitted to choose different ways to define 'socially disadvantaged circumstances' and could not choose to give higher priority to other criteria, such as local children or children looked after.

Unlike Free School Meal eligibility, no income threshold can be applied to the admissions criteria. This means that there would be more children prioritised under SDC than would be eligible for FSM.

Advantages

- a. Children who may be at risk of underachievement and who would benefit most from a pre-school education experience would be prioritised for a funded pre-school education place and slightly more likely to be offered a place in a preferred setting, although statistics show a minimal impact. In the admissions process for the 2026/27 academic year, a total of 94.59% of parents were offered a funded place for their child in their first preference setting whether or not they indicated SDC. Eligibility for SDC prioritisation was indicated in the applications for 35.66% of children and of these, 97.11% were placed in their parents' first preference setting at the end of Stage two of the admissions process.
- b. All parents whose children were prioritised under the current arrangements would continue to be prioritised.
- c. All pre-school education settings would use the same top priority criterion, providing consistency for parents.
- d. By prioritising a group that contains a high proportion of FSM eligible children, access to FSM may be increased for those children, although statistics show a minimal impact and all settings are being standardised to provide full-time provision and FSM access. In the admissions process for the 2026/27 academic year, eligibility for SDC prioritisation was indicated in the applications for 35.66% of children and of these, 97.11% were placed in their parents' first preference setting at the end of Stage two of the admissions process. A total of 94.59% of parents were offered a funded place for their child in their first preference setting whether or not they indicated SDC).

Disadvantages

- a. The Department would continue to determine a group of children who should be prioritised for a pre-school education place, despite there being sufficient provision to provide a funded place for every child whose parents want it.
- b. Retaining a statutory criterion for pre-school admissions would be inconsistent with the admissions arrangements in primary and post primary education.
- c. Pre-school education settings would be limited in their ability to determine their own priority admissions criteria to reflect the communities they serve.
- d. A blanket criterion could limit the benefits to children from SDC of attending pre-school provision. Research² suggests that where *'disadvantaged children attended centres that included children from mixed social backgrounds they showed further benefit than if they attended centres containing predominantly disadvantaged children.'* A legislative criterion could result in some settings enrolling a higher proportion of children from SDC than they otherwise would, particularly in more disadvantaged areas.

² EPPNI 2006: [ORB: Education](#)

- e. Working parents not in receipt of benefits do not support a statutory criterion, as it decreases their chances of securing their first preference setting for their children, including full-time places, which could factor in their childcare arrangements.
- f. The definition would prevent settings giving top priority to other children (for example, children looked after) who might be considered in greater need of access to their parents preferred settings or those who may be considered socially disadvantaged for non-economic reasons.

Emerging preferred option

Taking into consideration the advantages and disadvantages of each of the options presented, the primary question is whether it is necessary to impose a legal requirement to prioritise children from SDC above all others via a set admissions criterion rather than providing pre-school education settings with guidance to choose admissions criteria of their own.

In the current context for pre-school education, the wider policy remit for the Department, the level of uptake of pre-school education places and the on-going progress being made in improving the admissions process, ***Option one – DE Guidance: Place pre-schools on par with primary and post-primary settings*** is emerging as the preferred option for the following reasons:

- i. The original policy intention was to provide priority access for children from SDC to a limited number of pre-school education places available at that time. Now, with universal availability there is no longer a need or justifiable reason for imposing a legislative criterion on all settings to prioritise this group.
- ii. While some stakeholders have suggested a continued benefit linked to access to FSM for some children from SDC, the eligibility criteria are not the same.
- iii. Many stakeholders have made the case that other groups of children have the same or greater need for prioritisation.
- iv. No case has been made to support legislative priority for one group of children above all others in the current context.
- v. Primary and post primary education settings are empowered to set their own admissions criteria, taking into account guidance provided by the Department.
- vi. Pre-school education settings consider they should have the same power as primary and post primary school to choose priority criteria which reflects the communities they serve, and have the option to give priority to others, such as low-income working families, siblings of existing pupils, children looked after etc, in line with Department guidance.
- vii. It would provide a more level playing field for all families to access their preferred pre-school education provision.
- viii. Pre-school education settings could still set admissions criteria to prioritise children from SDC if they chose to do so, in line with Department guidance.

Your views

The Department is keen to hear your views and would encourage filling out the online survey here but you can also download a questionnaire booklet on the Department website www.education-ni.gov.uk/consultations.

The consultation period will run from **Monday 7 September 2026** until **Friday 4 December 2026**. Please note that responses received after the deadline may not be considered.

This questionnaire can be completed online until **23.59** on **Friday 4 December 2026**.

Alternative Formats

Documents can be requested in alternative formats. For more information on the alternative formats available please email de.earlyyears@education-ni.gov.uk

What happens next?

The purpose of this consultation is to assess stakeholder opinion on the proposed options available to the Department on any future prioritisation of children from SDC. 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.

After the close of the consultation period, all responses received will be analysed and a report prepared, summarising the findings.