Department of Education
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Development Proposal Guidance November 2026

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1. Purpose of the Guide

1.1. The purpose of this guide is to explain how Development Proposals (DPs) contribute to the implementation of the "Schools for the Future: A Policy for Sustainable Schools" (Sustainable Schools Policy (SSP)) and give effect to the changes identified through the Area Planning process to reshape provision in an area. It will provide advice and guidance on the DP process as outlined by legislation and should be read alongside Area Planning Guidance. The Department would encourage all those involved in preparing a DP or impacted upon by other DPs to familiarise themselves with all the documents for which links are provided as these provide the policy, legislative and procedural context within which DPs are being brought forward.

1.2. This guidance is reviewed on an ongoing basis to ensure it reflects the current policy and legislative context and any implications of judgments as a result of judicial reviews/legal proceedings. This revision takes account of the new legislation introduced through the Integrated Education Act (Northern Ireland) 2022 and its impacts on the DP process**,** provides guidance on the requirement for development proposals for significant changes in the context of developing and evolving policy, including the Pre-School Standardisation Programme and the SEN Reform Agenda and five-year Delivery Plan and incorporates learning from judicial review judgments to reinforce and clarify key messages in relation to the Department's statutory duties and role of the proposer.

1.3. The statutory power to decide on DPs is placed on the "Department of Education" (the Department). When a Minister is in post the Department must exercise that power subject to any direction given by the Minister. In the absence of a Minister, the decision-making powers of the Department in relation to DPs are exercised by the Permanent Secretary if it is in the public interest to do so. The decision-making approach by the Permanent Secretary will be determined by any legislation and guidance put in place by the Secretary of State for Northern Ireland should the Northern Ireland Assembly be suspended for any reason.

1.4. DPs are the means through which the provision in an area is shaped to deliver the strategic visions outlined in the Strategic Area Plans. The Department seeks to ensure that, regardless of the reason for the proposal, all DPs are considered in the wider context of the Department's statutory duties and policies and that all proposals support the implementation of the Strategic Area Plan which is underpinned by the SSP.

1.5. The areas covered by this guide are:

- the purpose of DPs;
- how they contribute to shaping education provision on an area basis;
- the circumstances when a DP is required;
- the content, procedures and timing for the publication of DPs;
- the roles and responsibilities of those involved throughout the procedure;
- the evidence required in support of a DP: and

- the specific requirements for proposals relating to Integrated Education as outlined in the Integrated Education Act (Northern Ireland) 2022.

1.6. This guidance applies to DPs for statutory nursery provision, primary and post-primary schools in all sectors and special schools.

1.7. Those submitting a DP must have regard to the content of this guide and ensure that its requirements are followed at each stage of the process. Documentation recording all decisions throughout the process should be retained by the proposer and made available to the Department either as part of the process or on request.

1.8. In this guide, "statutory planning authorities", "school managing authorities" and "sectoral bodies" mean the following:-

Statutory planning authorities are**:**

- the Education Authority (EA); and
- the Council for Catholic Maintained Schools (CCMS)

School managing authorities are:

- for a controlled or controlled integrated school, the EA;
- for a voluntary school (Catholic maintained) the Board of Governors (BOG) supported by CCMS;
- for a voluntary school (other maintained) and a grant-maintained integrated school, the BOG;
- for a voluntary grammar school the BOG; and
- for an independent school, the proprietor.

Sectoral Bodies[1] are:

- for controlled and controlled integrated schools the Controlled Schools' Support Council (CSSC);
- for grant-maintained and controlled integrated schools the Northern Ireland Council for Integrated Education (NICIE);
- for Irish-medium schools Comhairle na Gaelscolaíochta (CnaG);
- for Catholic managed schools[2], the Catholic Schools' Trustee Service (CSTS); and
- for voluntary grammar schools the Governing Bodies Association (GBA)[3].

While not planning authorities these bodies provide support in matters relating to Area Planning to the sectors they represent. In addition, Protestant Church Schools may also seek assistance from the Transferors Representatives' Council (TRC)**.**

[1] There is no definition of "sectoral body" in legislation, other than that provided by section 4 of the Education (Northern Ireland) Act 2014 – Funding of sectoral bodies - http://www.legislation.gov.uk/nia/2014/12/section/4
[2] Catholic Managed Schools is the term used by Trustees for Catholic Maintained and Voluntary Grammar Schools.
[3] The GBA represent Catholic and non-denominational Voluntary Grammar Schools.

Where there is more than one body representing the particular school type then it is a matter for the proposer to decide which body or bodies they wish to seek support from. However, DPs must be brought forward by the specified proposer as outlined in section 7 of this guidance.

NICIE is funded by the Department to assist it to exercise its duty to encourage, facilitate and support the development of Integrated Education.

CnaG is funded by the Department to assist it to exercise its duty to encourage and facilitate the development of Irish-medium education.

2. Policy Context

2.1. The Department of Education's vision as outlined in "Every Child" DE's Corporate Plan for 2023-2028 is that – "**Every Child and Young Person is happy, learning and succeeding**"!

2.2. All Departmental policies contribute to the delivery of that vision and all have, as a central principle, the educational well-being of the children and young people for whom the education service is designed.

2.3. The Department is also progressing TransformED. TransformED focuses on curriculum, assessment, qualifications, school improvement and tackling educational disadvantage, underpinned by investment in teacher professional development. Where relevant to the nature of a proposal, proposers should have regard to this developing policy context when assessing and demonstrating its educational impact and benefits.

2.4. It is essential that schooling reflects the needs of all pupils and addresses those needs in the most efficient and effective way possible. This can best be achieved through implementation of the SSP to create a network of viable and sustainable schools that are of the right type, the right size, are located in the right place, at the right time and have a focus on delivery of high-quality education for all.

2.5. The implementation of SSP is being taken forward through a process of collective strategic planning of education provision for the primary and post-primary sectors on an area basis. Whilst nursery provision is not part of the SSP, the strategic planning for nursery schools and classes is also reflected in the current Strategic Area Plan (SAP).

2.6. The SAP is supported by operational plans which outline the Area Planning activities to be undertaken over the Area Planning Cycle and which may result in the publication of DPs.

2.7. The implementation of the Special Educational Needs (SEN) Frameworks – A for Special Schools Area Planning Framework and Framework for Specialist Provision in Mainstream Schools (SPiMS) is reflected in the Special Education Strategic Area Plan (SESAP) and also supported by the operational plans. This planning framework should also be considered in the context of the SEN Reform Agenda and five-year Delivery Plan and any subsequent policy or planning arrangements introduced through that programme.

2.8. Area Planning is the process through which a network of viable and sustainable schools will be developed. This process is an important driver for achieving the Departments vision for education since it is about identifying future education needs and planning to meet those needs on an area basis to ensure that all children are happy, learning and succeeding. Full details of the aims and objectives of the Area Planning process are contained in the Area Planning Guidance.

3. Planning Context – Legislation and Responsibilities for Planning

3.1. The Area Planning process is a complex, multifaceted and ongoing process. The process is being led by the EA working in close conjunction with the CCMS and actively engaging with other sectors.

3.2. The EA has responsibility under Article 5 and Article 6 of the Education and Libraries (Northern Ireland) Order 1986 for ensuring that sufficient primary education and post-primary education are available to meet the needs of Northern Ireland. Article 6 (1) (a) specifically references that the EA should pay particular regard to securing special education provision for children with special educational needs. Overall, the EA should ensure that each of its Area Planning localities has sufficient schools of the right size and type available at the right time. The definition of sufficient refers to the character of the schools as well as the number. This is a significant, overarching role relating to schools in all sectors and of all types. This duty is separate from the EA's power under Article 7 to establish controlled schools.

3.3. The EA also has a duty under Article 2 of the Education Act (Northern Ireland) 2014 (as amended by Section 4 of the Integrated Education (Northern Ireland) Act 2022) to encourage, facilitate and support the development of Integrated Education. Also, under Article 64 of the Education Reform (Northern Ireland) Order 1989 (as amended by Section 6 of the Integrated Education Act 2022), the EA must, for the purpose of assisting its strategic planning of the provision of education, take steps to ascertain the demand for Integrated Education, at such times as the EA and the Department agree to be appropriate.

3.4. CCMS has a statutory duty, under Article 142 of the Education Reform (Northern Ireland) Order 1989 to promote and co-ordinate the planning of the effective provision of Catholic maintained schools in consultation with Trustees.

3.5. Section 8 of the Integrated Education (Northern Ireland) Act 2022 requires all education bodies (EA, CCMS and Sectoral Bodies) to consider Integrated Education when planning for the establishment of a new school. This does not include existing schools that are amalgamating, significantly changing in size or relocating or new Irish-medium (IM) schools.

3.6. The Department sets the policy and priorities to provide the strategic direction for Area Planning. In doing so the Department is cognisant of its statutory duties in relation to Integrated Education, Irish-medium education, shared education, equality and good relations and rural needs. The Department expects the EA, CCMS, school managing authorities and sectoral bodies to assist the Department to exercise its statutory duties. The statutory duty legislation is detailed at Annex A.

Area Planning Support Structures

3.7. It is under this existing legislation that Area Planning has been taken forward. The process is informed by the Area Planning Guidance and its implementation supported through the Area Planning support structures which include the Area Planning Steering Group (APSG), the Area Planning Working Group (APWG) and the Area Planning Local Groups (APLGs). Details of the support structures in place and the aims and objectives of Area Planning can be found in the Area Planning Guidance.

4. Legislation Governing Development Proposals

4.1. When a significant change to a school is proposed (including opening, closing, amalgamating), and significantly altering its size or character, publication of a DP is a statutory requirement. The key legislative provisions in relation to DPs are listed in the table below – other legislation may also be applicable.

Brief description of Primary Legislation	**Article / link to legislation.gov.uk**
DPs for controlled and voluntary primary and secondary schools. These include Catholic maintained, other maintained and voluntary grammar schools, but exclude grant-maintained integrated and controlled integrated schools.	*Article 14 of the Education and Libraries (Northern Ireland) Order 1986*
DPs for acquisition of grant-maintained integrated status.	*Article 71 of the Education Reform (Northern Ireland) Order 1989*
The "21 day rule" in respect of the publication of proposals for acquisition of grant-maintained integrated status.	*Article 71(6) of the Education Reform (Northern Ireland) Order 1989*
Proposals for alteration, etc. of schools eligible for grant-maintained integrated status.	*Article 74 of the Education Reform (Northern Ireland) Order 1989*
Significant changes to grant-maintained integrated schools.	*Article 79 of the Education Reform (Northern Ireland) Order 1989*
DPs for the establishment of controlled integrated schools and the acquisition of controlled integrated status.	*Article 92 of the Education Reform (Northern Ireland) Order 1989*
Duty on public authorities to have due regard to the need to promote equality of opportunity	*Section 75 of the Northern Ireland Act 1998*
Duty on Public Authorities to have due regard to rural needs.	*Rural Needs Act (Northern Ireland) 2016*
Definitions and duties which will impact on DPs in respect of proposals for Integrated Education.	*Integrated Education Act (Northern Ireland) 2022*

4.2. Much of the process is determined by the requirements of the legislation and it is therefore essential that all those intending to bring forward a DP for publication should familiarise themselves with the relevant Articles in order to understand fully the statutory requirements and their roles and responsibilities in fulfilling those requirements.

4.3. As the publication of a DP is a statutory process it is essential that the correct legislation is quoted in the published DP advertisement to make the process lawful.

5. Need for a Development Proposal

5.1. Each school is an integral part of the network of schools that makes up the education system which caters for the needs and aspirations of all children and young people in an area. Any significant change (as determined by the Department and detailed in this section) to an existing school or the establishment of a new school must therefore be considered in the wider context of the network of schools and must be in line with the Strategic Area Plan.

5.2. The overriding aims of the process are to facilitate meaningful and timely consultation with interested parties in a school community (primarily but not exclusively Boards of Governors of the schools concerned, teachers, non-teaching staff, parents[4] and where appropriate pupils) and to provide an opportunity for the Department to consider the full implications of a DP within the policy framework, taking account of the views of interested parties. The publication of the DP gives the proposer an opportunity to outline the proposal and make the Case for Change (CFC). The process allows all interested parties including those in a wider area to comment on any proposals that may affect them before decisions are taken on the proposal.

5.3. The legislation states that a DP should be brought forward for grant-aided schools (this applies to grant-aided nursery, primary, post-primary and special schools) in the following circumstances:-

i. to establish a new grant-aided school;
   - Education bodies must consider Integrated Education when planning for the establishment of any type of new grant-aided school. This does not include existing schools that are amalgamating, significantly changing in size or relocating or new Irish-medium schools.

ii. to amend the status of an existing grant-aided school;
   - this includes proposals to have a voluntary school recognised as a controlled school (other than a controlled integrated school) or to have a controlled school recognised as a voluntary school. In either case, "voluntary school" includes Catholic and other maintained schools.
   - In the case of the transfer of a voluntary school to controlled status, Article 17 and Schedule 9 of the Education and Libraries (Northern Ireland) Order 1986 will apply in addition to the requirement for a DP. The procedure to be followed in these circumstances is set out in the Department's guidance Procedure For Transfer of a Voluntary School to Controlled Status.

iii. to discontinue an existing grant-aided school;
   - to discontinue an existing grant-aided school means the school and any unit, regardless of type, which is part of the school will close under approval of a single DP.

iv. to make a significant change in the character or size of a grant-aided school; and

[4] References to parents in this guide also includes guardians.

v. to make any other change in a school which would have a significant effect on another grant-aided school.

5.4. It is a matter for the Department to determine "a significant change in the character or size" (5.3.iv) and "a significant effect on another grant-aided school" (5.3.v) in line with the stated priorities and policies pertaining at that time. It will be for the Department to decide, when introducing a new policy or revising an existing policy, if the aims and objectives of that policy are likely to create a situation whereby a DP will be required. Schools and school managing authorities will be notified of any such requirement at the time the new or revised policy is published.

Significant Change in Character or Size (5.3.iv)

5.5. Significant changes are not defined in legislation, but the Department has power to determine what is significant. The rationale for Department's decision to include certain changes as significant is to ensure that the public is aware of proposals for change and have an opportunity to let their views be known.

5.6. This is particularly relevant in the setting of particular admissions criteria for a school. The Department's view is that a DP should be published in the interests of clarity and openness if a school wishes to move away from, or conversely introduce, the use of perceived academic ability or move from single sex to co-educational or vice versa.

5.7. For the purposes of the DP process the Department deems the proposed changes listed in paragraphs 5.9–5.11 to be "a significant change in the character or size" (which may have the potential to have "a significant effect on another grant-aided school" – paragraph 5.12) and each instance will require the publication of a DP. The list below is indicative only. It is not exhaustive and may be revised in light of new and emerging policies and the availability of resources.

5.8. Should a school or a school managing authority have plans to make a change to a school which is not covered by the lists below, or there is uncertainty as to whether the change is significant in the context of a school's individual circumstances or in view of education policy changes that are imminent, guidance should be sought from the Department[5] on the need to publish a DP. Guidance on what should be included in the published advertisement is contained in Section 9.

5.9. **Nursery Schools and Nursery Classes in Primary Schools**

i. To increase or decrease the total approved enrolment of a grant-aided nursery school or class.
ii. To amalgamate two or more grant aided nursery schools

[5] Contact Area Planning Team by email - dps@education-ni.gov.uk or telephone 028 91279279

Policy Development

The Department is implementing the Pre-School Standardisation Programme to transition funded pre-school provision over time to a standard full-time session of 22.5 hours per week to all target aged children in all funded pre-school education settings. The Programme forms part of the developing Executive policy framework for early education and childcare. Changes to pre-school session lengths under this programme will not usually require a DP but will be progressed instead through an alternative, streamlined process at the invitation of the EA.

Pre-schools should not bring forward DPs to request a change of session length. *The EA will contact individual settings in due course to confirm their state of readiness for standardisation and provide support in regard to preparing for and requesting standardisation. Pre-schools do not need to take any action in regard to expressing an interest in, or requesting, standardisation. More information on pre-school standardisation can be found on the DE website at Pre-School Education Programme - Standardisation | Department of Education (education-ni.gov.uk)*

In line with the action contained within the Early Learning and Childcare Strategy, the previous moratorium on requests for new or additional full-time provision has been removed and requests for new or additional statutory nursery provision can now be published as a Development Proposal for full-time provision.

5.10. **Primary Schools**

i. To significantly increase or decrease the total approved enrolment of a grant-aided primary school.
ii. To add or remove a key stage (KS) of education at a grant-aided primary school hence changing the age profile of the pupils attending the school. (*Foundation, KS1 or KS2 at a primary school or preparatory department attached to a grammar school*).
iii. To add or remove a nursery class.
iv. To add or remove an Irish-medium unit.
v. To change arrangements under which admission to the school is done on the basis of gender.
vi. To amalgamate[6] two or more grant-aided primary schools.
vii. To amalgamate a grant-aided nursery school and grant-aided primary school to form a primary school with a nursery class.

[6] Amalgamation – a new school is formed to replace two or more schools of similar size coming together and usually means a new name, uniform etc. (This differs from a closure where a small school closes and pupils are able to transfer to available larger schools). Source: SSP. Further information can be found in the DE Circular 2015/06 (Amalgamation Guidance).

5.11. **Post-primary Schools**

i. To significantly increase or decrease the total approved enrolment of a grant-aided post-primary school.
ii. To add or remove a key stage (KS) of education hence changing the age profile of the pupils attending the school. *(KS3, KS4 or Post-16 at any grant-aided post-primary school and Foundation, KS1 or KS2 in a preparatory department attached to a grammar school)*.
iii. To add or remove an Irish-medium unit.
iv. To change arrangements under which admission to the school is on the basis of gender.
v. To change admissions arrangements of the school either in part or in full to introduce or remove selection on the basis of perceived academic ability (see paragraph 5.6).
vi. To amalgamate two or more grant-aided post-primary schools.

5.12. **Special Schools**

i. To significantly increase or decrease the size of a grant-aided special school**.**
ii. To add or remove a key stage of education (Key Stage 3, Key Stage 4 or Post-16) at a special school hence changing the age profile of the pupils attending the school.
iii. To change the specialism of the special school.
iv. To relocate a grant-aided special school outside its normal catchment area.
v. To amalgamate two or more grant-aided special schools

The Department is progressing a programme of reform of Special Educational Needs provision through the SEN Reform Agenda and five-year Delivery Plan. The requirements set out above will be kept under review to ensure that the DP process remains aligned with the developing SEN policy and planning framework.

Significant impact on another grant-aided school (5.3.v)

5.13. Where a school proposes to make a change which is not significant in its own circumstances, but the proposed change may nonetheless have a significant effect on one or more other schools, a DP will be required. The Department considers any proposed change by one school that has the potential to affect another school's ability either to remain sustainable or to remain compliant with other Departmental statutory duties or policies as significant. Should this circumstance arise a DP should be published for the school making the change.

5.14. The circumstances in which such a situation is likely to arise are limited, as a change significant enough to affect another school is usually also sufficiently significant to require the publication of a DP by the proposing school. A proposal to relocate a grant-aided nursery school/class, primary school or post primary school outside its normal catchment area may be such a scenario, in those cases an assessment of the impact of the preferred option on other schools as part of the business case process should inform whether there is a need for a DP or not.

5.15. Should there be a dispute as to whether a change is "significant" or would have "a significant impact on another school" then the Department will, under Article 14 (10) of the 1986 Order, determine if a DP is required.

Timing of publication

5.16. The Department requires the statutory planning authorities (EA and CCMS), school managing authorities and the sectoral bodies to identify current and future education needs and develop solutions to meet these on an area basis. The EA has responsibility for the co-ordination of the production and publication of an Area Plan covering a five-year period, supported by three Operational Plans covering years 1 and 2, 3 and 4 and a final operational plan for year 5. Further details can be found in the Area Planning Guidance.

5.17. While the Strategic Area Plan may not identify individual schools it acts as a catalyst for discussion at regional and local level. These discussions will lead to the development of the Operational Plan (OP) which will contain details of the work programme of the planning and managing authorities to address specific issues at local level and any relevant Departmental priorities outlined in the Strategic Area Plan. The actions identified in the OP may lead to firm proposals which will be subject to the DP process before being decided on by the Department and in the event of approval, implemented by the proposer.

5.18. An important aspect of the DP process is the requirement to consider the equality and good relations and rural needs duties. DPs should be screened by the proposer (or relevant sectoral body on their behalf) at the earliest opportunity and reviewed and updated as necessary during the DP process. If the equality screening or rural needs impact assessment (RNIA) suggests that an Equality Impact Assessment (EQIA) or wider public consultation on the RNIA is required this should be conducted by the proposer prior to publication of the DP and CFC. Further information on the screening requirements and impact assessment is provided in Annex B.

5.19. In determining a DP, the Department will comply with all relevant statutory duties, including those relating to climate change. Under section 52 of the Climate Change Act (Northern Ireland) 2022, the Department must exercise its functions, so far as possible, consistently with the achievement of statutory emissions targets and carbon budgets. Where relevant, proposers should identify any significant climate-related implications and provide proportionate information to support the Department's consideration.

5.20. When bringing forward proposals it is important for proposers to take into account the approval processes of the various organisations involved and to build this into the timetable for progressing proposals to facilitate timely and managed implementation. As the EA brings all DPs to its relevant committee / Board for consideration prior to publication, it is particularly important for proposers to be aware of the EA meeting schedule and to ensure that any proposals being brought forward align with these meetings. All organisations with the authority to progress DPs should aim to streamline their internal processes.

5.21. Bearing in mind the timescales, outlined above, meaningful consultation needs to take place while proposals are still at a formative stage (when all viable options which will result in sustainable provision are being considered), in order to find out the views and aspirations for future educational provision in an area well in advance of the publication of the DP. More complex DPs, such as school closures or amalgamations should normally be published at least 12-18 months before the proposed implementation date and in line with the Strategic Area Plan and OP. The aim is to provide parents with sufficient time to make arrangements for pupils to attend alternative provision. In practice this will usually mean publication by September in the year prior to the proposed date of implementation. The principal consideration must be the educational wellbeing of the children and young people who may be affected by the changes proposed in the DPs.

5.22. Experience has shown that, where a DP is published and approved well in advance of the implementation date, it inspires public confidence because approval provides clarity for schools and parents on the shape of provision in an area. Timely publication in relation to the proposed implementation date is of particular importance as it provides a reasonable period for the necessary arrangements arising from a DP approval to be put in place. Assessing the steps needed to deliver the project, should the DP be approved, will be one of the key determinants of the publication and implementation dates. All these considerations are essential and allow for public expectations to be better managed.

5.23. Planning authorities should aim to bring forward a co-ordinated suite of proposals that reflect the changes needed to deliver the vision in the Strategic Area Plan through the actions identified in the OP. By bringing them forward together, the school managing authority will be better able to make a robust CFC, and provide clarity on education provision, on an area basis. The same principle applies to area solutions which require changes to schools of different management types in an area.

6. The Case for Change (CFC)

6.1. It is a matter for the proposer (see section 7) to develop the CFC for any DP being presented to the Minister or Permanent Secretary for consideration. The CFC will usually be developed in stages building on the initial analysis at the identification of need phase (phase 1) and consultation documentation at the pre-publication phase (phase 2). The proposer should provide sufficient evidence throughout the process to enable those affected by the proposal to understand the educational and other merits of the change proposed, and where applicable, to detail what considerations and actions were undertaken by the proposer in the development of the proposal(s) to ensure that any relevant statutory duties were fulfilled.

6.2. The Department can only consider the proposal as published. Therefore, potential options for delivering the proposed change, in line with the SSP and the priorities for Area Planning, should be considered and documented, prior to publication of the DP and supporting (final) CFC (phase 3). The DP process does not provide for consideration of rejected options or for determining which option is likely to maximise the impact of the available resources in the best interest of children and young people. It simply provides for the consideration of the preferred option/published proposal detailed in the CFC. Consideration of the best value for money, maximising the use of existing school provision, is particularly important when there is a need for capital expenditure for adjustments to existing accommodation or for additional accommodation.

6.3. Any proposal must demonstrate its contribution to the overall education provision in the area. Provision of high-quality education must be the central tenet of all proposals. Where relevant, the CFC should demonstrate how the proposal supports current Departmental priorities for educational excellence and equity, school improvement, inclusion and tackling educational disadvantage. Proposers should draw on Departmental policy documents when developing the CFC. It is not sufficient simply to quote the policy; the CFC should clearly demonstrate how the proposal will aid delivery of the relevant Departmental policies and the Area Plan.

6.4. The proposer should provide an evidence-based assessment of the existing school or schools involved, and if applicable proposed future provision, against the SSP criteria. The associated indicators may be helpful when considering the schools' strengths and weakness against each criterion.

6.5. A table setting out considerations for standard DPs to establish or close a school, to significantly change enrolment, to establish/change a nursery school/class or to amalgamate schools, is attached at Annex D.

6.6. Amalgamation is the closure of two or more schools and their replacement by a new school. The CFC should outline how the amalgamation will take effect and the reasons for adopting that approach so that interested parties are provided with clarity on the eventual outcome if the proposals are approved.

Guidance on implementation of approved Development Proposals for School Amalgamations is published on the DE website.

6.7. A new school being established through an amalgamation of two or more existing schools is not required, under section 8 of the Integrated Education Act (Northern Ireland) 2022, to consider integrated Education unless the schools to be amalgamated are already integrated or the new school is seeking to be integrated.

6.8. DPs for nursery provision are brought forward in the context of the planning of the Pre-school Education Group (PEG) and its view must be sought and included in any CFC before it is signed off and submitted to the Department. If the PEG comment is not included the Department will return the CFC to the EA for completion.

6.9. All sectoral bodies should note that the CFC is not considered to be representative of the views of that organisation for the purposes of submissions during the objection period. A separate submission must be presented during the two-month statutory objection period to have the sectoral body views included in the submission to the Department. Views of any nominated body (under Section 3 of the Integrated Education Act (Northern Ireland) 2022) should also be submitted during the two-month period following publication of a DP (see paragraph 8.32 for additional requirements for section 3 Bodies).

6.10. A CFC template is attached at Annex E setting out the areas to be covered, this includes specific points to consider in each section. The key areas that should be covered in the CFC include:

- A summary/overview of the proposal.
- Detail of the proposer's consultation with BOGs, parents, teachers and pupils.
- Where applicable, detail of any statutory duty, equality, rural needs or climate change considerations.
- Detail of the consultation with affected schools and EA views on the DP.
- All pertinent background and supporting information relating to the DP.
- The rationale for the proposal including details of the options. considered, why the proposal was the preferred option; and how the proposal contributes to the delivery of a comprehensive area solution.
- A sustainability assessment of the school(s) involved against the six sustainability criteria in the SSP.
- The educational impact of the proposal, including details of the educational benefits and how pupils with SEN will be catered for.
- An area planning impact assessment.
- Details of the resource implications including the impact on school budget - support factors[7], per capita funding and any staffing, transport, site and accommodation costs.

[7] See latest Common Funding Scheme for further information on support factors.

- A detailed implementation plan outlining all actions required.

7. The Proposer

7.1. The body which brings forward a DP is "the proposer". Paragraph 7.3 lists the relevant bodies that can bring forward DPs for publication. The proposer must have the authority to implement the proposal. If it is evident that the proposer is unable to implement the proposal the DP will be returned to the proposer because it does not comply with the legislative requirements.

7.2. The managing authorities and/or Sectoral bodies (see paragraph 1.8) will assist proposers in bringing forward a DP and preparing a CFC for their sector if requested. The EA and CCMS are also planning authorities.

7.3. DPs can be brought forward by:-

(a) the EA;

- under its statutory duty for schools in the controlled sector
  - A controlled school must secure the agreement of the EA to bring forward a DP on its behalf except in the case of transformation to integrated status.
- on behalf of a voluntary school seeking to be recognised as a controlled school (other than a controlled integrated school)
  - The Procedure for Transfer of a Voluntary School to Controlled Status (Article 17 process) should be followed.

(b) CCMS

- under their statutory duty for schools in the maintained sector
  - A maintained school must secure the agreement of the CCMS to bring forward a DP on its behalf except in the case of transformation to integrated status.

(c) Trustees or BOGs of voluntary schools

- Voluntary grammar schools.
- GMI schools.
- Other Maintained – Irish-medium schools.
- Other Maintained - Church schools.

  - It should be noted that BOGs may require the support of the Trustees to implement a DP. Where the BoGs is the proposer the DP should be discussed with the Trustees before consultation begins. Where the support of the Trustees is given it should be confirmed in the CFC. Where the Trustees are the proposer the BoGs will be a consultee in line with the legislative framework.

(d) BOGs of schools wishing to transform to integrated schools, either:-

- following a decision by the BOG to hold a ballot of parents; or
- on receipt of a request from 20% of parents of registered pupils at the school – see the Department's guidance on Transforming to Integrated Education.

(e) Parent groups
- wishing to establish new GMI schools.
- wishing to establish new Irish-medium schools.

(f) The proprietor of an independent school.

7.4. DPs should be brought forward in a timely manner to ensure that the proposed implementation date can realistically be achieved – 'Timing of publication' paragraphs in section 5 refer.

7.5. The Department also has the power to direct the EA to submit DPs in respect of the schools set out in Article 14 (3) of the Education and Libraries (Northern Ireland) Order 1986.

Role of the Proposer

7.6. While much of the process is determined by Article 14 of the Education and Libraries (Northern Ireland) Order 1986, the context within which the proposal is being made will be determined by Departmental policy and statutory duties (see Annex A). A key role of the proposer is therefore developing the CFC in support of the proposal taking account of all relevant policies. When doing so, the proposer should seek to provide robust and verifiable evidence which clearly demonstrates how the proposal is aligned to the relevant policies which will be reflected in the area plan and how it will support the implementation of those priorities and policies. (Section 6 outlines in more detail the areas to be covered by the CFC). The proposer should also liaise with the school where appropriate to obtain information and data to evidence any aspect of the CFC and the SSP criteria.

7.7. The proposer will usually develop the CFC in stages as they move through the statutory process, building on the initial analysis at the identification of need phase (phase 1) and the consultation documentation at the pre-publication phase (phase 2). The finalised CFC, for publication (phase 3), should inform key stakeholders of the proposer's intention and the options to achieve the intention, aligned to the SSP, Strategic Area Plan and Departmental priorities.

7.8. A proposer bringing forward a DP to establish a new integrated school, grant-maintained integrated (GMI) or controlled integrated (CI) or to transform an existing school to integrated status should be mindful of the need to demonstrate that the school is likely to meet the definitions of Integrated Education and an integrated school as set out in articles 1 and 2 of the IE Act (Northern Ireland) 2022.

7.9. The proposer should also be mindful that the EA must publish DPs (and CFCs) for all schools, regardless of sector. The legislation requires the EA to conduct consultation with all those schools likely to be affected by the proposals before a DP is published. The aim is to provide sufficient information that will show how a school may be affected. The information should clearly and concisely describe the proposed changes.

7.10. A proposal for a new GMI school, or for transformation to GMI status, is governed by Article 71 of the Education Reform (Northern Ireland) Order 1989 as amended and is subject to a requirement that the EA publishes a proposal within 21 days of receiving it. In these cases, the Department would expect the proposer to have engaged with the EA at the earliest possible opportunity to discuss the proposal in the context of the Strategic Area Plan. This should be well in advance of the formal submission of the proposal to the EA which will trigger the 21-day publication requirement.

7.11. The onus is on the proposer to ensure that the wording of the DP is clear and unambiguous to facilitate meaningful consultation on the intentions of the DP. It is also important that the EA satisfies itself that the DP is clearly worded and quoting the correct legislation. If a DP is submitted to the EA which, in its view, is capable of misinterpretation and hence renders any consultation meaningless, the EA should notify the Department in writing of its concerns/issues with the wording and indicate that the DP will be returned to the proposer for clarification and rewording. It will then be a matter for the proposer to clarify the wording of the DP and if necessary, seek guidance from the Department. The proposer should note that lack of clarity will undoubtedly delay the progress of the DP to publication and may impact on the implementation date.

7.12. When presenting the proposal to the EA for publication, the proposer should seek to ensure that the majority but preferably all of the two-month objection period will fall outside the school summer holiday period and any other lengthy school holiday period.

8. The Development Proposal Process

8.1. The relevant Departmental statutory duties (see Annex A) and policies will form the backdrop for all proposals for change, and the Area Planning process and the agreed Area Planning Support Structures, in particular the APLGs, will be central to the development of proposals. Each area, and the schools within it, will have specific issues and challenges to address and it is important that those bringing forward a DP are fully engaged in the Area Planning process and support structures to gain an understanding of the local context. This understanding should extend to all the school sectors within an area and not just focus on any single sector. The Area Planning Support Structures facilitate full engagement with all key stakeholders and provide the appropriate channels for giving full consideration to local circumstances and equality and rural needs issues through the APLGs.

8.2. The statutory planning authorities should seek to ensure that the key stakeholders understand the links between the Area Planning process and the DP process for primary and post-primary schools. Where possible these processes should be carried out simultaneously to avoid duplicating consultations as this can lead to a protracted timeframe for delivery of the necessary changes. However, where this approach is adopted, the proposer must ensure that the key stakeholders are made aware when the consultation is part of the statutory process relating to the publication of a DP.

8.3. Each DP is unique and will require significant research, engagement with key stakeholders, gathering of evidence and preparation of the CFC and consideration of any equality or rural needs issues. The table in Annex C summarises the process, roles, responsibilities and activities assigned to various organisations during the distinct stages of the process.

8.4. The DP process can be separated into 4 main phases:-

1. identification of need in the Area Planning process;
2. pre-publication consultation;
3. publication of a DP; and
4. statutory objection period leading to a decision by the Department.

Phase 1 – Identification of need in the Area Planning process

8.5. Proposers should note “Identification of need” is a very important stage of the process. Getting this stage right will impact positively on the success of the proposal. The Area Planning Support Structures provide opportunities, through engagement with the APLG, to fully explore all potential options to deliver the proposer’s intentions at the formative stage. As with any change process it requires sensitive handling and the provision of robust evidence to support the changes to clearly demonstrate the rationale for change to key stakeholders and other interested parties.

8.6. The Department sets the priorities for Area Planning, therefore, delivering these priorities should be the primary focus of the APLG’s work in analysing current provision and in identifying strategic actions to ensure a network of sustainable

schools. The outcome of this work must aim to deliver clear educational benefits including high-quality education that meets the needs of children and young people.

8.7. The EA, for the purpose of assisting its strategic planning of the provision of education, will take steps to ascertain the demand for Integrated Education, at such times as the EA and the Department agree to be appropriate.

8.8. In planning to bring forward any proposal for change, sufficient time should be built into the process to allow for full and meaningful consultation to identify the need, gather the evidence and make the CFC. The proposal should align with the OP timelines and draw from the evidence used to develop the Strategic Area Plan to support the CFC.

8.9. The Department has a duty to encourage, facilitate and promote Shared Education and it recognises that there are educational, economic and societal benefits to be realised through sharing. Shared Education arrangements between schools could be a platform to build upon and may potentially lead to innovative, value for money solutions delivered through cross-sectoral co-operation and collaboration. The Department expects any opportunity to build upon these to be explored wherever possible to deliver area solutions for sustainable education provision.

Phase 2 – Pre-Publication Consultation

Step 1 – Proposer consultation with BOGs, parents, teachers and pupils

8.10. In the case of an existing school, there is a statutory requirement for the proposer of a DP to consult with the BOGs, parents and teachers or representatives of each. As the BOG, in some cases, can be the proposer it is important that discussions by the BOGs on the proposal are clearly recorded. Also, it is important, though not a statutory requirement under Article 14 of the 1986 Order, to consult with non-teaching staff at this early stage. Best practice would also suggest that the views of pupils should be sought and appropriate means of doing so should be directly linked to the age range of the pupils involved.

8.11. The responsibility for consultation with BOGs, parents, teachers and pupils falls to:-

- The EA for controlled and controlled integrated schools and schools transferring to controlled status.
- CCMS for Catholic maintained schools.
- The proposer for other schools (as outlined in section 7) – assisted by the relevant managing authority or support body (see paragraph 1.8) if requested.

8.12. The proposer or their sectoral body representative should have engaged in the Area Planning process through the APLG and with the key stakeholders during the preparation for the CFC. At the pre-publication stage the consultation documentation and equality screening or RNIA, if applicable, should be

available for consultees to consider. The proposer may wish to publish these documents on the school website or issue by email to consultees.

8.13. While the above are the minimum requirements for consultation, the Department regards it as good practice that consultation should be as widespread as possible and that the views of key stakeholders should be sought while planning is still at a formative stage, preferably at the development stage of the Area Plan. It is particularly recommended that the proposer:-

i. consults with all staff at the school(s) concerned;
ii. notifies all parents individually (electronically or in writing) of the DP**;**
iii. seeks to explain the proposal and provides robust evidence to inform stakeholders;
iv. highlights the educational benefits which the proposal may have for the education of the children and young people;
v. indicates broadly what is required to deliver the intentions of the proposal including any necessary day one solution;
vi. makes parents aware of how to make written representations, and the date by which they should be submitted;
vii. invites parents to join any virtual engagement/meeting or attend any meeting to be held to explain the need for the proposal, and
viii. seeks the views of pupils.

8.14. Pre-publication consultation can be conducted through online virtual engagements/meetings, in person or exceptionally via written communication. It will be a matter for the proposer to determine the appropriate blend of engagement as different types of proposals may require different approaches.

8.15. It is imperative that school co-operate with the managing or planning authorities by facilitating these meetings at the earliest opportunity. Where parents' meetings are to be held in person, these should be outside working hours and at a place most convenient for parents whom the school managing authority expects to attend – one potential approach may be to invite parents, teachers and other relevant interested parties to attend a special meeting of the BOGs of the school.

8.16. The Department would suggest that in some cases (for example where the date of implementation of a DP is likely to be more than one academic year ahead) consultation with the parents of children not yet at the school to which the proposal relates could be considered. This will allow such parents to express a view on the proposed change as a result of the proposal and their expectations of the school in which their children will be educated in future.

8.17. The Department expects that appropriate consultation will have taken place with the groups listed above within the 12 months immediately before publication of the formal DP. It will require confirmation that the statutory pre-publication consultation and equality and good relations screening and RNIA, if applicable, has taken place and due regard has been given to issues raised.

8.18. Where a proposer has actively engaged with those with an interest in or affected by a proposal, and such ongoing engagement elongates the consultation period beyond the expected 12-month period leading to publication of the proposal, the Department will apply discretion as to whether such engagement should be viewed as relevant and acceptable.

8.19. From the outset, and at every stage in the process, it is important to ensure that there is fully documented evidence demonstrating that the consultation has been open, transparent, timely and meaningful and that the proposer has taken account of the views expressed during that consultation. There therefore needs to be sufficient time for consideration of the feedback from the consultation prior to deciding whether to proceed to publication. All key decisions should be recorded in formal minutes and retained by the proposer. Records of meetings should include details of all those in attendance, the issues covered by the proposer, the issues raised by those attending the meeting and the responses given to address those issues.

8.20. As a statutory process, the decision on a DP may be subject to Judicial Review (JR). In considering an application, the courts will consider whether the statutory procedures have been adhered to. They will also consider whether all interested parties were treated fairly during the process and given an opportunity to make their views known, and whether these views were taken into account.

8.21. As a result of the pre-publication consultation, a change to the proposal may be agreed and accepted by the proposer. It will be a matter for the proposer to exercise sound judgement on the extent of the change and consider if the revised proposal would elicit different or additional comments from those already consulted. If it is considered that the change does not fundamentally alter the nature of the proposal then it would be sufficient for the proposer to inform all those previously consulted about the changed proposal, without embarking on the whole pre-publication consultation process again. It will be a matter for the proposer to determine the most effective means of communicating the changes to the original consultees This notification should include information of the change to the original proposal and advise consultees how to contact the proposer on the revised proposal before it is published and also how to make their views known as part of the statutory two-month objection period once the proposal is published.

8.22. Once the scope of the proposal has been determined and the CFC developed through engagement with the key stakeholders, the CFC, equality screening/EQIA or RNIA should be submitted in a timely manner to the EA. See Section 9 for details of content of the published advertisement for DPs.

Step 2 – EA Consultation with affected schools

8.23. On receipt of a DP, there is a statutory requirement for the EA to consult with all schools affected by it, including the school that is the subject of the proposal. This will ensure that all parties have been informed of the proposal and their views sought. In conducting this consultation the EA should:-

i. furnish the Trustees and managers of every affected school with such particulars of the proposal as are sufficient to show the manner in which the school would be affected, explaining the educational reasons for it and any implications arising from it (all this information should be contained in the CFC and screening documentation);
ii. consult with the affected schools prior to publication; and
iii. consider the views expressed by interested parties in the schools being consulted and take such views into account.

8.24. Article 14(2) of the 1986 Order provides that the EA when submitting a DP to the Department from a proposer other than itself, shall submit its views thereon. The views from the EA should reflect the nature and relevance of the responses to the EA's pre-publication consultation with affected schools and assess the proposal in the context of the Strategic Area Plan. It is crucial that the views of the EA include an assessment of how the DP supports or fails to support the implementation of the Area Plan and the relevant statutory duties. An assessment of the level of engagement of the proposer with the Area Planning process should also be included.

Phase 3 – Publication of a Development Proposal

8.25. The EA publishes all DPs and is required by legislation to publish a DP advertisement in one or more newspapers circulating in the area affected by the proposal (see section 9). It will be a matter for the EA to decide which daily or weekly newspapers to use to reach the target audience. The EA will also publish the DP, CFC and screening documents if applicable on its website and may also use social media to inform the public of DPs.

8.26. The EA does not have the discretion to delay publication or refuse to publish a DP without justification. If there is to be a delay the EA must notify the proposer and the Department of the reasons for that delay. If the proposer disagrees, they should write to the Department setting out why and the Department will decide if there is justification for a delay.

8.27. The EA must keep a record of all views expressed in its pre-publication consultation with affected schools and must pass an assessment of those views on to the Department, along with its own views on the proposal. The EA, as the planning authority with responsibility for securing efficient and sufficient provision in all areas, when submitting a DP and CFC to the Department, should include its views on each proposal and confirm whether or not that it aligns with the Strategic Area Plan.

8.28. The EA should seek to notify the Department at the earliest opportunity, most likely through the OPs, of actions being taken that may lead to new DPs. All new DPs which have been published must be notified to the Department immediately and this should include a copy of the advertisement published in the local newspapers. Correspondence relating to DPs (including initial notification of publication) should be referred to Area Planning Policy Team.

8.29. Upon receipt of the published proposal the Department will list details of the proposal on its website and provide a link to the documents.

Phase 4 – Two Month Statutory Objection Period

8.30. All DPs will be subject to a two-month statutory objection period effective from the date of publication of the DP advertisement in the local weekly or regional daily newspaper. The Department regards this as two calendar months from the date of first publication. If the end of this period falls on a non-working day (i.e. Saturday, Sunday or official holiday) then the end date should be extended until the next working day.

8.31. The statutory objection period provides an opportunity for anyone interested or affected by the proposal to make their views known directly to the Department. The Department will take receipt of objections to the proposal and other views including expressions of support. These are usually made in writing (by email[8] or letter) to the Department but are occasionally made in person through meeting with Department officials or the Minister/Permanent Secretary. The Minister/Permanent Secretary endeavours to facilitate all requests for such meetings, diary permitting. Those seeking a meeting with the Minister/Permanent Secretary should do so as early in the two-month period as possible. While reasonable effort is made to accommodate these meetings within the two-month period, the timing of the request for a meeting and the Minister's/ Permanent Secretary's availability may mean they have to be held outside the two-month statutory period. This may impact on the timing of a decision on the proposal, but all efforts will be made to avoid undue delay.

8.32. The two-month period following publication of a DP also provides an appropriate window for consultation with any nominated body under the Integrated Education Act (Northern Ireland) 2022 – (a) any body appearing to the Department to have as an objective the encouragement or promotion of Integrated Education, and if required (b) any other body the Department considers appropriate. Nominated bodies should submit their views/comments to the Department during this period. In any submission to the Department on a specific DP, nominated Section 3 bodies should acknowledge that they have been nominated by the Department and that the submission is being made in that context. In addition to the organisation's view either in support of or objection to the proposal the Section 3 Body should also comment on the extent to which the proposal, if it is for an integrated school, is likely to comply with Sections 1 and 2 of the Integrated Education Act (Northern Ireland) 2022.

8.33. At the end of the two-month statutory objection period the Department compiles and assesses all the relevant information in relation to the DP before making a recommendation to the Minister/Permanent Secretary. It should be noted that this assessment relates only to the proposal which has been brought forward by the proposer and published. The recommendation takes account of:-

[8] Email - dps@education-ni.gov.uk

i. the proposer's CFC;
ii. objections received within the two-month objection period;
iii. other views including those of support received within the two-month objection period;
iv. advice from policy teams within the Department;
v. the professional advice of the Education and Training Inspectorate for the Department;
vi. the views of the Integrated Education Act (Northern Ireland) 2022 Section 3 nominated bodies in the case of Integrated Education proposals; and
vii. any other information considered pertinent to the proposal.

- It should be noted that DPs are decided on the relevant evidence of each case. Where a petition is submitted to the Department presenting the same view, it is the quality of the educational argument and not the quantity of signatories that will be taken into account.

8.34. The Minister/Permanent Secretary considers the information and the Department's recommendation and makes the decision on the published proposal in the context of the Department's statutory duties, stated priorities and policies. The Department endeavours to complete this process and notify the proposer of the Minister's/Permanent Secretary's decision in a timely manner. The Minister's/Permanent Secretary's decision concludes the process. There is no mechanism for appeal.

9. Advertisement of a Development Proposal

9.1. The publication of a DP is the public notice of the intention of the proposer to make a significant change to a school or schools.

9.2. All published DPs should state (where appropriate) –

i. the relevant legislation;
ii. the name of the school;
iii. the school management type, i.e. - controlled, controlled integrated, Catholic maintained, grant maintained, other maintained – Irish-medium, other maintained - Church school or voluntary grammar;
iv. the size of the school as a single figure and not a range;
v. the nature of the proposed change;
vi. the effective date of the proposed change (including statement, or as soon as possible thereafter);
vii. the location or proposed location of the school
(Note: The DP process should not be used to try to secure approval for a particular site if there are options as all siting issues will be subject to all the necessary business case approvals and availability of capital resource);
viii. where a copy of the DP, the CFC, any screening documents and the Area Plan can be inspected (e.g. EA address/website);
ix. that the proposal has been submitted to the Department;
x. that objections to the proposal can be made in writing (by email or post) to the Department within two months of the date of publication;
xi. the address of the Department's Area Planning Policy Team for written correspondence, and an email address for electronic submissions; and
xii. that any letters of objection or support may be published on the Department's website, with appropriate redactions, if they are included in full in the submission on which the outcome of proposal is decided.

9.3. Normally a separate DP should be published for each school. Composite DPs covering several schools should be avoided even if the proposals are interdependent as the non-approval of any element of a composite proposal may render the proposal unworkable. Where a suite of proposals is required to reshape provision in an area, all interlinked proposals should be published at the same time and cross-referenced, including proposals from different sectors. The sequencing of the publication of the full suite of proposals should be a matter for the APLGs to consider and make recommendations to the relevant managing authorities about co-ordination and timing.

9.4. Amalgamation is the closure of two or more schools and their replacement by a new school. In these cases it is essential that all the proposals are published at the same time and clearly interlinked.

9.5. Where a proposal supersedes a previously approved DP that has yet to be implemented then a note to that effect should be included in the revised proposal.

9.6. If there is any doubt that the full implications of a proposal are not readily apparent to the general public from the body of the notice that is to be published in the press, then an explanatory statement, which should be clearly distinguished from the proposal itself, should be provided. This should be a rare occurrence as the wording of all DPs should be clear and unambiguous. The wording of the explanatory note should be cleared with the Department prior to publication.

Withdrawing a DP after publication

9.7. At any time between the publication of the DP and the decision being made the proposer may decide to withdraw the DP. If this is the case, the proposer should, at the earliest possible opportunity, promptly notify the following:

- The Department;
- The EA (if the EA is not the proposer);
- The appropriate sectoral body; and
- The BOG of the school which is the focus of the DP (if not the proposer).

This notification should be initially by telephone or e-mail and confirmed formally in writing and should outline the reasons for the withdrawal of the DP and the future action to be taken to address the original intent of the DP.

Schools subject of a DP cannot decide to withdraw a proposal; except for those schools where the BOG and/or the owner/proprietor of Independent Schools are the proposer of the DP.

Disagreement with a proposal is not grounds for withdrawal of the DP. The statutory objection period provides an opportunity for anyone interested or affected by the proposal to make their views known directly to the Department.

10. The Decision

10.1. All DPs are considered on a case-by-case basis within the context of the SSP and other relevant DE policies. Officials will make a recommendation to the Minister/Permanent Secretary based on the pertinent facts and in the context of relative need, priorities and affordability. The Minister/Permanent Secretary will consider each proposal in the context of Departmental policies and statutory duties. In the case of Integrated Education and Irish Medium Education proposals the Department will take full account of its duties in line with legislation (see Annex A).

10.2. A DP will be either approved or not approved, although in some instances approval of a DP can be subject to modification in line with Article 14(7) 1986 Order – as outlined below.

10.3. In exceptional circumstances occasion may arise where the proposed implementation date cannot be achieved by the proposer due to an unforeseen delay in the decision being taken. In this instance the proposer must contact the Department immediately to outline its position on the implementation date and to seek advice and agreement on how best to proceed.

Modification of a DP

10.4. Under Article 14 (7) of the 1986 Order the Department may, if it deems it necessary or expedient, modify a DP. In exercising the discretion under this article the Department will make only minor modifications in order to avoid creating a new DP that differs significantly from the one consulted upon.

10.5. The need for modification may arise from valid points made by objectors or from the Department's analysis of the proposal and supporting evidence. A proposal may only be approved with a modification after consultation with the proposer. If the proposer disagrees with the modification there are a number of possible outcomes:-

i. the Department rejects the proposal;
ii. the Department modifies the proposal without agreement;
iii. the proposer withdraws the proposal and may republish at a later date; or
iv. the proposer withdraws the proposal.

10.6. All modifications will be clearly presented in writing at the time of approval.

Conditions for Approval of a DP

10.7. The Department approves DPs for new schools in the expectation that they will grow to become educationally and financially sustainable in line with the SSP within a reasonable timeframe. The frameworks for new primary and post-primary schools, in the SSP User Guide, identify key review points in a new schools development and highlight the different intake and enrolment requirements for each phase (aligned to the SSP).

10.8. In the case of the establishment of new grant-aided IM and GMI schools, the Department has legislative power to grant approval subject to specified terms and conditions being met. These conditions will be directly related to the approval itself – i.e., the approval will not take effect until the condition is met. They would include:-

i. achievement of the minimum viability intakes for a new school; and
ii. site and premises compliance with health and safety requirements.

10.9. When a DP receives approval subject to meeting specified conditions then the Department's letter of approval will clearly outline the conditions for approval and the mechanism and timescale for verification that all the conditions have been met. It will be a matter for the proposer to supply the Department with access to all relevant information on request. Should the information not be forthcoming then it shall be deemed that the conditions have not been met and the approval will not come into force.

10.10. Other conditions may be imposed when schools are opening or transforming, but they will relate to relevant legislation and Departmental policies and not the approval itself. To continue to retain the approved status conditions may be applied and monitored by the relevant policy branch within the Department.

Notification of the Decision

10.11. When a decision has been made on a DP the Department will telephone the proposer, and, where applicable, the sponsoring body (e.g. EA, CCMS, NICIE or CnaG) to notify them of the decision. This will be followed up by notification in writing (by letter or e-mail) to the EA, sponsoring body and proposer as appropriate.

10.12. In addition, the Department:-

i. will note the decision on the record of DPs on the Department's website;
ii. will make available the submission (with appropriate redactions) on which the Minister/ Permanent Secretary took the decision on the Department's website; and
iii. with Minister/Permanent Secretary approval, may issue a press release.

10.13. A proposal approved by the Minister/Permanent Secretary must be implemented in full. In the event of delay in implementing the proposal, the proposer must urgently inform the Department about the reasons for delay and seek the Minister/Permanent Secretary's approval to defer implementation. Approval for a proposal remains in place and further changes can only be made through the publication and approval of another DP.

Changing the decision

10.14. It should be noted that:-

i. No one other than the Minister/Permanent Secretary has the authority to change an approved proposal after a decision has been made.
ii. the Minister/Permanent Secretary cannot review the decision unless incorrect factual information has been used in reaching the decision; and
iii. there is no appeal process specified within the legislation to facilitate a challenge of the decision.

10.15. If the circumstances relating to the proposal which has not been approved have changed significantly and can be supported by new robust evidence, then the proposer may commence a new DP process to publish the updated proposal. In these circumstances it is recommended that the additional or new information is clearly set out in the CFC supporting the resubmission of the proposal.

10.16. The legislation does not provide for appeal. However, the matter of whether or not a decision was lawful can be challenged and determined through an application for Judicial Review (JR). This is a process by which a Court reviews and analyses the way in which public bodies reach a particular decision.

Judicial Review (JR)

10.17. JR is a procedure in the High Court in which a judge reviews the lawfulness of a decision or action made by a public body. It is a challenge to the way in which a decision has been made, rather than the rights and wrongs of the conclusion reached.

10.18. If a DP decision becomes the subject of a JR, all papers relating to the case will be made available to the Court. It is therefore essential that all parties in the process have all consultation meetings carefully documented and that all correspondence pertaining to the proposal is retained.

Annex A

STATUTORY DUTY LEGISLATION

The Department has a statutory duty –

A. under Article 64 of the Education Reform (Northern Ireland) Order 1989 (as amended by Section 4 of the Integrated Education Act 2022) to encourage, facilitate and support the development of Integrated Education.

B. under Article 89 of the Education (Northern Ireland) Order 1998 to encourage and facilitate the development of Irish-medium education.

C. under section 75 of the Northern Ireland Act 1998 to have
(1) due regard to the need to promote equality of opportunity between persons of:
(a) different religious belief, political opinion, racial group, age marital status or sexual orientation;
(b) men and women generally;
(c) persons with a disability and persons without; and
(d) persons with dependants and persons without.
(2) regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial group.

D. under the Shared Education Act (Northern Ireland) 2016
(1) to encourage, facilitate and promote Shared Education and
(2) to consider Shared Education when:-
(a) developing, adopting, implementing or revising policies, strategies and plans; and
(b) designing and delivering public services.

E. under the Rural Needs Act (Northern Ireland) 2016 to have due regard to rural needs when:-
(a) developing, adopting, implementing or revising policies, strategies and plans; and
(b) designing and delivering public services.

F. under section 52 of the Climate Change Act (Northern Ireland) 2022 to exercise its functions, so far as is possible, in a manner consistent with the achievement of the statutory emissions reduction targets and carbon budgets established under the Act

The EA and CCMS share in statutory duties A, C, D and E.

The EA has a duty under Article 64 of the 1989 Order to provide free of charge to any person seeking it advice and information about:-
(a) the procedures for acquisition by a school of controlled integrated status; and
(b) the implications for a school of the acquisition of that status).

Also, under Article 64, the EA must, for the purpose of assisting its strategic planning of the provision of education, take steps to ascertain the demand for Integrated Education, at such times as the EA and the Department agree to be appropriate.

Section 8 of the Integrated Education (Northern Ireland) Act 2022 requires all education bodies (EA, CCMS and Sectoral Bodies) to consider Integrated Education when planning for the establishment of a new school. This does not include existing schools that are amalgamating, significantly changing in size or relocating or new Irish-medium (IM) schools.

The Department expect all statutory planners, managing authorities, sectoral bodies and other proposers of DPs to assist the Department to exercise all of the duties listed above.

Annex B

EQUALITY SCREENING AND RURAL NEEDS IMPACT ASSESSMENT FOR DPS

Screening Arrangements

In the Development Proposal (DP) process, a tri-partite arrangement exists between:

- the proposer (relevant school managing authority)
- the EA; and
- the Department (decision maker)

Under this arrangement the proposer assesses equality and rural needs impacts. This represents an effective way of fulfilling the statutory duty across the sector as a whole.

For the above arrangement to work effectively the proposer must commence the required screening process(es) at the earliest opportunity; use the information received to revisit the proposal and update it and/or the screening if required; re-engage with concerned stakeholders as necessary.

Where the screening indicates an equality impact assessment (EQIA) is needed or wider public consultation in relation to a rural needs impact assessment (RNIA) is required the proposer should complete this in advance of publication of the DP and case for change (CFC). A transparent approach should be followed and this information should be available to all interested parties as part of the consultation process.

As part of the CFC an assurance must be provided that the equality and rural needs impacts have been taken into account and that all related papers have been retained should they subsequently be required by the Department.

At the date of publication, a statutory two-month objection period is triggered during which time anyone interested in or affected by a proposal can make their views directly known to the Department. Once the statutory objection period ends, officials collate all related information and present this to the Minister or Permanent Secretary in a submission for a decision on the DP. If applicable, any issues in relation to equality or rural needs will be included in the submission for Ministerial/Permanent Secretary consideration in advance of a final decision being taken on a proposal.

The tri-partite process represents a joined-up approach to area planning by management in the education sector and under this arrangement the equality screening and RNIA is undertaken by the proposer at the formative development stage of a proposal, in effect, at a stage in the process that should issues be identified, mitigations or alternative options can be considered.

The Department, as part of the process of advising the Minister/Permanent Secretary, gives due weight and consideration to any equality or rural needs issues raised and will bring these, together with other relevant issues, to the attention of the Minister/Permanent Secretary as the decision maker.

Other guidance/information and useful links

Equality and Good Relations Screening / Equality Impact Assessment (EQIA)

- Equality Commission for Northern Ireland website.
- Equality Commission for Northern Ireland webpage on Section 75 duties for Public Authorities.
- Equality Commission's Guide for Public Authorities.
- Training video on Equality Screening for Public Authorities hosted on Youtube.
- Section 75 screening template (word document).
- DE Equality Scheme 2013.
- Governors Guide - Chapter 5 outlines the role of the Board of Governors in relation to the promotion of equality, diversity, good relations and Targeting Social Need.
- The EA's Equality and Human Rights Unit provides advice and training to support EA in delivery on its statutory duties and extend that training and support to other managing authorities.
- Section 75 duties are also covered in the 'Training for Boards of Governors' which is available on the EA online portal.

Rural Needs Impact Assessment (RNIA)

- Rural Needs pages on DAERA website.
- A Guide to the Rural Needs Act (Northern Ireland) 2016 for Public Authorities (Revised).
- RNIA templates.
- RNIA template – Appendix 1.
- Introduction to the Rural Needs Act (Northern Ireland) 2016 for Public Authorities video hosted on Youtube.

Annex C

DP Process – Summary of Roles and Responsibilities

4 Main Phases	Proposer	Education Authority	Department of Education
Identification of need in the Area Planning Process	• Consider statutory duties (see Annexes A and B) at the outset of the DP process and document same and review throughout. • Plan process taking account of the key milestones required to deliver specific types of proposals being mindful of key parental decision-making points for admission and transfer. • Engage with key stakeholders initially through the APLG – Sectoral Bodies may engage with APLG on proposer's behalf. APLG will consider the needs of all sectors for primary and post-primary provision and statutory duty implications. • Agree scope of proposal. • Gather evidence. • Prepare consultation documentation. • Assess impact of proposal: ○ Own school, partner schools and other schools. • Notify DE/EA of intention to publish.	• Ascertain demand for Integrated Education (if applicable). • Prepare for consultation with affected schools.	• Notify relevant Policy Teams.
Pre-publication consultation (1) by proposer (2) by EA	• Consultation with BOGs, parents, teachers, non-teaching staff and pupils – share/publish consultation documentation and equality screening / rural screening if applicable with consultees. • Consider/take account of views expressed **-** review proposal and screening if applicable • Prepare CFC. • Submit DP, CFC and screening documentation to the EA for consultation with affected schools. • Be transparent and keep stakeholders informed.	• Consult with all schools likely to be affected by the proposal. • Consider/take account of views expressed • Prepare for publication.	

4 Main Phases	Proposer	Education Authority	Department of Education
Publication	• Submit DP to EA for publication in newspapers. Include CFC and screening documentation for publication along with DP on EA website.	• EA publish DP in one or more newspapers circulating in the area affected by the proposal. • EA to notify DE of first date of publication in newspapers. • EA publish DP, CFC and screening documentations on EA website.	
Statutory 2 months objection period		• Submit DP and CFC to DE. • Submit the EA view on the proposal Confirm that screening and if necessary, impact assessment) have been carried out and that statutory duties have been taken into consideration.	• Publish DP on website. • Consult on any Integrated Education related DPs as required by the Integrated Education Act (Northern Ireland) 2022. • Assess proposal and supporting CFC (key focus on sustainability). • Assess DP compliance with requirements. • Engage with Education and Training Inspectorate (ETI) and Policy Teams in DE. • Receive objections/support. • Facilitate meetings with interested parties. • Collate all pertinent information and draft submission making (evidenced based) recommendation to Minister/Permanent Secretary. • Convey Ministerial/Permanent Secretary's decision to proposer and wider education sector.

Refer to Section 8 for further information.

Annex D

Examples of Standard DP and specific considerations *(Note: Transformations covered in the Department's Transforming to Integrated Education Guidance)*

It should be noted that all proposals are assessed in line with the Sustainable Schools Policy and are subject to Equality Screening and Rural Needs Impact Assessment (where appropriate) by the proposer. *These lists are not exhaustive any other relevant information should be included if it supports the CFC. In all cases assurance must be given on suitability of new arrangement for pupils with SEN or Statements.

Establish a new grant-aided school	Close an existing grant-aided school	Decrease/increase enrolments at an existing grant-aided school	Establish Nursery provision	Amalgamation

• *IE Act (Northern Ireland) 2022: Article 8 (New School) considerations*
• *Sustainability of proposed school*
  • *Proposed initial admission /enrolment*
  • *Projected enrolment – 5/7 years*
  • *Financial viability*
  • *Quality of education provision – curriculum delivery plans*
  • *Leadership and management plans / staffing requirements*
  • *Accessibility*
  • *Strong community links*
• *Impact on local alternative provision*
• *Immediate & future accommodation needs*
• *Site location/requirements*
• *Site issues*
• *Related costs*
• *SEN considerations*
• *Transformation considerations*
• *Irish-medium considerations*
	• *Sustainability:*
	  • *Enrolment*
	  • *Financial viability*
	  • *Quality of education provision – curriculum offer, results:*
	  • *Strong leadership and management*
	  • *Accessibility*
	  • *Strong community links*
	• *Redundancy implications*
	• *Related costs*
	• *Alternative provision – capacity/quality of education provision/accessibility*
	• *Closure of any units within the host school*
	• *phased closure – arrangements to ensure smooth transition of pupils*
	• *timeframes for closure. Reasons if phased and details of affected year groups*
		• *Impact on current approved enrolment/admission numbers*
		• *Sustainability*
		  • *Enrolment*
		  • *Financial viability*
		  • *Quality of education provision – curriculum offer, results:*
		  • *Strong leadership and management*
		  • *Accessibility*
		  • *Strong community links*
		• *Capacity to manage change*
		• *Impact on local provision*
		• *First preference/historic enrolments*
		• *Current accommodation*
		• *Additional accommodation requirements*
		• *Staffing impact / requirements*
		• *Related costs*
			• *Pre-school Education Group (PEG) view*
			• *Proposed pattern of attendance*
			• *Details of other local options or solutions explored (e.g. dual pattern)*
			• *Other local pre-school/nursery provision*
			• *Impact on other local providers*
			• *Displacement details /impact on existing playgroup /reception class*
			• *Sustainability of host school:*
			  • *Enrolment*
			  • *Financial viability*
			  • *Quality of education provision – curriculum offer, results:*
			  • *Strong leadership and management*
			  • *Accessibility*
			  • *Strong community links*
			• *Staffing and accommodation requirements*
			• *Site issues*
			• *Management arrangements*
			• *Related costs*
				Existing schools and proposed amalgamated school:
				• *Sustainability –*
				  • *Enrolment*
				  • *Financial viability*
				  • *Quality of education provision – curriculum offer, results:*
				  • *management*
				  • *Accessibility*
				  • *Strong community links*
				• *Identification of all financial liabilities of each school and a determination of how these will be addressed before a proposal is published.*
				• *Accommodation issues*
				• *Operational issues – split site*
				• *Size of new school*
				• *Impact on any units in existing schools*
				• *Staffing- redundancies*
				• *Costs*
				• *Impact on local alternative provision*
				• *Implementation plan and timescales*

Annex E

CASE FOR CHANGE (CFC) TEMPLATE

A template is attached providing an outline of a CFC. The summary, overview, details of statutory consultation and EA views on this must be completed and signed off by the proposer and relevant EA Officer.

The remainder of the template provides general section headers that may be covered in the CFC, these can be added to as required by the proposer.

Each section includes a list of points for consideration to aid the proposer in developing the CFC. The points are not intended to be an exhaustive list and not all will apply to each proposal.

It is the responsibility of the proposer to provide a full and accurate CFC relevant and proportionate to the proposal.

CASE FOR CHANGE (CFC)

SUMMARY/OVERVIEW

LOCAL GOVERNEMNT DISTRICT AREA	
DP NUMBER	
PROPOSER Include name and telephone number / mobile, email address	
SCHOOL(S) NAME	
SCHOOL REFERENCE	
SCHOOL TYPE Nursery Primary Post Primary* Special* **Define age range of school*	
MANAGEMENT Controlled Catholic Maintained Other Maintained Voluntary Grammar Controlled Integrated Grant Maintained Integrated	
DP PUBLICATION DATE (Note: Proof of publication should be submitted without delay)	[Insert date DP first published]
PROPOSAL	Proposed to [insert details of proposal] with effect from [insert date] or as soon as possible thereafter.

STATUTORY CONSULTATION

The following is to be completed by the Proposer and signed off by them.

Note: It may be necessary for documentary evidence to be provided to show that the statutory procedures have been followed. It is essential that relevant parties retain this information.

DETAIL OF CONSULTATION CARRIED OUT BY THE PROPOSER Provide detail of consultation with the BOGs, teachers and parents – dates of meetings/letters. Good practice suggests all staff (including non-teaching) should be consulted as well as pupils. Summary and assessment of views received – how were these taken into account before publication.	
DETAIL OF EQUALITY SCREENING/EQIA AND RURAL NEEDS IMPACT ASSESSMENT	
CONFIRMATION BY THE PROPOSER	I confirm that the school(s) BOGs, Staff and Parents of pupils were consulted and Equality Screening of the proposal has been carried out and the statutory requirements of the Rural Needs Act (Northern Ireland) 2016 (where appropriate) have been considered. NAME: OFFICE HELD: SIGNED: DATE:

ASSOCIATED PROPOSALS Insert details if applicable.	DP [insert number] published on [insert date] Proposed to [insert details of proposal] with effect from [insert date] or as soon as possible thereafter.

EDUCATION AUTHORITY (EA) COMMENTARY ON PRE-PUBLICATION STATUTORY CONSULTATION

The following is to be completed and signed off by the EA.

DETAIL OF CONSULTATION CARRIED OUT BY THE EA Provide detail of consultation with schools that may, in the EA's opinion, be affected by the proposal – list of schools, dates of letters issued to schools/meetings. Summary of views received (number of responses, recurring themes, petitions, community support or opposition). Responses/Assurances in respect of issues raised during consultation. Dates of EA meetings e.g. EA Committee/ Board etc. Details of issues raised by members of EA Committee/Board	
CONFIRMATION BY THE EA AND RECORD OF EA VIEWS In the context of planning on an area basis – what is the EA's view of the proposal, taking into account any pre-publication consultation. Does the EA support the proposal?	I confirm that the schools which the EA consider might be impacted by this proposal were consulted as detailed above. [Insert EA's views on the proposal] NAME: OFFICE HELD: SIGNED: DATE:

BACKGROUND

Areas/points to consider

Provide a snapshot on existing school/s, such as:-

- Brief description of school/s
  - School type
  - Location including any relocation details if applicable
  - Urban / rural classification
  - Description of school ethos for Integrated Education proposals

- Supporting data to explain / highlight the evidence of need for change taking account of the SSP criteria. This could include:

  - School Enrolments – approved, historical and current actual enrolments, available places. Religious and socio-economic breakdown
  - School Admissions – first preference applications, total applications accepted at end of admissions process, approved admission, actual admission
  - Neighbouring Schools
  - Attainment levels of pupils / Exam Performance for post-primary schools
  - Number of teachers / composite classes in primary schools
  - Maps (where possible) showing location of school, pupil distribution, neighbouring provision
  - Evidence of demand – EA assessment of demand for Integrated Education, expressions of interest, etc.
  - Ability of school to cater for special educational needs

RATIONALE FOR THE PROPOSAL

Areas/points to consider

Explain the objectives of the proposal and the desired outcomes if approved – for example to reduce number of available places or to increase enrolment to meet demand.

Detail how this aligns to Departmental policies and stated priorities for Area Planning and consideration given to relevant Statutory Duties or requirements if applicable (IE, IME / Shared education duties, equality screening/impact assessment, rural needs impact assessment and climate change).

If the proposal is part of a set of inter-linked proposals for an area solution, the CFC should be presented as one over-arching document which sets out the strategic position and explains current provision in the area, why change is needed and how all the proposed changes fit together to reshape provision in the area for the benefit of children and young people. This approach should reduce the need for repetition of the rationale on a set of individual proposals.

The Department also requires an individual assessment for each school to be part of the overall CFC as each proposal must be able to stand alone if necessary. Each individual assessment should be appended to the over-arching rationale for the proposal.

SUSTAINABILITY ASSESSMENT

Areas/points to consider

- Assessment of the school/s sustainability supported by statistical data linked to the SSP criteria:- see SSP for details. The associated indicators may be helpful when considering the schools' strengths and weakness and should be used as a guide to what needs to be included.

- The SSP does not apply to pre-school, the assessment of nursery provision should be in the context of current policy and practice and SSP assessment of the host school.

- Specialist School provision should be considered in the context of the Special Schools Area Planning Frameworks and the Department's SEN Reform Agenda and Delivery Plan.

- Note: A DP is not required for Specialist Provisions in Mainstream Schools (SPiMS), any proposals to establish or change SPiMS provision will be considered as part of the SEN Annual Plan of Arrangements.

EDUCATIONAL IMPACT

Areas/points to consider

What are the educational benefits of this proposal?

Provision of high-quality education should be the desired outcome of all proposals – outline how this proposal aims to achieve this outcome. Where relevant, explain how the proposal supports current Departmental priorities for educational excellence and equity, school improvement, inclusion and tackling educational disadvantage, and how the proposed configuration of provision will support delivery of an appropriate, broad and high-quality curriculum.

Outline how the proposal will benefit children and young people in the school(s) and in the area overall.

Area solutions should be the norm and all schools experiencing sustainability pressures should be factored into the considerations regardless of the type of proposal. All change can cause upheaval for those involved and consideration should be given to limiting future upheaval for pupils that may have to move school as a result of a closure.

Provide details of how the specific requirements of pupils with SEN will be catered for under the new arrangements.

AREA PLANNING IMPACT

Areas/points to consider

Outline the Area Planning context and the geographical area covered and how this proposal will contribute to the delivery of sustainable education provision within the area. Account should be taken of all schools in the area with particular attention being paid to school experiencing sustainability pressures regardless of sector.

How does this proposal align with the current Area Plan, its key strategic themes and actions outlined in the Operational Plan. Explain how this proposal aligns with the stated priorities for this area planning cycle.

Specify links to other proposals. Provide detail on other DPs (including those in planning and not yet published) that could impact on sustainable education provision in the area, affecting consideration of this proposal and outline any reason for not bringing them forward together.

Note: Where possible proposed changes for a single area should be published simultaneously so full area impact can be assessed.

What other options/size were explored including collaborative arrangements to improve sustainability where appropriate, and why was this the most appropriate area solution?

What is the potential impact on other schools, what account has been taken of this?

In the case of nursery provision the EA's Pre-school Education Group (PEG) are responsible for planning pre-school provision and overseeing the allocation of funded places to the non-statutory sector.

RESOURCE IMPLICATIONS

Areas/points to consider

Detail finance/resource implications (both capital and recurrent) of the proposal and approximate costs where available.

Is the proposal cost effective?

Finance - Budget position, impact on budget, cost of proposal.

- A trend analysis of the school's financial position. This should detail the school's end year surplus/deficit position for each of the last five years and forecast for the current year end.
- Commentary on the financial trend provided.
    - To what extent does the proposal reduce or indeed remove the need for Principal Release Time or small schools support funding?
    - To what extent does the proposal bring per capita funding more in line with the average?

Staffing

- Additional teaching staff required,
- redeployment,
- redundancy cost.

Transport – Any additional cost/issues

Site and Accommodation issues[9]

- brief description of current accommodation / site,
- any live capital proposals or minor works applications.
- Immediate day one minimum capital requirements should the DP be approved,
- site suitability to support changes,
- estimated cost and timescales for delivery of changes.

Other issues requiring resources.

Note: Approval of a DP does not automatically attract additional funding or accommodation and that these issues will be dealt with separately and subsequent to DP approval via the options appraisal (i.e. business case) and budget strategy processes.

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[9] Section 7 of DE Circular 2015/06 (Amalgamation Guidance) provides a useful overview of the financial support which may be required.

IMPLEMENTATION PLAN (IF THE PROPOSAL IS APPROVED)

Areas/points to consider

Note: The timeline should be considered in advance of DP publication, this will impact on when the DP should be published to allow sufficient time from decision to implementation.

Outline all actions required to deliver the proposal if approved. Does the implementation date reflect this, is it deliverable? If phasing is being proposed explain why it is necessary?

Depending on type of proposal, this could include arrangements for pupils transferring to other school(s), managing transition for pupils with statements of SEN, maintaining continuity for examination classes, applications for additional accommodation and timeframe for delivery which takes account of time needed to secure all the necessary approvals to allow accommodation to be provided.

In the case of an amalgamation, this should also include a timeline of events should the proposal be approved, including appointment of interim BOGs staff recruitment, establishing new name, uniform and date of amalgamation.

In the case of the transfer of a voluntary school to controlled status which is given effect through a DP presented by the EA to change an existing school to a controlled school, the implementation is governed by Article 17 of the Education and Libraries (Northern Ireland) Order 1986. The procedure to be followed is set out in guidance "*Procedure for Transfer of a Voluntary School to Controlled Status*". The CFC for this type of change should confirm that Stages 1 and 2 outlined in the aforementioned guidance have been completed and signed off by the relevant body.

Details of any arrangements for Shared Education Partnerships and how they would be impacted should be included in this section.

Outline how the proposal will impact on the management of the school – in the case of a significant increase/decrease in enrolment, how will the change be managed? Will the change be managed through phasing? Will there be composite classes or will they be removed/reduced, will the school operate a double entry?

How will the School/EA ensure that the education of the children is protected during / after the proposed change?