

Response ID ANON-HKR2-4YX8-M

Submitted to Strengthening Inspection Legislation for Schools and Other Education and Training Establishments
Submitted on 2025-07-04 12:29:57

About you

The Department may make responses available on the website www.education-ni.gov.uk. All responses will be pseudonymised i.e. all contact names and addresses will be removed. Please note that under the Freedom of Information Act (2000) (relevant extract below) your pseudonymised response may be made available, on request, to the public. Please indicate if you would prefer your response to remain confidential:

No - content for response to be made public

Would you like to be alerted when the results of the consultation are published?

Yes

What is your name?

Name:
Nuala O'Donnell

What is your email address?

Email:
nodonnell@into.ie

If you are responding as part of an organisation / school, please state the organisation's name below:

Organisation:
Irish National Teachers' Organisation

Please tick the box that best describes you as a respondent

Trade union representative

other:

If you are responding on behalf of a school, please select the category which best represents your sectoral interest (tick all which are appropriate):

Controlled, Integrated, Irish Medium, Catholic Maintained, Voluntary Grammar

other:

Please select the category which best represents your interest

General Interest/Other (please specify in box below):

other:

Question 1

1 To what extent do you agree that inspection should operate as intended and to ensure this happens the current legislation needs strengthened?

Strongly disagree

Please provide additional comments (optional):

The current legislation with regard to Inspections does not need 'strengthened'. INTO, along with the other teacher unions has worked hard over the past few years with ETI to bring about changes to the inspection process which strengthen the process and brought about a more open relationship between schools and the Inspectorate, rebuilding the trust that had been eroded under a previous Inspection regime. INTO members have been instrumental in laying the ground work to provide the environment in which inspections can operate as intended and this move by the Minister of Education to enforce legislation on inspections is being seen as a threat by teachers to the new ETI inspection process which they have helped to build.

Question 2

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

Strongly disagree

Please provide additional comments (optional):

Based on evidence from teacher unions in other jurisdictions this legislation is unnecessary and has not been enacted as the inspectorate in the other jurisdictions have a professional relationship with the relevant unions and teachers' rights to take industrial action is respected. This attitude is the same here currently, but has taken a lot of effort on ball stakeholders here to rebuild a professional relationship that was severely damaged during the previous Chief Inspector's time in office.

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

INTO, and we believe ETI also, do not wish to return to a position of 'inspectors versus schools' and the introduction of this legislation at this time has the potential to undermine all the positive work that has been done to date. Young people in Northern Ireland have the same protections and safeguards in place already. INTO has not obstructed safeguarding inspections, even during ASOSA including inspections and has facilitated schools in the Formal Intervention Process continuing with inspections during these times of ASOSA. This legislation is unnecessary and potentially damaging to the professionalism and trust of teachers in our education service.

Question 3

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

Strongly disagree

Please provide additional comments (optional):

The Minister, in bringing this legislation forward is seeking to prevent teacher unions from taking industrial action on inspections. To seek to introduce a fine for individual teachers to prevent industrial action is threatening teachers, individually. When on ASOSA including inspections, teachers are rarely, if ever, the only teacher in the school not co-operating with inspections. Is the Minister seriously proposing to fine all the teachers in the school, if they are all on industrial action? The purpose of the legislation in other jurisdictions is not focussed on industrial action, in fact the other inspectorates generally adopt a pragmatic and respectful approach rather than enforcing inspections rigidly.

The trust of teachers in the education employers has been damaged by the manner in which the recent pay deal was conducted. In an already tense environment, with teachers overworked and frustrated at the lack of support and resources available to support the pupils in their classes, this proposed legislation is causing further stress with the threats proposed within it. It is not the environment which is conducive to change or encouraging teachers to work with DE on the plethora of new initiatives the Minister is seeking to introduce over the next 12 - 18 months.

Question 4

4 Do you agree with the outcome of the Equality Screening and/or are there any considerations that should be reflected?

No

Other considerations:

A consideration in relation to the equality screening is the different information that has been provided to IME schools/teachers in that the Irish version /translated Consultation documents on the DE website do not provide information about timescales of consultation / date for final submission of questionnaire. This has the potential to mislead these teachers/communities as to the closing date of the consultation and disproportionately affect this community within Northern Ireland in having their views heard.

The threat to remove teachers' rights to take industrial action against inspections needs to be carefully considered here. Under the previous Inspection regime a number of concerns arose which caused industrial action against inspections and the inspectorate to be undertaken by not just INTO members but all teachers. The Minister and DE need to be considering what gave rise to the industrial action and seeking to address the root causes there. If teachers' concerns, which are mainly focussed on better outcomes for pupils were addressed, e.g better SEN support, smaller class sizes, less administrative work, proper pay and conditions, etc, and letting teachers do the job they were trained and are qualified to do - teach, there would be no need for industrial action at all. This would serve the pupils in our schools much better than threatening teachers with legal actions/fines, etc for taking lawful industrial action for legitimate reasons.

The consultation in its rush to introduce legislation threatening teachers with prosecution is flawed, ill -considered and unnecessary. Its primary purpose is to undermine future legitimate industrial action in schools by spooking teachers and trying to undermine Teaching Unions.

Question 5

5 Are there any further comments that you would like to make in relation to the draft inspection policy proposals?

Further comments:

INTO strongly refutes that Union action has prevented schools which require improvement from being identified and supported and it is important to note that ETI did not ask for this legislation.

Identification of schools needing support should not be reliant on an inspection that occurs every 5-7 years or more. The Employing Authorities resources

have been cut significantly in the last number of years thus reducing the support that schools have been able to avail of. Previously schools were assigned link officers to support them who would work with the schools and be in a position to identify where, when and what support was required. Following significant work between the ETI and Teacher unions since 2020 a new system of inspection has been introduced to schools from September 2024 and inspectors have been in schools and engaging with principals and teachers in discussions on their schools and the curriculum, etc. A lot of time and effort has been put into rebuilding the trust between the ETI and schools that was completely broken down under the previous Chief Inspector and the new system of inspection has been received positively to date. However time is required for all teachers to regain trust and confidence in the inspectorate and the new system and this consultation from the Minister has been a set back in that process. The timing of the consultation, following a protracted and fractious pay negotiation is further eroding trust in the independent review panel on workload. Teachers are stressed and overworked due to the lack of resource and support currently available to schools. The Minister should be mindful that as he says 'The successful implementation of my TransformED strategy will be reliant on the collaborative work of all those involved in education.' In proposing this legislation at this time and in the current climate of lack of resources and support and increased workload the Minister should realise that teachers are not likely to view increased workload or co-operation with DE positively.