

Ms Norma Foley, T.D.
Minister for Education
Department of Education
Marlborough Street
Dublin 1

16th December 2020

**Report of the New Schools Establishment Group on the Patronage of
Post-Primary Schools to be established in September 2021**

Dear Minister Foley,

As members of the above named Group, we are pleased to present you with our report on the patronage of four new post-primary schools due to open in September 2021.

Our role was outlined in a Ministerial announcement of 27th June 2011. That announcement also included the criteria and arrangements for the recognition of new schools and the role of the New Schools Establishment Group (NSEG) to advise the Minister on the patronage of new schools, following its consideration of an assessment report prepared by the Forward Planning Section of your Department. The membership of the NSEG comprises of the following:

- Mr. Joe Hamill, Retired Secretary General of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs;
- Professor Gerry Mac Ruairc, Head, School of Education, National University of Ireland Galway;
- Professor Sarah Moore, Professor of Teaching and Learning, University of Limerick.

On the 16th October 2020, an invitation was issued for applications in respect of the patronage of the 4 new post-primary schools due to be established in September 2021. The closing date for receipt of applications from applicant patron bodies was 21st October 2020. On 23rd October 2020, the Online Patronage Process System (OPPS) website went live for parents to express their parental preferences and closed on 16th November 2020.

The Group acknowledges the unprecedented challenges faced by patrons this year. The Covid-19 related restrictions meant that direct face-to-face engagement with applicant patrons and parents was not possible and applicant patrons needed to focus their efforts on online and virtual activities such as hosting online meetings and using social platforms to engage with parents and to increase awareness. The Group wishes to acknowledge that this environment posed new challenges for patrons and it is testament to the work of the applicant patrons that the levels of engagement in each of the four areas was generally comparable to those of previous OPPS processes.

The Forward Planning Section of your Department carried out an assessment in respect of each of the four areas, including an assessment of the parental preferences received. A meeting was convened on 10 December 2020 with the officials from Forward Planning Section to examine the initial draft assessments that had been forwarded to our Group for consideration.

The Group has considered the assessments made with regard to the patronage of the new post-primary schools to be established in 2021. The Group is satisfied to confirm its view that the criteria

as set out in 2011 by your Department were applied in a fair and transparent manner to the applications received.

On that basis we are satisfied that the following recommendations regarding patronage of the new schools are in accordance with these requirements and criteria, including the extent of diversity regarding both ethos and language of instruction currently available/planned in the relevant/adjoining school planning areas, and give due regard to the levels of parental preferences received. The Group is satisfied to make the following recommendations to you in relation to the patronage and language of instruction of the new schools to commence in September 2021.

Area	Proposed Patron	Proposed Language of Instruction
Ballincollig	Le Chéile Schools Trust	English
Booterstown_Blackrock & Dún_Laoghaire (Regional Solution)	Educate Together	English
Dunshaughlin	Louth and Meath Education and Training Board	English*
Gorey	Educate Together	English

*With the school patron to give consideration to the establishment of an Irish-medium Unit (Aonad) when the new school is in its permanent location, if demand from parents indicate that this would be feasible.

The role of this Group is to advise the Minister on the patronage of the new schools. As the process includes consideration of existing provision and diversity in each area we also offer the following observations. The Group notes that, reflecting parental preferences expressed as part of this OPSS process and an analysis of existing provision in the area, three of the four new schools will have a multi-denominational ethos and one will have a denominational ethos. Considering existing provision in the areas and in particular in Dunshaughlin, which is currently served by one post-primary school, and in Ballincollig, which is currently served by two post-primary schools, the Group considers it important that the relevant patrons of the existing schools would consider how best the needs of the full community can be served. In the case of Ballincollig, the Group notes the correspondence from Cork Education and Training Board (ETB) that the designated Community College under its patronage, while having a denominational trustee partner and classified as inter-denominational, is generally recognised as having a multi-denominational character. Given that the new school under Le Chéile Schools Trust will have a denominational ethos, the Group considers it appropriate as suggested by the Department that Cork ETB and the trustee partner in the designated Community College might consider whether the multi-denominational aspect of the Community College should be strengthened in any manner in order to best meet the needs of the local community. In the case of Dunshaughlin, the Group also agrees with the Department's conclusion that Louth and Meath Education and Training Board as patron of the existing school in the area and the new 2021 school should be cognisant of the need to cater for the broad needs of the local community. This would involve ensuring that the new multi-denominational school reflects a broad

multi-denominational ethos and that in the case of the existing designated Community College, which has an inter-denominational ethos, that the patron would be cognisant of the need to ensure that this existing school is catering as appropriate for the community in light of the outcome of the OPPS in terms of the expressed preferences for denominational provision.

In relation to the Patron Code of Conduct, the Group was made aware by Forward Planning Section of a number of issues raised by an applicant patron in relation to alleged breaches of the Code of Conduct by another patron body in the Ballincollig patronage process and a technical issue with the OPPS survey site in a certain circumstance. Having considered and discussed the issues regarding the alleged breach of the Code of Conduct in detail, including the responses provided by the Patron body against whom the allegations were made, and the overall operation of the Code of Conduct, the Group is satisfied that there were no breaches of the Code of Conduct.

However, the issues raised were considered as to whether it is likely that there was, in the opinion of the Group, a material impact on the outcome of the process in Ballincollig.

Although the substance of the alleged breaches is not considered to be a breach of the Code of Conduct, the Group considered the issues raised at its meeting of 10 December, including the correspondence received both from the applicant patron which brought this to the attention of the Department and from the applicant patron against whom complaints were made. Having considered the foregoing and the likelihood or otherwise of the issues raised having an impact on the outcome of the process, the Group is satisfied that there was no material impact on the outcome in Ballincollig.

In forming this view the Group has taken into account the following:

Issue raised: Representatives of Le Chéile Schools Trust and persons who are associated with one of the existing schools in the area, making statements that Gaelcholáiste Choilm, which is an Aonad within Coláiste Coilm, is a standalone gaelcholáiste.

NSEG view: It is not unusual for an Aonad in a post-primary school to distinguish itself from the main school by means of a different title, different uniform, contact details, or otherwise. In Ballincollig, the Aonad in Coláiste Choilm is known as “Gaelcholáiste Choilm”. The patron of Coláiste Choilm in correspondence to the Department refers to the Aonad as “Gaelcholáiste Choilm” and the school website refers to “Coláiste/Gaelcholáiste Choilm” throughout. This title also features on websites external to the school. Given that Gaelcholáiste Choilm is a long-standing feature of post-primary provision in Ballincollig, it would appear reasonable to the NSEG to conclude that many parents in the area would be familiar with “Gaelcholáiste Choilm” and that it is part of Coláiste Choilm. Even if that were not the case, it is not our view that a sizeable number of parents would have been put off expressing a preference for An Foras Pátrúnachta as a result of any misunderstanding of the structural nature of Coláiste Choilm/Gaelcholáiste Choilm. Further, the NSEG notes that the majority of parents (100 out of 142) who expressed a preference for Irish-medium provision also indicated that they would consider enrolling their children in an Aonad if a gaelcholáiste was not established.

Issue raised: Representatives of Le Chéile and persons who are associated with one of the existing schools in the area, making statements to the effect that places are guaranteed for students wishing to enrol in Gaelcholáiste Choilm, which is the Aonad within Coláiste Choilm.

NSEG view: The NSEG has had sight of correspondences related to this issue. While it is the case that the admissions arrangements in a school can only be applied to applications in any given year, and

that the admissions criteria are subject to change over time, it is clear that the intention of Coláiste Choilm/Gaelcholáiste Choilm is to accommodate all applicants for Gaelcholáiste Choilm into the future. Enrolment in Gaelcholáiste Choilm is already being expanded to cater for increasing demand. In that context, the view of the NSEG is that it is reasonable for the school, and patron, to express the view that it will continue to provide for the expanding demand for Irish-medium education and that it considers that there is greater pressure being experienced with, and a greater need for, English-medium places in the area.

Again, it is not our view that a sufficiently sizeable number of parents would have been put off expressing a preference for An Foras Pátrúnachta as a result of the statements in question to make a material difference in relation to the difference in the numbers of preferences expressed for each patron body.

Issue raised: Le Chéile statement that if it is awarded patronage of the new school in Ballincollig that it will open a special class.

NSEG view: The NSEG considers that, in light of the developments in Department of Education policy and the provision of special education in Ireland in recent years, it is not unreasonable to expect that a new post-primary school will have special education facilities and/or special education classes. The NSEG notes that in its response to this issue Le Chéile Schools Trust provided a copy of a statement made by a representative of An Foras Pátrúnachta, which, albeit that it is not as definitive as the Le Chéile Schools Trust statement seen by the NSEG, imparts a similar expectation. Our view therefore is that this matter did not confer any significant advantage to Le Chéile Schools Trust over An Foras Pátrúnachta in this process.

The Group also viewed correspondence from a number of third parties in relation to the patronage process in Ballincollig, the contents of which have been taken into account in our deliberations.

In dealing with the above matters, the Group considered whether it is necessary to re-run the patronage process for Ballincollig. The NSEG is not recommending that the OPPS for this school is re-run. Such action would not seem reasonable in the light of our view that there were no breaches of the Code of Conduct nor any materially incorrect or misleading statements and the impact of the issues raised would not have had a material effect on the outcome.

We are also conscious that, given the school needs to be established in September 2021, the successful patron needs sufficient time to make the necessary arrangements and a delay in confirmation of the patronage would be detrimental in this regard.

The Group has also considered the wider general points raised in the correspondence from An Foras Pátrúnachta in relation to the patronage process. The Group notes that the Department intends to hold a patrons workshop in 2021. The Group recommends that issues such as those more general points are discussed with patrons.

In addition, the NSEG is cognisant that there are limitations on the level of detail and nuance that a patron body can engage in when addressing queries during live online meetings or on social media platforms, given the nature of such communication environments. However, the NSEG would encourage patron bodies to be conscious of the language being used so as to avoid making statements which may lead to expectations which cannot be absolutely guaranteed at that time. We recommend that patrons are reminded of this, and have the opportunity to discuss it, at the next patrons workshop.

The technical issue with the OPPS survey, where the option of 2025 as the year to start post-primary school was inadvertently not included in the Irish version of the OPPS website, was also considered in detail by the NSEG. The NSEG is satisfied that, even taking a broad view of the potential possible impact, the issue was confined to a small number of persons who accessed the survey and that it did not impact on the outcome of the process in any area, either in terms of successful applicant patrons or in terms of language considerations. The Group is satisfied that the Department's strengthening of its testing protocols will minimise the likelihood of such an issue occurring in any future OPPS.

The Group notes that none of the applicant patrons exceeded the expenditure limit for each area of €500 (incl. VAT) set out in the Code of Conduct and that all of the supporting documentation in this regard was submitted within the required timeframe.

In April 2019, the Department engaged with patron bodies on feedback and learning from the operation of the process and Code of Conduct in the pilot phase for the 2019 schools. It was proposed that the Department would conduct a further workshop in 2020 to continue this useful stakeholder engagement and feedback process. Due to the impact of the Covid-19 pandemic it was not practicable to conduct such an event in 2020, however, the NSEG welcomes that the Department has set out that it intends to conduct a workshop in 2021 in order to continue stakeholder engagement with the patron bodies.

The Department brought to the attention of the Group correspondence from members of the public in relation to the impact of the boundaries of school planning areas on patronage processes and specifically that some parents who wish to express a preference for a particular patronage process cannot do so if they do not live within the school planning area, even though they may be living in relatively close proximity to where the new school is due to be established. The Group considered the matter and as set out in the Group's report to the Minister of 3 December 2019 welcomes that the Department intends for the matter to be discussed at the 2021 patron workshop with patron bodies with a view to potential implementation of any changes in future patronage processes.

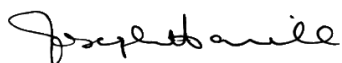
The Group welcomes that the Department has trialled the inclusion of an additional question in the OPPS survey for those parents who expressed a preference for Irish-medium education regarding whether they would consider sending their child to an Aonad in the event that a Gaelcholáiste was not established in the area. The Group welcomes this progression of the Irish-medium aspect of the survey, notes the level of positive responses in this regard, considers that this question provides valuable information and recommends that this question is included in future patronage processes for post-primary schools.

In relation to language preferences, the Group notes that in the case of all four schools, there were some parental preferences for Irish-medium education but none of these are considered to be at a level at which would indicate that a Gaelcholáiste should be established. In one area, demand is low at less than 2% equating to 11 parental preferences. In the two areas where the demand is considered relatively low, the Group notes that the Department has examined existing Irish-medium provision at post-primary level in the school planning area(s) concerned and adjacent school planning areas. The Group notes that in one of these areas that the Department has recommended that the successful patron would give consideration to the establishment of an Aonad when the new school is in its permanent location, if demand from parents indicate that this would be feasible. The Group notes that in the other area the Department considers that this existing provision should be capable of absorbing the level of demand in the short term and that the Department has set out that given the number of new Irish-medium gaelscoileanna which have been established in recent years or are due to be established, that it is keeping the position under review as these schools grow. The Group welcomes this proactive approach by the Department in relation to the South Dublin area where the potential output from Irish-medium primary schools in the areas is projected to grow.

Regarding the area where parental preferences as part of the OPPS is considered moderate, the Group notes that the Department has examined existing Irish-medium provision at post-primary level and is satisfied that there is sufficient capacity, and the potential to expand capacity should demand require it, within the existing provision.

The Group would like to thank your Department's Forward Planning Section for its positive engagement on these matters and to again acknowledge the expert and professional manner in which it presented its assessments to the Group in the cases under review.

Yours sincerely,



Joe Hamill
Chairperson
New Schools Establishment Group