

## The Education (Welfare) Bill 1999: "Education for All"

*by Maurice Devlin*

The **Education (Welfare) Bill 1999**, at the time of print has passed through both Houses of the Oireachtas and is now about to enter the third and final stage, the committee stage, before returning to the Dáil to be passed into law. It is widely expected that the Bill will become operational as early as September 2000.

'The general aim of the Bill is to provide a comprehensive, national system for ensuring that children of compulsory school-going age attend school, or, if they do not attend school that they receive at least a minimum education. The Bill seeks to address the underlying causes of truancy by helping children and their families and by identifying at an early stage children who may be at risk of developing school attendance problems. The Bill imposes statutory duties on schools to have a more proactive approach to the issue of truancy and provides a mechanism for co-ordination between the activities of various publicly funded agencies as regards matters relating to school attendance' (Department of Education 1999a, 1)

The **Education (Welfare) Bill 1999** is the first piece of new legislation in over 70 years, which is attempting to ensure that all the children of the state have access to the educational resources which have been developed since the foundation of the state.

The Bill is the culmination of many years of review and development of policy regarding school non-attendance and related educational welfare problems. It was introduced in the context of a number of other important legislative and policy initiatives.

**The Education Act 1998** sets out the respective functions and roles of the Minister for Education and the various educational interests and provides for the establishment of executive bodies for the provision of educational support services. It also requires the preparation and regular updating of comprehensive school plans.

**The Protection of Young Persons (Employment) Act 1996** regulates the circumstances and conditions under which children and young people may be employed.

**The Youth Work Act 1997** (currently being amended) provides for the comprehensive planning and delivery of youth work programmes and services, on the basis of voluntary/statutory partnership and with a strong focus on disadvantage.

The **Education (Welfare) Bill** has links with all of these pieces of legislation (and includes amendments to the 1996 and 1998 Acts).

The **Education (Welfare) Bill** provides for:

- an increase in the **school leaving age** to 16 (or three years post-primary education, whichever is the later)

- the establishment of the **National Educational Welfare Board**,
- the employment **educational welfare officers**, to co-ordinate and implement services to young people with attendance difficulties
- it requires that schools take a **strategic approach** to preventing school non-attendance
- it requires schools to **co-operate** with other relevant services such as youth work services.
- It also contains provisions regarding young people under the age of 18 who leave school early: they may only be employed if they are on a National Educational Welfare Board **register**, so that provision may be made for their continued education and training. Employers must **notify** any such employment to the Board.

The Bill is an acknowledgement of the complex nature of absenteeism and early school leaving and the need to develop an integrated response by the variety of agencies which interact with children at risk of early school leaving.

The National Youth Federation's Pathways Project an Employment -Youthstart Initiative and the ADM "Youth at Risk" project jointly organised a consultative seminar in September which was widely attended by a cross sections of services and practitioners who work will be effected directly or indirectly by the new legislation. The seminar was organised on a workshop basis a report on the proceedings the legislative context of the Bill will be printed in January. The general finding of the workshops include;

- a **general welcome** for the broad thrust and intent of the Bill as an attempt to combat educational disadvantage;
- a welcome for its emphasis on the **welfare** of the young person rather than punishment, and its provision for systematic **tracking and monitoring** of students;
- a welcome for the fact that it requires **strategic planning, co-operation** between the various sectors and the building of **home-school links** to help prevent non-attendance;
- a concern by teachers at what appears a huge additional **administrative workload**, added to the **curricular and pedagogical implications** of raising the leaving age, without any guarantee of **sufficient resources** to deliver;
- a concern that the provision for the composition of the National Educational Welfare Board is not in keeping with the principal of **partnership** in education;
- a concern that the framework for the delivery of services is **over-centralised**.

**For a copy of the Education Welfare Bill and other relevant information relating to the Bill and early school leaving contact:**

[www.accessyouth.com/pathways/](http://www.accessyouth.com/pathways/)

**Maurice Devlin is Lecturer in the centre for Applied Social Studies at NUI Maynooth**