

Monday 23rd March 2021

RE: FETO Exemption

In the Independent Review of Integrated Education there was a recommendation:

‘That, in order to encourage all schools to have cross-community staff, the Executive should reform legislation so that teachers at secondary level be no longer exempted from the regulations of Fair Employment; and that early consideration be given to the removal of teacher exemption at all levels.’

The NICIE Board of Directors are in support of this recommendation and would encourage the Executive to look at this as a priority. NICIE understands that there may be opposition to such a change but believes that starting with its removal at Post-Primary education would be a step in the right direction. This would be done with the commitment to implement the removal of it for Primary Education at the same time or soon after.

We understand the issues regarding the FETO exemption and the concern that other organisations may have regarding maintaining a traditional workforce in their schools. However it is an unequal playing field as the Catholic teachers can apply for all school types whilst the requirement of the CRE effectively rules out Protestant teachers (and those of other faiths, beliefs, cultures and communities) from applying for a sector of schools which has the equivalent number to Controlled Primary schools. In this instance the FETO exemption and the need to have the Certificate in Religious Education (CRE) to teach in a Catholic Maintained Primary school (and to teach religion in a Catholic Post Primary school) are linked. The Equality Commission set this out in their Article 71 Investigation:

‘The Commission is aware that there are concerns that the removal of the exception will open up the possibility that Roman Catholic teachers will be able to make complaints of religious discrimination against controlled schools but Protestant teachers will not be able to make complaints of religious discrimination against maintained schools.’

Integrated schools have been able to maintain a balance of staff which reflects the NICIE Statement of Principles which states:

*‘The integrated school promotes equality in sharing between and within the diverse groups that compose the school community. This occurs structurally at every level amongst pupils, staff and the board of governors, as well as culturally within the overt and hidden curricula of the school. To achieve these ends each integrated school aspires to the following:
the active recruitment of teachers whose cultural or traditional background reflects that of existing or potential pupils.’*

Within the Principle of Equality, the Statement of Principles encourages schools to seek a balance of pupils 40% from the Protestant Community 40% Catholic Community and 20% those of other faiths or none. It is recognised by having a similar balance on the staff will help a school to attract and maintain this balance. Integrated schools rely on the use of welcoming statements in their recruitment advertisements to address any imbalance in the school.

In the recent University of Ulster Report ‘Employment Mobility of Teachers and the FETO Exception, the statistics for the make up of teachers in Integrated schools:

‘The 7% of pupils who attend integrated schools are taught by a cohort of teachers that, on the whole reflects the target composition of the pupil body i.e. 40% Catholic, 40% Non-Catholic, 20% ‘other.’

The CRE is linked to this issue as it is used as essential criteria in Catholic Maintained primary schools and can be used in the Post-Primary also. It could be argued that bias is reinforced in the education of teachers. Students have to elect to complete the certificate if they attend Stranmillis University College, whereas it is a requirement in St. Mary's University College. As it is linked to teaching in a Catholic school, there are many students from outside of that faith tradition who do not hold this accreditation therefore ruling them out of teaching in Catholic primary schools. As NICIE, our concern with this blanket requirement is that it is required of all teachers and not just those preparing children for their Sacraments. Integrated schools are an example of how a few number of teachers in the school with the certificate can prepare children whose parents request it. The Integrated experience has been that we can protect and fulfil the specific needs of Catholic pupils without a blanket use of the CRE. We therefore believe that it is possible for other schools to do the same.

There is no other subject in the Primary school that requires a teacher to have a separate certificate to teach that subject. Student teachers are trained to teach across the curriculum and if RE is covered in the degree course, this will then prepare them to teach this element of the curriculum, as it does with the other subject areas. The reasoning behind the need to have the CRE is that in a Catholic school all teachers are teachers of Religion which applies to all other subject areas also. It could be considered that if you agree to teach RE in a way that upholds the ethos of the school, you do not need to have the CRE. The Executive Office need to consider if this specific exception for Religious Education is sustainable and if it may be both biased and exclusionary. The original reasoning, whether for maintenance of standard or the need to protect the ethos is speculative and we believe needs to be reviewed with the view of removing it.

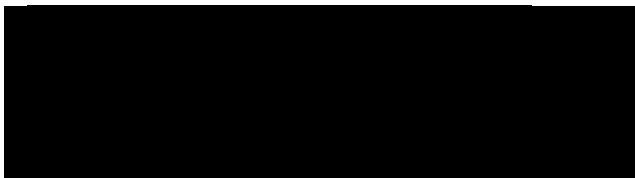
In conclusion it is our opinion that there is no longer a need for the FETO exemption to remain in place for teachers.

NICIE would support a review of the FETO Exemption with the first stage to remove it from the recruitment of teachers in Post Primary schools followed by a review of its use in Primary schools.

In terms of the CRE we believe that the blanket requirement of such in Catholic Primary schools needs to be reviewed and Integrated Education is a good example of how this has been done, whilst meeting the needs of the children requiring Sacramental Preparation and Catholic Faith development.

Submitted by NICIE on behalf of Roisin Marshall CEO

Yours sincerely,



Senior Development Officer