

# Catholic Schools' Trustee Service

St Mary's University College

191 Falls Road

Belfast

BT126FE

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Committee for Education,  
Room 205, Parliament Buildings,  
Ballymiscaw, Stormont,  
Belfast, BT4XX

15<sup>th</sup> April 2021

Dear Ms Treanor,

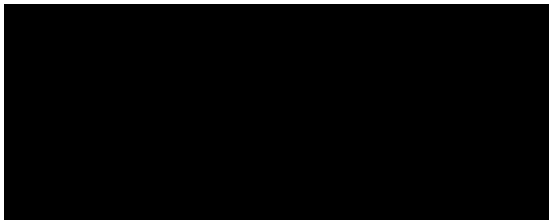
Regarding your correspondence Ref: [REDACTED]

Your correspondence to Archbishop Martin was forwarded to the Catholic Schools' Trustee Service for consideration.

The CSTS position in relation to FETO was set out in correspondence with the Executive Office in 2018 and a copy of that correspondence has been appended to this letter.

We hope that you find this helpful. Please let us know if we can be of any other assistance.

Yours Sincerely,



Fintan Murphy

Chief Executive

Catholic Schools' Trustee Service

St. Mary's University College 191 Falls Rd Belfast BT126FE



27<sup>th</sup> September 2018

[REDACTED]  
Executive Office

Head of Equality, Human Rights and Delivering Social Change Unit

Room [REDACTED]

Castle Buildings

Stormont, Belfast

BT43SR

Dear [REDACTED]

Thank you for your letter of 4<sup>th</sup> June 2018 in relation to your initial consultation on the exception for teachers in Fair Employment Treatment Order(NI) 2003 and the current use of the exception.

The Catholic Schools' Trustee Service is the sectoral body for the Catholic Managed Schools in Northern Ireland and works on behalf of the Trustees of Catholic schools; as such we are not engaged in the recruitment of teachers but are engaged in assisting Trustees in ensuring the maintenance of a distinctive ethos, values and spiritual focus which is at the core of Catholic education. Due to the importance of a distinctive ethos in Catholic schools it is important that any initial comments on the above exception are prefaced with a brief synopsis of the Catholic ethos.

The ethos, values and spiritual focus of Catholic education is underpinned by the following core principles:

- Catholic education offers a unique philosophy of education, inspired by the image and life of Christ which aims to develop the full potential of each person about the formation of the whole person; spiritually, intellectually, socially and physically as set out in the Vision for Catholic Education:
- Catholic Education takes place in communities inspired by the Spirit of Christ. Christ's commandment to love God and neighbour inspires a caring ethos which is expressed in relationships within and beyond Catholic schools.

- Catholic Education is person-centred. It promotes the dignity, self-esteem and full development of each person who is made in God's image and uniquely loved by God.
- Catholic Education is inclusive. It is respectful of and engages with people of all beliefs; it encourages the religious development of all in their own faith.
- Catholic Education is rooted in the Gospel values of Respect for Life, Love, Solidarity, Truth and Justice; it aims to harmonise faith and culture, build a better society, and pursue the Common Good.

Catholic Schools provide a high quality and well-rounded education for school pupils, so that they can develop their full uniqueness and potential.

In Catholic Schools the person and message of Christ find expression in:

- Communities of Faith, Service, Prayer and Worship;
- The development of each person's full potential in a climate of joy, freedom, respect, challenge, co-operation and celebration;
- The enrichment of pupil life – intellectual, physical, spiritual, moral, social and emotional;
- The promotion of a spirit of charity, social justice, global awareness and concern for others leading to practical outreach and partnerships;
- A culture of tolerance where people of diverse identities are recognised, welcomed, respected and cherished;
- Listening, mutual understanding, trust, reconciliation, healing and peace;
- The preparation of pupils to lead fulfilling and purposeful lives which will contribute to the Common Good.

The Trustees position in relation to your initial consultation is given in the context of the above comments on ethos.

It is worth noting that currently there are 489 Catholic schools in N. Ireland which is 44% of all schools and over 150,253 pupils. It is the case that 45.4% of the school going population attend Catholic schools (2017/18 data). These children and young people do so because their parents have chosen to send them to a Catholic school. The right of those parents to do so is enshrined in the European Convention on Human Rights which includes, 'The right not to be denied the right education, which must conform with parents religious and philosophical convictions.'

In relation to the issues raised within your correspondence the Trustees would wish to make a few comments:

- The exception contained within FETO acknowledges the right of Catholic schools to exist, to protect their distinctive ethos, and to ensure the religious nature of the schools. It is right and proper in a pluralist society that such protection exists, and the Trustees are clear in their view that the exception should remain in place. Should the exception be removed this would provide a challenge to the Trustees in terms of their responsibility to maintain Catholic education for the parents and children and young people who wish to avail of it.
- The existence of the exception ensures that schools, when recruiting staff, can explore with candidates their understanding of, and commitment to, the ethos, aims, and values, of a Catholic education. It should be noted that there is no discrimination in relation to the candidate's religion as this information would not be available to the panel. The process rather, is designed to ascertain the commitment of applicants to the ethos of a Catholic school. The current demand for and success of Catholic Schools is widely attributed to the recruitment of teachers, who have demonstrated a commitment to a Catholic ethos and who have put that ethos into practice as teachers and leaders.
- While the existing recruitment process does not discriminate on the grounds of religion, removal of the exception would introduce the potential for individuals to initiate claims of direct and indirect discrimination on the grounds of religious belief. The Trustees believe that removal of the exception would significantly curtail the opportunity for appointment panels to satisfactorily explore an applicant's commitment to Catholic ethos during the selection process because of the potential for such claims to be made. They believe that this would, in turn, impact on the recruitment of teachers for Catholic schools with the required levels of commitment and knowledge.
- The ability to acquire the Certificate is available to students studying within St Mary's University College, University of Ulster, and Stranmillis University College as well as through a range of Colleges further afield. There are also opportunities for teachers to acquire the Certificate as Postgraduates. Therefore, it is our view that there are equal opportunities for all teachers to acquire the Certificate.

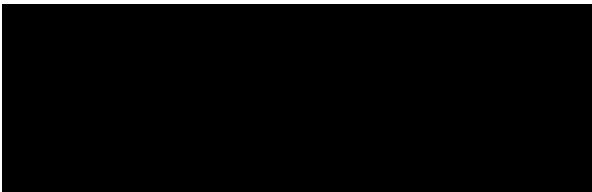
- Regarding the use of the Certificate in Religious Education it is noteworthy that almost all the Catholic children who attend Catholic schools are actively engaged in the faith development and sacramental preparation which takes place within the schools and it can therefore be assumed that this is something which parents value as part of the school's curriculum. The faith development and religious education programme which is undertaken is a structured programme which is delivered throughout the primary school. Therefore, your comment regarding it being used for certain year groups that are required to prepare children for sacraments is not valid. Furthermore, teachers are not recruited for certain year groups within a school, their roles change over time. For this reason, the Trustees' have determined that teachers engaged in this programme must have a level of professional competence to deliver the programme and as such stipulate the need for staff to have a recognised qualification to teach Religious Education. The ability to acquire this qualification is not limited to individuals who are of the Catholic faith and the qualification can be acquired through several third level institutions which makes it accessible to all who wish to obtain it, regardless of their religious background. Attainment of a Certificate in Religious Education is also one quantitative measure which indicates that an applicant for a teaching post in a Catholic school has an appropriate level of knowledge and understanding of the key elements of the Catholic school ethos. For this reason, the Trustees believe that the Certificate is a genuine and necessary professional requirement for those who aspire to teaching within the Catholic school sector.
- As the Trustees are not involved in the recruitment of staff they have no access to detailed information regarding the religious background of the work force but assume that should such information have to be provided then schools could find a mechanism to collate the data. While the collection of the data may be a simple process there may also be a requirement for each school to produce an affirmative action plan which is a significant additional piece of work annually.
- The Trustees have no mechanism to identify the religious make up of teaching staff across the Catholic managed school sector which is made up of many employers – CCMS in the case of Maintained Schools and Boards of Governors in the case of Catholic Voluntary Schools but anecdotally evidence would lead to the assumption that most teachers would come from a Catholic faith background Any requirement to

introduce a monitoring system has obvious resourcing, management, confidentiality and data security implications for the Employing Authorities of all Catholic schools.

- In relation to the transfer of teachers between the Controlled and Maintained Sectors the Trustees are not the employers of teachers and therefore have no information on the level of transfer which exists between these sectors or between them and the Voluntary Grammar sector.

The Trustees are clear that the removal of the exception would be an erosion of a fundamental right that is currently protected by European law. This right has been the basis for the existence of Catholic schools since the formation of Northern Ireland. In such circumstances the Trustees would have to consider what legal action they consider appropriate to protect the status of Catholic education.

Yours Sincerely,



**Fintan Murphy**

Chief Executive

Catholic Schools' Trustee Service

St. Mary's University College 191 Falls Rd Belfast BT126FE

