



# Private Member's Bill to remove the exception of teachers from the Fair Employment and Treatment Order (NI) 1998: NSS consultation response

Submitted by email to: [chris.lyttle@co.niassembly.gov.uk](mailto:chris.lyttle@co.niassembly.gov.uk) and submitted online: [surveymonkey.co.uk/r/DRMZ78](https://surveymonkey.co.uk/r/DRMZ78)

1. This submission is made by the National Secular Society (NSS). The NSS is a not-for-profit non-governmental organisation founded in 1866, funded by its members and by donations. We advocate for separation of religion and state and promote secularism as the best means of creating a society in which people of all religions and none can live together fairly and cohesively. We seek a diverse society where all are free to practise their faith, change it, or to have no faith at all. We uphold the universality of individual Human Rights, which should never be overridden on the grounds of religion, tradition or culture.
2. The NSS opposes the exception of teachers from the Fair Employment and Treatment (NI) Order 1998. The NSS supports efforts to remove this exemption, including for both primary and post-primary teachers, along with statutory monitoring and reporting responsibilities for the employment of teachers equivalent to those for comparable roles.
3. The exemption of teachers from the FETO sends a clear message of discrimination and separatism which contributes to the “cultural encapsulation” and reduced employment mobility of teachers in NI.<sup>1</sup>
4. How can a teacher tell pupils that discrimination is wrong when they may have got their position or been denied another because of it? How can a teacher tell their pupils they can grow up to be anything when their religious identity or beliefs constrict their own opportunities?
5. According to a poll from Lucid Talk in April 2019, 71% of people in NI think the teachers' exemption to the FETO should be repealed. Meanwhile 98% think organisations that employ teachers should “aim to select the best person for the job” and 82% agree schools should be subject to the same equal opportunities monitoring as other employers.<sup>2</sup>
6. There is significant cross-party support and support across the major teaching unions for ending the exemption.<sup>3</sup>

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<sup>1</sup> <https://view.publitas.com/integrated-education-fund/transforming-education-employment-mobility-of-teachers-and-the-feto-exception/page/1>

<sup>2</sup> <https://www.secularism.org.uk/news/2019/05/research-reveals-impact-of-religious-discrimination-on-ni-teachers>

<sup>3</sup> <https://www.bbc.co.uk/news/uk-northern-ireland-56805201>

7. There will be pressure from some sectoral bodies to preserve the FETO exemption, particularly in primary schools. Arguments have been made that selecting on religious grounds is necessary to protect the ethos of schools. Leaving aside the question of whether state schools should promote an exclusive religious ethos, there are mechanisms to do this which do not require this form of direct discrimination. We do not believe that primary teachers should be left behind in any step towards equality.
8. While totemic, the exemption of teachers from the FETO is not the only driver of unfair employment for teachers in NI. Community division is built into the system of initial teacher education<sup>4</sup> and the denominational nature of the Certificate in Religious Education.<sup>5</sup>
9. Ultimately, creating a system where all teachers can be treated to equal dignity and opportunities regardless of their background, requires more fundamental reform of education in NI. A system built on the separation of children along religious lines and an RE curriculum built on denominational religious instruction will inevitably create both formal and informal structures which make some schools a difficult or impossible setting for teachers of particular religious backgrounds. The solution is to accelerate progress towards a shared integrated education system with a reformed and inclusive curriculum in all schools.

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<sup>4</sup> [https://www.ulster.ac.uk/data/assets/pdf\\_file/0003/794235/Community-division-and-student-separation-in-Initial-Teacher-Education.pdf](https://www.ulster.ac.uk/data/assets/pdf_file/0003/794235/Community-division-and-student-separation-in-Initial-Teacher-Education.pdf)

<sup>5</sup> [https://www.ulster.ac.uk/data/assets/pdf\\_file/0009/536553/Briefing-Paper-The-Certificate-in-Religious-Education.pdf](https://www.ulster.ac.uk/data/assets/pdf_file/0009/536553/Briefing-Paper-The-Certificate-in-Religious-Education.pdf)