

**The Exception of Teachers
From
The Fair Employment & Treatment (NI)
Order 1998**

An Article 71 Investigation

By

The Equality Commission for Northern Ireland

About this Report

This is a report of the work of the Equality Commission for Northern Ireland to investigate the exemption of teachers from the Fair Employment legislation.

The investigation looked at the community composition of teaching staff in a sample of schools across Northern Ireland in addition to their present recruitment and selection practices.

For information purposes this report also includes an explanation of:

- the background to the present legislative arrangements
- the work of the Equality Commission to keep the exception under review
- the methodology of the investigation

Acknowledgements

The Equality Commission is grateful for the co-operation shown by all schools involved in the investigation.

The support and expertise of a group of education intermediary representatives was invaluable. A list of the organisations represented is given at Appendix 1.

The Equality Commission Position On The Present Exception Of Teachers

By Joan Harbison

Chief Commissioner of the Equality Commission for Northern Ireland

In April and June 2004 the Equality Commission gave detailed consideration to the report of the investigation into the exception of teachers from the fair employment legislation.

The Equality Commission has a legal duty to keep under review the exception of schoolteachers. For the purposes of discharging its duty the Commission may conduct investigations. The Commission conducted this investigation in fulfilment of its review duty.

Having given detailed consideration to the investigation findings and the issues related to various options for the future of the teachers exception, the Equality Commission has made to the Office of the First Minister and Deputy First Minister a recommendation that within the Single Equality legislation a further restriction in the school teachers' exemption to teachers in mainstream primary schools should be effected.

The Equality Commission Proposal to Narrow the Exception

The Equality Commissions' consideration was influenced by its position that it is opposed to discrimination in all occupations. The Equality Commission believes that the fair employment law has been of considerable importance in Northern Ireland in improving under-representation and in reducing segregation. Furthermore the Equality Commission believes that the coverage of the legislation should be extensive and any exceptions to the legislation should be narrowly drawn.

Since 1976 when the legislation first outlawed religious discrimination teachers in schools have been exempt. Recently regulations (December 2003) implementing the European Union Directive on Discrimination narrowed the exception for teachers to recruitment only as opposed to employment. The Equality Commission welcomed this more restricted exception. The Equality Commission is of the view that the long-term objective should be to include teachers in the religious discrimination provisions. The Equality Commission therefore believes that within the Single Equality legislation a further restriction in the schoolteachers' exemption to teachers in mainstream primary schools should be effected.

The need to promote equality of opportunity for teachers

The Equality Commission formed the view that the exception of teachers from the legislation outlawing religious discrimination should at present be retained for mainstream primary school teachers only. The protection that is presently available on the grounds of religious belief and political opinion should be enhanced to include all teachers in monitoring and review duties. However the exemption of teachers from Part 111 of the legislation (Discrimination in the employment field) should continue for mainstream primary teachers. The Equality Commission formed this opinion in light of its consideration that the general occupational exemption permitted by Article 70(2) of the Fair Employment and Treatment Order would exempt many more posts in the maintained sector than in the controlled sector and accordingly reduce the relative opportunity for Protestant teachers. This exemption permits the use of religion as a selection factor "Where the essential nature of the job requires it to be done by a person holding, or not holding a particular religious belief".

The need to provide for diversity

The Equality Commission is very aware that the present structures within schools provide for controlled (state) schools, voluntary schools, integrated schools both controlled and grant maintained, Irish Medium and denominational schools. The present majority of denominational schools are Roman Catholic.

The Equality Commission notes the particular value which shared education provides to Northern Ireland as our society grows in diversity of cultures and traditions. The Equality Commission also recognises the rights of the faith communities to religious expression and to denominational schools where they so desire. The Equality Commission emphasises the importance of equal recognition of state and denominational schools. This requires equal funding, common state support and community respect.

In light of the present separate denominational and non-denominational schools systems and the potential demand for distinct provision for Minority Ethnic children there will, on occasions, be a clear need to allow positive discrimination in favour of a teacher of a particular religion. The Equality Commission continues to support this positive discrimination but is of the opinion that this should be more narrowly drawn than at present.

The Equality Commission expects that within the integrated schools, where it is necessary to ensure a workforce which includes Protestants, Roman Catholics and those of other and no religions, it is likely that the need for a staff member of a particular religion will meet the test of essential nature of the job. Similarly the Equality Commission expects that within the present Roman Catholic maintained schools certain posts, especially within the primary sector, will meet the test of the essential nature of the job.

The Equality Commission has given consideration to the impact of the removal of the teachers' exception on Protestant teachers while the general occupational exception is in place. 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.

The Equality Commission believes that it is no longer acceptable to exclude the entire teaching workforce from the fair employment legislative provisions covering all other occupations in Northern Ireland. Teachers should be included in monitoring and review requirements, as are all other occupations. This will ensure that the benefits of annual data collection and the rigour of regular review are brought to the teaching workforce as all other employment groups.

However the Equality Commission believes that it would not improve equality of opportunity for Protestant teachers to remove the exemption entirely given the present situation where the majority of schools divide into distinctly Catholic schools and other non-denominational schools. The Equality Commission accordingly believes that the exemption for Part 111 of FETO should continue for teachers in mainstream primary schools for the present time.

Contents

Page

Executive Summary	1
--------------------------------	----------

Investigation Findings

Composition of Teachers

Teachers Employed	8
-------------------------	---

Teachers Recruited since September 2002.....	10
--	----

Teachers Promoted since September 2002.....	13
---	----

Recruitment Practices	15
------------------------------------	-----------

Public Opinion about the Teachers Exception.....	26
---	-----------

Options For The Future Of The Exception

Removal of Exception	28
-----------------------------------	-----------

Narrowing The Exception.....	29
-------------------------------------	-----------

No Change.....	30
-----------------------	-----------

Background to the Investigation

Introduction	32
---------------------------	-----------

Methodology.....	37
-------------------------	-----------

Appendices

Education Intermediary Organisations involved in discussions.....	43
---	----

Information Request sent to sample schools	44
--	----

Recruitment and Promotion information pro-forma	46
---	----

Recruitment Practices Questionnaire.....	48
--	----

Executive Summary

Background to the Investigation

An exception dating back to the original drafting of Fair Employment legislation in Northern Ireland means that teachers in schools are not protected in employment against discrimination on the grounds of religious belief. The Equality Commission was given and continues to have a duty under Article 71 of the Fair Employment & Treatment (NI) Order 1998 to keep this exception under review.

The Office of the First Minister and Deputy First Minister in developing proposals for a new Single Equality Bill for Northern Ireland asked the Equality Commission to make recommendations on what action might be taken to further equality of opportunity in the employment of teachers in schools. Therefore in fulfilment of its duty to review the exception, the Commission decided to begin inquires into the present structure of education, the arrangements for the employment of teachers and the options for the future of the exception.

As a first step in this review process, Prof. Tony Gallagher and Prof. Seamus Dunn examined the views of individuals and organisations directly involved in education or with a specific educational interest. Their research highlighted the complexity of the issue and concluded that within the educational sector, the exception of teachers from the religious discrimination provisions is widely accepted, and the support for change is a minority view. It is widely recognised in the sector that the exception is a consequence of separate religion schools and there is a wide acceptance of a “chill” factor for teachers.

The Commission, aware that its review duty has the express purpose of furthering equality of opportunity in the employment of teachers, gave detailed consideration to the findings of the research but did not consider that the continuation of the exception will further equality of opportunity for teachers.

Delays in the progress of a Single Equality Bill have provided the Commission with an opportunity to give further consideration to its recommendations. In order to ensure that any recommendations are

evidence based, the Commission decided to undertake an investigation under Article 71(3) and (5) and Schedule 2 of the Fair Employment and Treatment (NI) Order 1998.

Meantime, the implementation of the European Union Framework Directive has had the effect of narrowing the exception to recruitment only. This means that at least some modification to the Teachers Exception has already taken place.

The investigation covered the composition, by reference to religious beliefs, of the staff employed as teachers, or teachers of any class and the practices affecting the recruitment or access to benefits of, or the terms of employment applicable to, such staff or involving any detriment to such staff. The Office of the First Minister and Deputy First Minister asked that the investigation focus specifically on recruitment.

How The Investigation Was Conducted

Given the large number of schools in Northern Ireland (over 1,600), the Equality Commission decided to collect information from a 10% sample of schools representing the key categories in the educational system.

Letters explaining the background, rationale, scope and purpose of the investigation were drawn up and addressed to the Principal and Chairperson of the Board of Governors of each of the 91 schools in the investigation sample and the Chiefs Executive of the Council for Catholic Maintained Schools and 5 Education & Library Boards.

Appended to each letter was a request for information on:

- 1 The community background of teachers
- 2 Teaching positions advertised between September 2002 and September 2003
- 3 Recruitment practices

A period of three months was given for return of the investigation information to the Commission.

As the Commission was keen to receive the views of people in Northern Ireland about the Teacher Exception the letters to the investigation sample encouraged comment from the addressees and teachers in their schools. A document explaining the background, rationale, scope and purpose of the investigation was placed on the Equality Commission website and Notices encouraging public comment were placed in the Belfast Telegraph, Irish News and Newsletter.

Key Findings

The Composition of Teachers Employed in Schools

Although there is no obligation under the Fair Employment legislation for the community background of teachers in schools to be monitored 80 out of the 91 schools involved in the investigation provided compositional information. A known total of 1629 teachers were employed in these schools.

Approximately 85% of teachers in the Controlled schools were from the Protestant community, 5% were from the Roman Catholic community and 10% were from neither community. A similar pattern was found in the one Non-Catholic Voluntary School.

An opposite pattern was found in the Roman Catholic Maintained schools were 98% of teachers were from the Roman Catholic community, less than 1% were from the Protestant community and less than 1% were from neither the Protestant nor the Roman Catholic community. A similar pattern to this was found in the two Catholic Voluntary schools.

In the 3 Grant Maintained Integrated schools 48% of teachers were from the Protestant community, 43% were from the Roman Catholic community and 9% were from neither the Protestant nor the Roman Catholic community. Again this pattern was reflected in the Controlled Integrated School.

The Composition of Recently Appointed Teachers

There was no recruitment in over one third of the schools in the investigation sample and this was not restricted to schools with a small pupil enrolment. A known total of 202 teachers were appointed to the sample schools which did have recruitment since September 2002.

It was only possible to determine the background of some of these. As in the case of present composition the majority appointed to Controlled schools were from the Protestant community, the majority appointed to Maintained schools were from the Roman Catholic community and both Protestants and Roman Catholics were appointed to Integrated schools.

Recruitment Practices

When recruiting teachers externally the majority of schools in the investigation sample ensured that good practice was followed.

Although an interviewee's community background was rarely a factor in the decision to appoint, agreement with the religious ethos of the school was said to carry a high importance in the Roman Catholic Maintained schools.

Candidates were more often required to possess a Certificate in Religious Education in the Catholic Maintained Primary schools than in the Catholic Maintained Secondary level schools. Some Controlled, Grant Maintained Integrated and Catholic Voluntary schools required candidates to possess a Certificate in Religious Education when there was a requirement to teach Catholic pupils at the school.

It was not common practice to conduct exit interviews with teachers who were leaving the sample schools but the majority of schools stated that equal opportunities issues had never been identified as a reason for a teacher leaving.

Public Opinion

Only twelve responses were received as a result of the newspaper notices seeking the views of the public on the Teachers Exception. Whilst it was the view of all respondents that the Exception should be removed, the aspiration was that there should be equality of opportunity for Protestants in Catholic schools, as well as for Catholics in non-Catholic schools.

Investigation Findings

Composition of Teachers

Teachers Employed

Although there is no obligation under the Fair Employment legislation for the community background of teachers in schools to be monitored there was a high level of co-operation with the Commission's request for this type of information to be provided. Compositional information was provided for 80 (88%) of the 91 schools in the investigation sample. Two schools, which refused to monitor the community background of teaching staff, wrote to the Commission stating:

- “As a school community we totally respect the ethos of all pupils, parents, staff (teaching and non-teaching) and Governors. Given that respect we would prefer not to monitor.... the school has never asked any individual to state their religious affiliation.... when pupils enrol their parents will find no question on the data capture form asking for religious denomination.... we do not highlight difference, even in statistical form”
- “As the College does not collect any information on the community background of teachers within its employment nor does it hold any documentation relating to their community background I am unable to help you with this aspect of your investigation”

The number of teachers known to be employed in the 80 schools for which compositional information was provided was 1629. 44% of these teachers were employed in the 38 Controlled schools, 40% in the 35 Roman Catholic Maintained schools, 7% in the 2 Catholic Voluntary schools, 6% in the 3 Grant Maintained Integrated schools, 3% in the 1 Non-Catholic Voluntary school and 1% in the 1 Controlled Integrated school. The number of teachers employed in the Irish Medium School was not provided to the Commission.

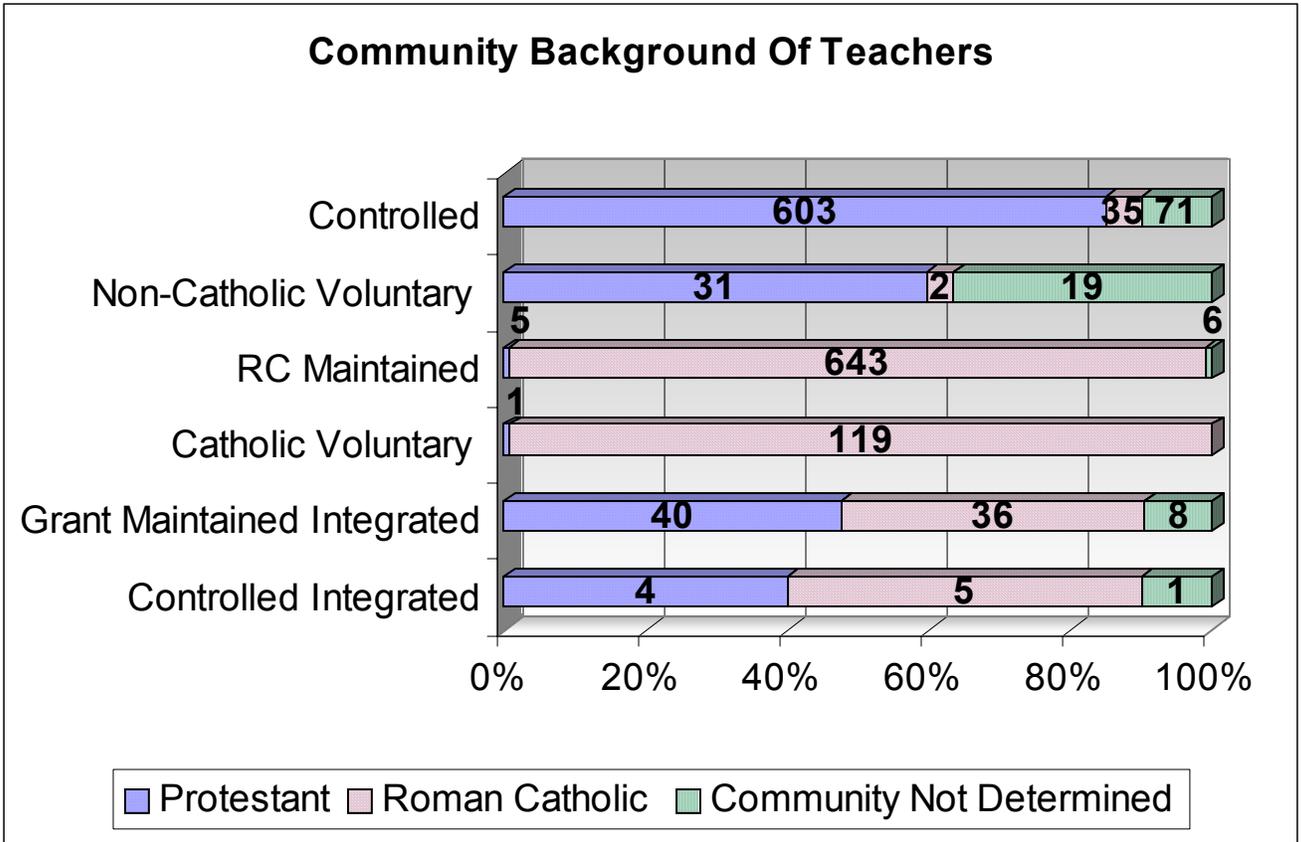


Figure 1

Approximately 85% of teachers in the Controlled schools were from the Protestant community, 5% were from the Roman Catholic community and 10% were from neither the Protestant nor the Roman Catholic community. A similar pattern was found in the one Non-Catholic Voluntary School (Fig 1).

The high percentage of teachers belonging to neither the Protestant nor the Roman Catholic Community is the result of schools in this sector refusing to monitor the community background of their teaching staff.

A pattern opposite to that of the Controlled schools was found in the Roman Catholic Maintained schools where 98% of teachers were from the Roman Catholic community, less than 1% was from the Protestant community and less than 1% was from neither the Protestant nor the Roman Catholic community. A similar pattern to this was found in the two Catholic Voluntary schools (Fig 1).

In the Grant Maintained Integrated schools there was a more balanced composition with 48% of teachers from the Protestant community, 43% from the Roman Catholic community and 10% from neither of these communities. Again this pattern was reflected in the Controlled Integrated School (Fig 1).

Teachers Recruited since September 2002

Since September 2002 more than half of the schools involved in the investigation recruited at least one teacher (Fig 2). There was no recruitment whatsoever in over one third of the schools in the investigation sample and this was not restricted to schools with a small pupil enrolment. 19% of those schools that had no recruitment had an enrolment of less than 100 pupils but 65% had an enrolment greater than 150 pupils.

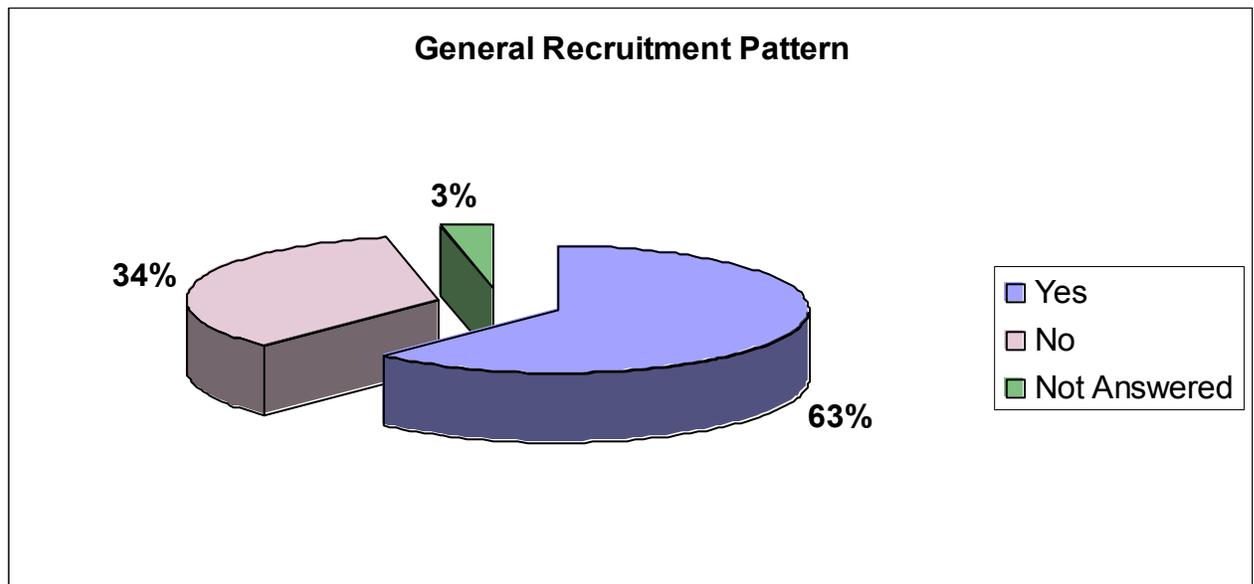


Figure 2

Applicants

Since September 2002 there were a total of 1,921 applicants for teaching posts in the sample schools. Although the majority of

employers in Northern Ireland must monitor the community background of their applicants, this has never been the case with teachers in schools because they have always been outside the provisions of the Fair Employment legislation. Therefore, it was not possible to calculate the percentage of teachers from the Roman Catholic community who applied for posts in the Controlled, Controlled Integrated and Non-Catholic Voluntary schools, nor the percentage of teachers from the Protestant community who applied for posts in the Roman Catholic Maintained and Catholic Voluntary schools in the sample.

Appointees

202 (11%) of those who applied for teaching posts in the sample schools were appointed since September 2002. Some schools supplied information on the community background of teachers appointed since September 2002. In other schools because all teachers were from the same community background it was possible to ascertain the community background of those appointed (Fig 3).

Of the 66 teachers appointed to the Controlled schools it was possible to determine the community background of 33. 26 of these teachers were from the Protestant Community, 4 were from the Roman Catholic community, 3 were from neither the Protestant nor the Roman Catholic community (Fig 3).

Of the 12 teachers appointed to the Non-Catholic Voluntary schools it was possible to determine the community background of just 2. Both teachers were from the Protestant Community (Fig 3).

Of the 67 teachers appointed to the Roman Catholic Maintained schools it was possible to determine the community background of 50 and all were from the Roman Catholic community (Fig 3).

Of the 38 teachers appointed to the Catholic Voluntary schools it was possible to determine the community background of 15 and all were from the Roman Catholic community (Fig 3).

Of the 11 teachers appointed to the Grant Maintained Integrated schools it was possible to determine the community background of 10. 8 of these teachers were from the Protestant Community and 2 were from the Roman Catholic community (Fig 3).

It was not possible to determine the community background of the 7 teachers appointed to the Irish Medium School or the 1 teacher appointed to the Controlled Integrated School (Fig 3).

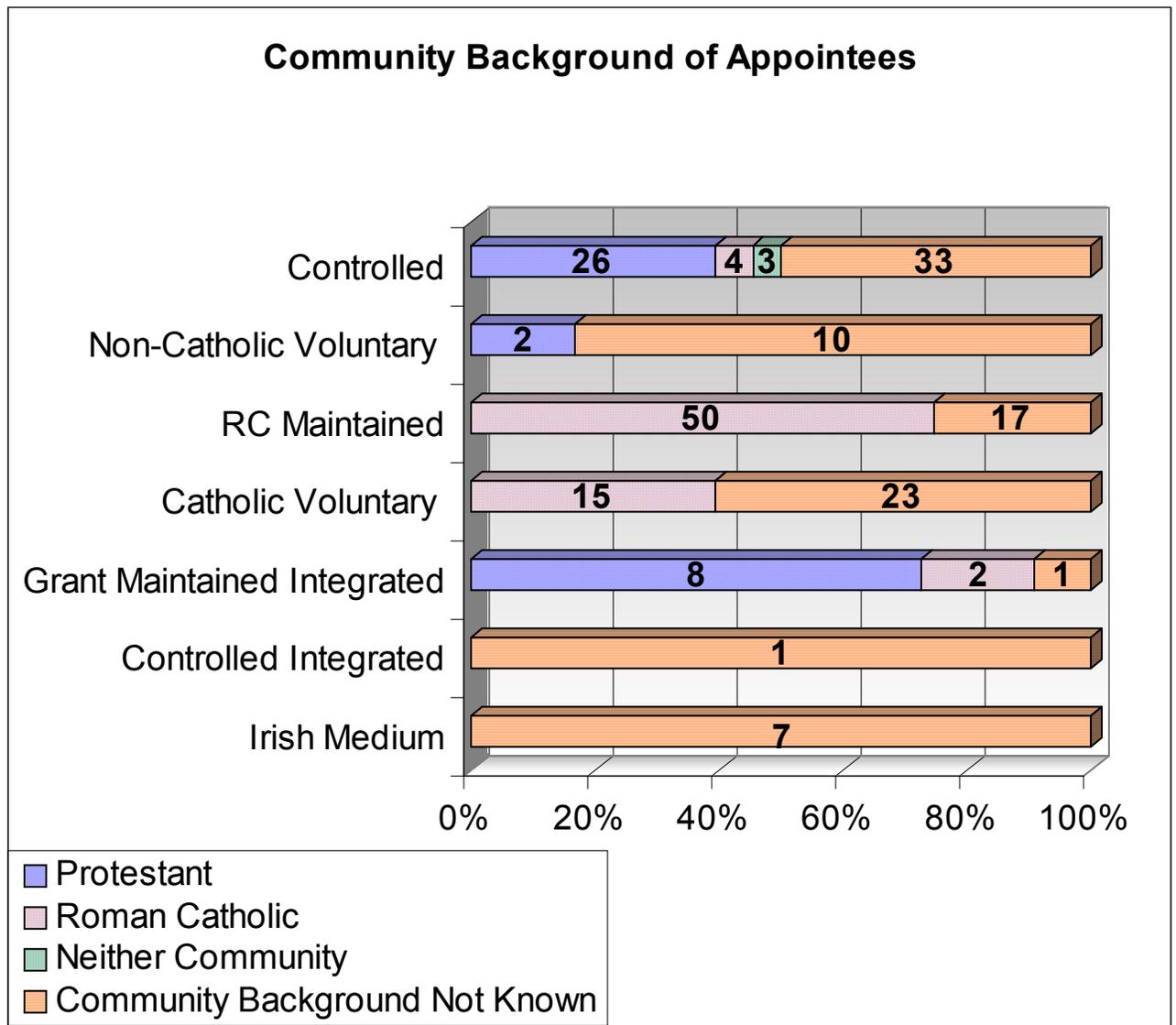


Figure 3

Teachers Promoted since September 2002

Under half of the schools involved in the investigation promoted at least 1 teacher since September 2002.

22 teachers promoted in the Controlled schools involved in the investigation sample were predominantly from the Protestant community (Fig 4).

It was not possible to determine the community background of 12 of those promoted in the Non-Catholic Voluntary School but the other 4 promoted teachers were from the Protestant community (Fig 4).

109 teachers promoted in the Roman Catholic Maintained schools were predominantly from the Roman Catholic community (Fig 4).

It was not possible to determine the community background of just over half (20) of the teachers promoted in the Catholic Voluntary schools. The other 15 promoted teachers were from the Roman Catholic community (Fig 4).

In the Grant Maintained Integrated schools 4 of the teachers promoted were from the Protestant community, and 4 were from the Roman Catholic community (Fig 4).

Community Background of Promotees By Type Of School

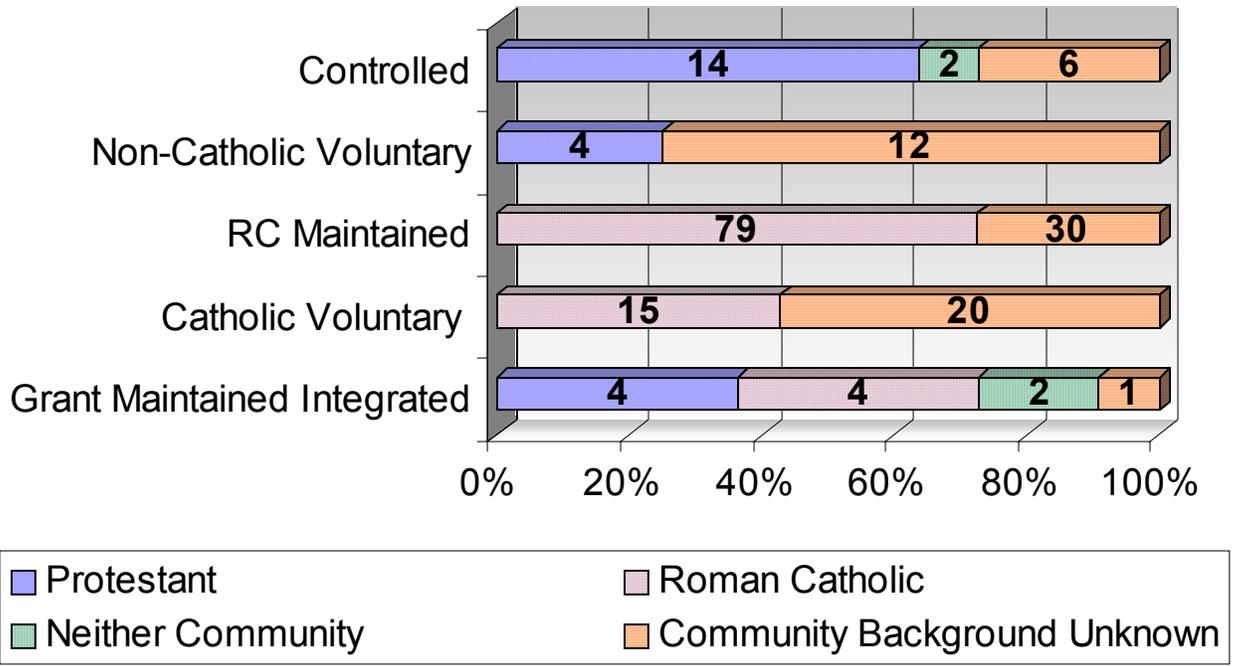


Figure 4

Recruitment Practices

When recruiting teachers externally the majority of schools in the investigation sample (79) always ensured that all eligible and suitably qualified persons were made aware of vacancies and encouraged to put themselves forward for consideration. In relation to internal promotions 48 schools stated that they always ensured that all eligible and suitably qualified persons were made aware of vacancies and encouraged to put themselves forward for consideration.

How Vacancies Were Advertised

The Controlled schools used a combination of newspapers to externally advertise their teaching vacancies. The majority advertised in the Belfast Telegraph (85%), but some also placed advertisements in the Irish News (34%), the Newsletter (41%) and their Education & Library Board website (27%).

All the Grant Maintained Integrated, Catholic Voluntary, Non-Catholic Voluntary schools and the Irish Medium School advertised teaching vacancies in the Belfast Telegraph. The Catholic Voluntary schools, one of the Grant Maintained Integrated schools and the Irish Medium School also advertised teaching vacancies in the Irish News.

Over half (54%) of the Roman Catholic Maintained schools reported that they advertised teaching vacancies in the Irish News and a small number reported that they also advertised in Local Newspapers (3%).

Staff notice boards appear to be the means by which schools advertise opportunities for internal promotions.

Although a few of the schools did not respond, the majority (75) stated that when recruiting their public advertisements for teaching posts always contain a general Equal Opportunity Statement. Rarely did a school place a statement in job advertisements for teaching posts welcoming applications from teachers of a specific community background (Fig 5).

One of the Grant Maintained Integrated schools stated that they “Sometimes” place such a statement in advertisements for teaching posts. A “Welcoming Statement” would be placed in advertisements in circumstances where it is necessary to increase the pool of applicants of a particular community background in order to increase the possibility of maintaining the religious balance of teaching staff in line with the Statement of Principles underpinning the ethos and practice of integrated education.

The Irish Medium School stated that they “Always” place a statement in advertisements for teaching posts encouraging applicants from a specific community background. The school qualified this as being a statement welcoming applicants from the “Irish Language Community”.

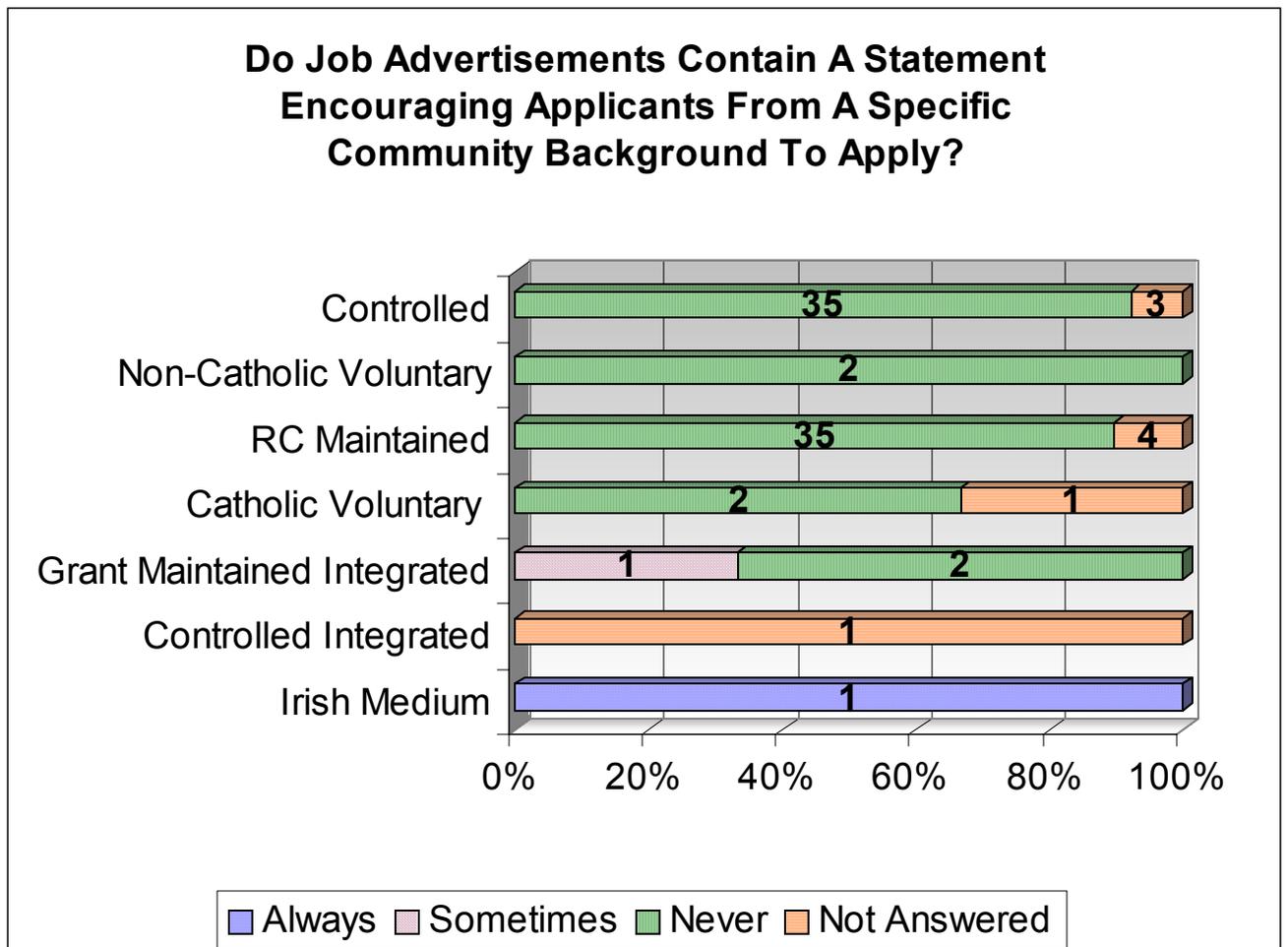


Figure 5

Commitment to the Ethos of the School

The sample schools were asked if their public job advertisements contain a statement that applicants must be committed to the general ethos of the school. This practice is common amongst the Roman Catholic Maintained schools 90% of which responded that public job advertisements “Always” contain this type of statement. The 1 Controlled Integrated School which responded to this question, 1 Grant Maintained Integrated school and the Irish Medium school also responded that public job advertisements “Always” contain a statement that applicants must be committed to the general ethos of the school. All 3 Catholic Voluntary, 2 Non-Catholic Voluntary, 2 of the Grant Maintained Integrated and 24 of the Controlled schools responded that their public job advertisements “Never” contain such a statement (Fig 6).

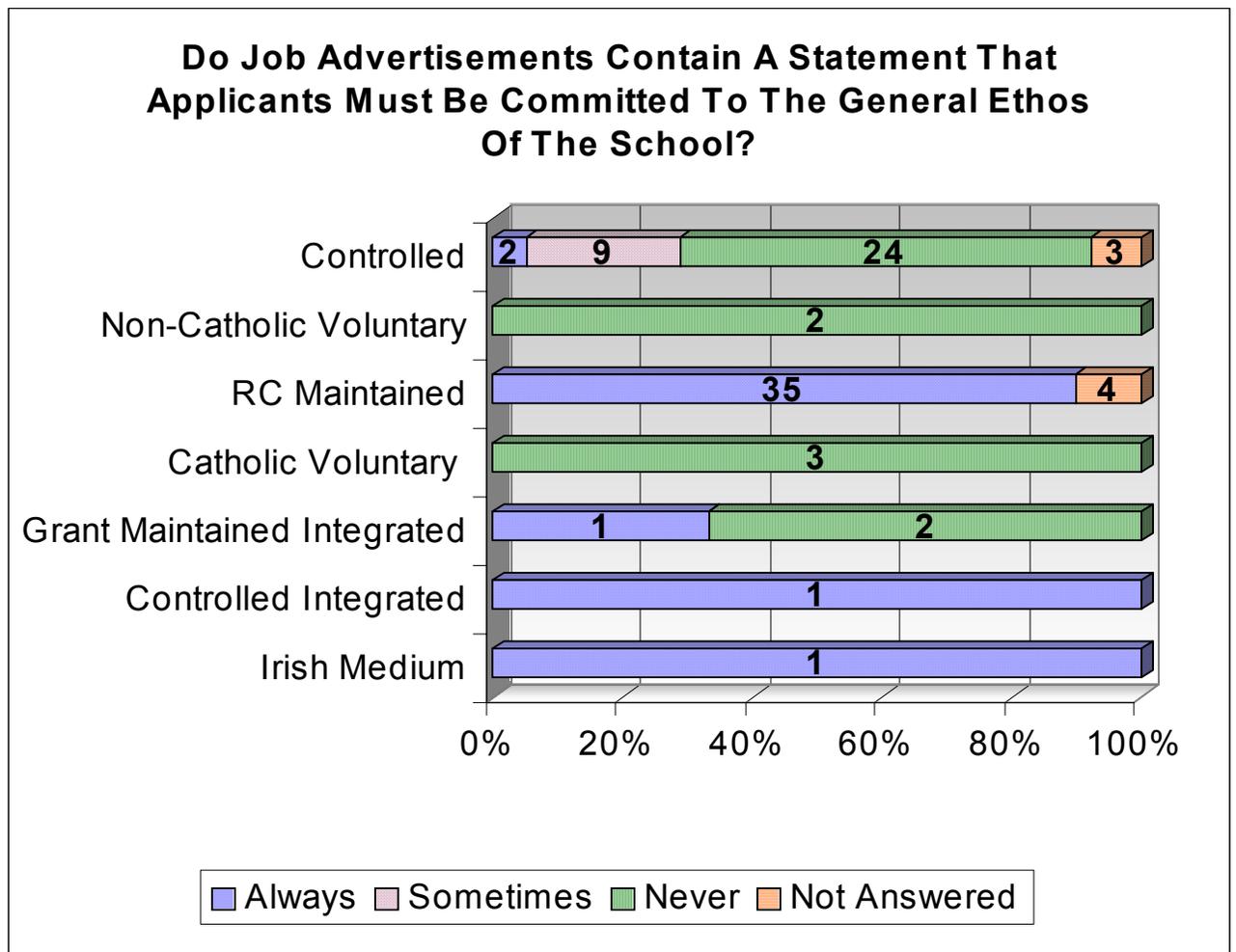


Figure 6

Advertisements for internal promotions never (in 38 schools) contain a statement that the applicant must be committed to the general ethos of the school (32 of the Roman Catholic Maintained schools did not answer this question).

Whether or not such a statement appears in public job advertisements, agreement with the general ethos of the school nonetheless carried a high importance in the decision to appoint in the majority of the schools (Fig 7).

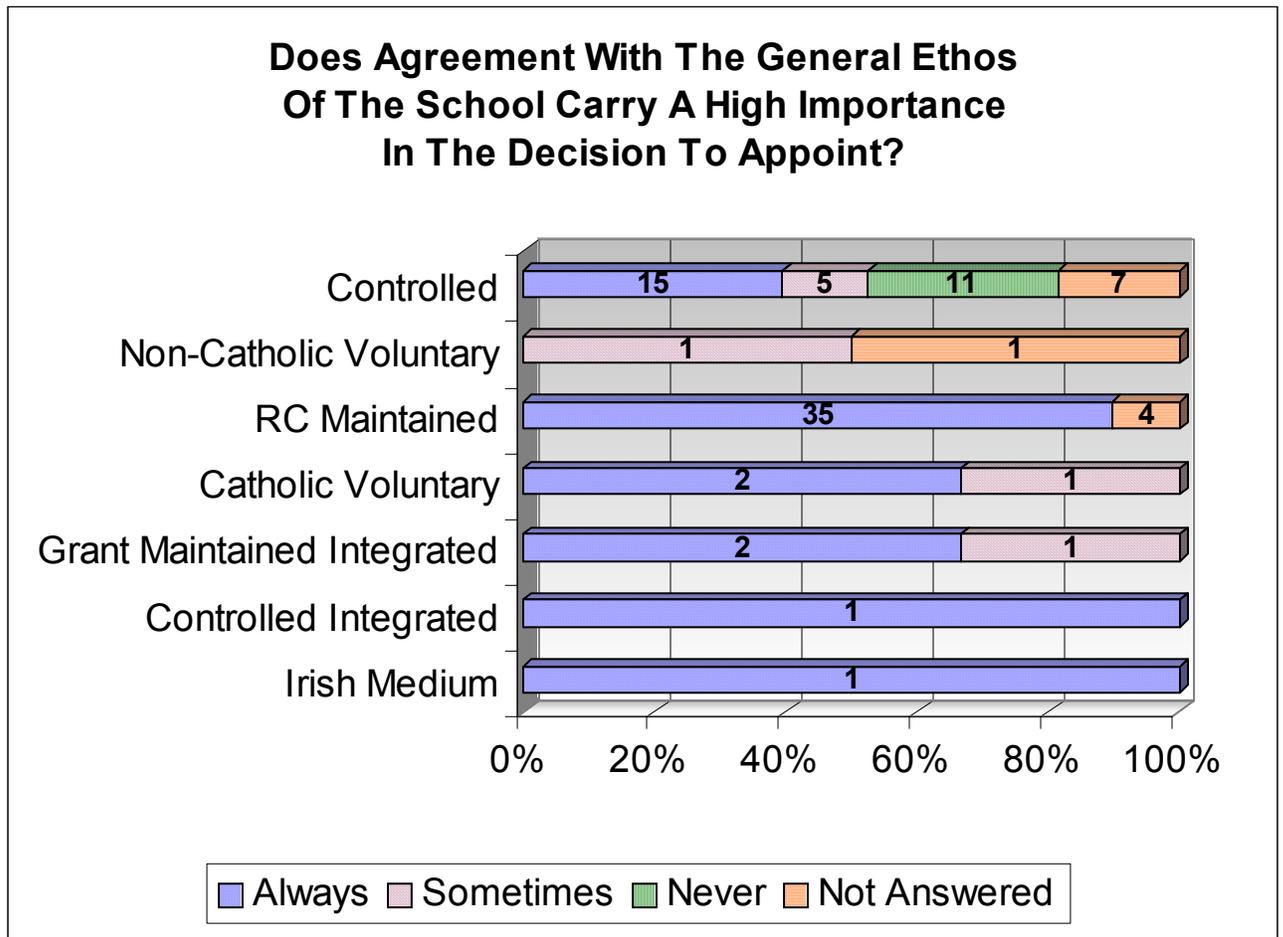


Figure 7

Whilst 40 schools did not answer this question in relation to internal promotions, 25 responded that agreement with the general ethos of the school “always” carries a high importance in the decision to promote teachers and 11 responded that it “sometimes” carries a high importance.

Public advertisements for teaching posts in the majority (90%) of the Roman Catholic Maintained schools contain a statement that applicants must be committed to the religious ethos of the school (Fig 8).

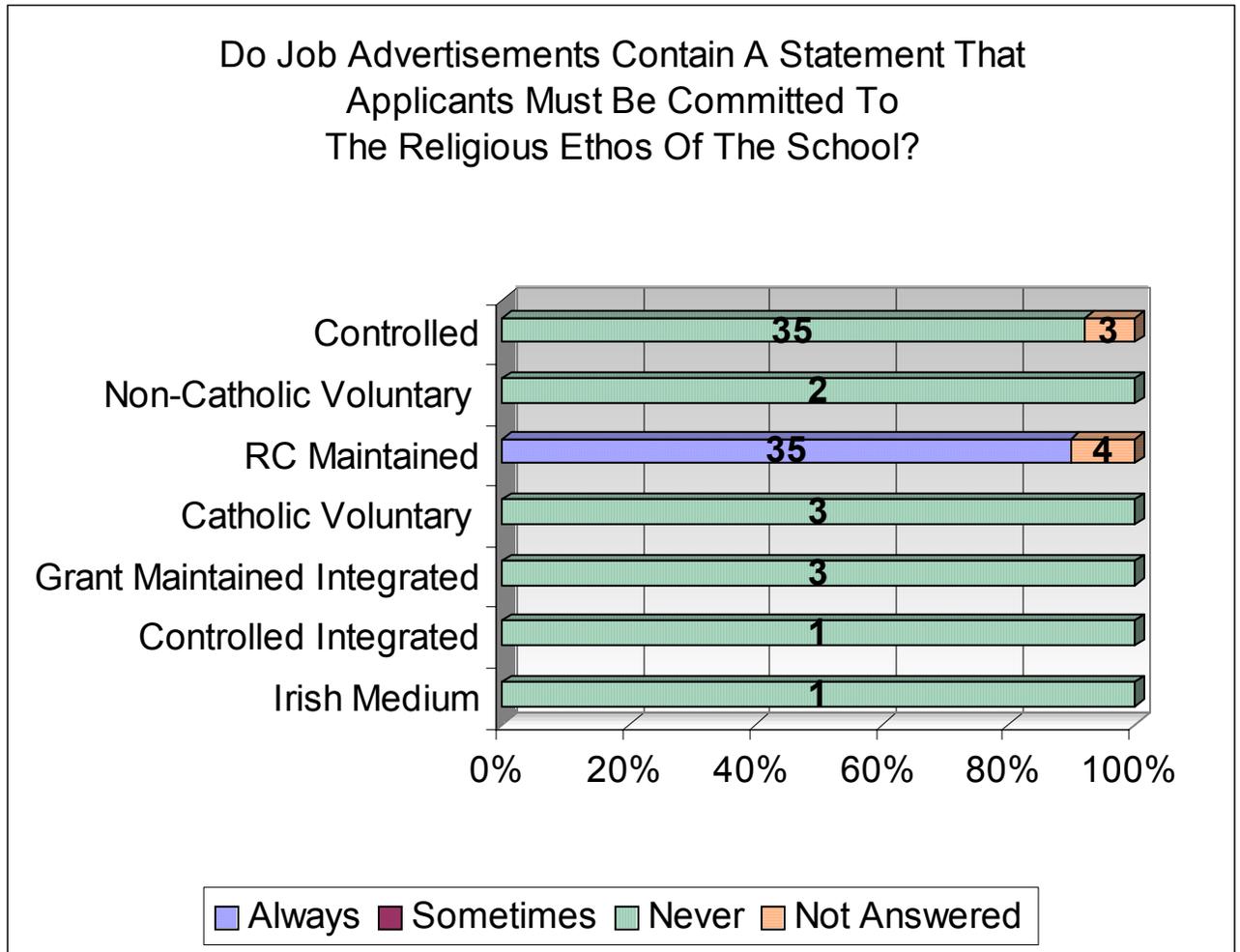


Figure 8

31 of the Roman Catholic Maintained schools did not respond to this question in relation to internal promotions, 6 responded that advertisements for internal promotions “always” contain a statement that applicants must be committed to the religious ethos of the school and 2 responded that advertisements “sometimes” contain such a statement.

Standardized Recruitment Procedures

The majority of schools in the sample prepare job descriptions (79) and personal specifications (74), use standard application forms (80) and never accept a person's Curriculum Vitae instead of an application form (78) in external recruitment exercises.

External recruitment interview panels (in 80 schools) are "Always" properly constituted in relation to the scheme for the management of the particular school. Schools (69) "Always" ensure that the same panel is used at short-listing and interview and all members of interview panels are provided with training or guidance on selection methods (76) and the school's Equal Opportunities Policy (68).

Members of interview panels "always" meet formally before short-listing and interview to decide on the structure and conduct of interviews, relevant and appropriate criteria (e.g. qualifications, experience etc.) to be used in the selection process (80) and the importance to be given to each factor at each stage of the selection process (80). Marking systems are "always" used at interview (in 77 schools) and these were reported as reflecting the criteria for the job (in 77 schools). Selection criteria were said to be strictly job related (in 77 schools) and appropriate in every case (in 80 schools).

58 schools stated that formal procedures (e.g. job descriptions, personal specifications and standard application forms) are "always" used in internal promotion exercises and 15 stated that they were "sometimes" used. Examples of some of the circumstances in which formal procedures are not used were given as:

- 1 For temporary posts
- 2 In renegotiating Posts of Responsibility
- 3 When someone takes on additional duties or responsibilities on a temporary basis
- 4 When employing temporary substitute teachers

Sample schools retain short listing and interview documentation (e.g. application forms, short listing and interview notes, records of questions asked at interview, individual interviewer's assessments and records of panel decisions to appoint or not appoint) for any

period from 1 year to indefinitely. The most common period for which such documents are retained is 3 years for external recruitment and 2 years for internal promotion exercises.

Community Background and the Decision to Appoint

When asked to indicate whether or not an interviewee's community background was in any way a factor in the decision to appoint, only 1 Catholic Voluntary school said that it was a factor whilst 1 Roman Catholic Maintained and 1 Grant maintained Integrated school stated that it was "Sometimes" a factor in the decision to appoint.

However agreement with the religious ethos of the school was said to carry a high importance in 90% of the Roman Catholic Maintained schools, one of the Catholic Voluntary schools and one of the Controlled Integrated schools (Fig 9). Agreement with the religious ethos of the school does not carry a high importance in the decision to appoint in the Controlled, Non-Catholic Voluntary, Grant Maintained Integrated and Irish Medium schools (Fig 9).

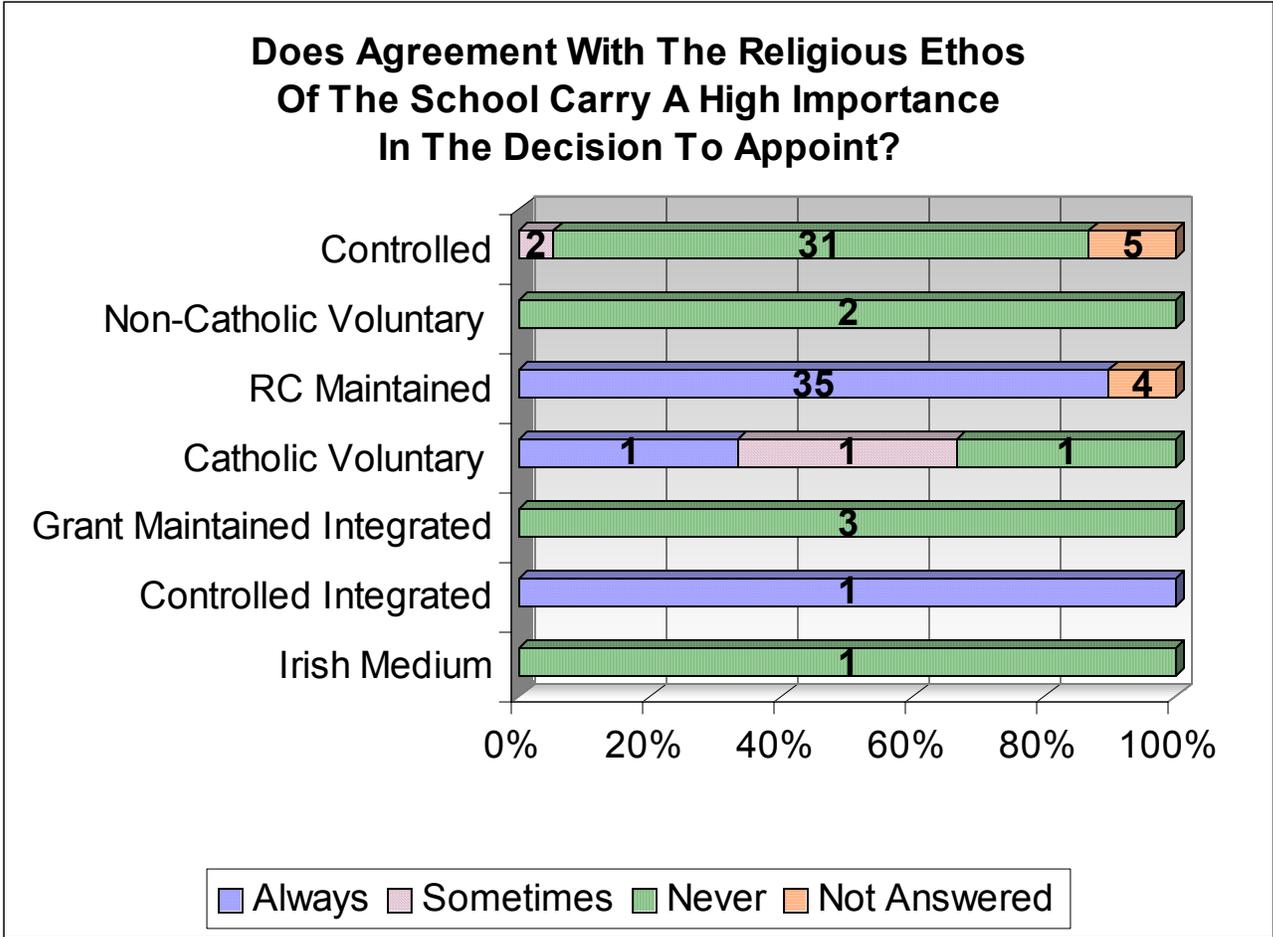


Figure 9

31 of the Roman Catholic Maintained schools did not respond to this question in relation to internal promotions, 6 schools stated that agreement with the religious ethos of the school “always” carries a high importance in the decision to appoint and 2 schools stated that it “sometimes” carries a high importance. 37 of the other schools in the investigation sample stated that agreement with the religious ethos of the school “never” carries a high importance in the decision to promote.

When is a Certificate in Teaching Catholic Religious Education Required?

Candidates were “Always” required to possess a Certificate in teaching Religious Education in 15 of the 23 Roman Catholic Maintained Primary and 1 of the 6 Roman Catholic Maintained Secondary level schools which had external recruitment since September 2002. It was also “Always” required by 1 of the 2 Catholic Voluntary schools which had recruitment (Fig 10).

Candidates were required to possess a Certificate in teaching Religious Education for “Some Posts” in 4 of the 24 Controlled Primary and 2 of the 8 Controlled Secondary level schools which had external recruitment since September 2002 (Fig 10). Principals of these schools stated that applicants were required to possess this certificate for posts in which there was a requirement to teach Catholic pupils at the school. The certificate was also required for “Some Posts” by 1 of the 3 of the Grant Maintained Integrated schools. The Principal of this school stated that it was required “when the need arises”. One Roman Catholic Maintained Primary school and one Catholic Voluntary school also required the certificate for “Some Posts” but did not elaborate on when it would be required.

Candidates were “Never Required” to possess a Certificate in teaching Religious Education in 2 of 3 Grant Maintained Integrated schools, 1 of 2 Non-Catholic Voluntary schools, 15 of 24 Controlled Primary and 4 of 8 Controlled Secondary level schools which had external recruitment (Fig 10).

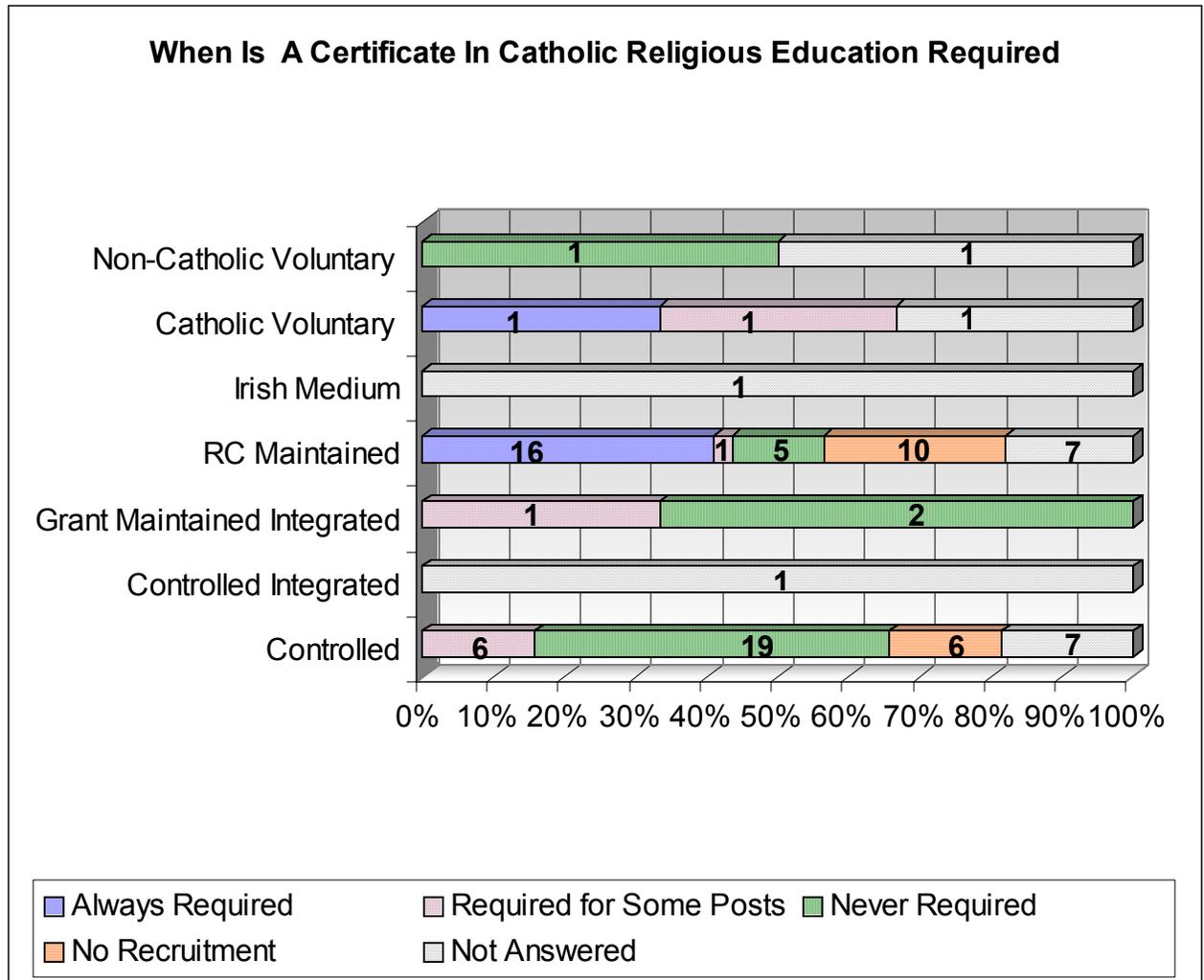


Figure 10

Checks On Interview Questions

Over half of the Roman Catholic Maintained schools (54%), 2 of the Catholic Voluntary, 1 of the Non-Catholic Voluntary and 1 of the Grant Maintained Integrated schools stated that questions asked at interview were checked for the possibility that a person might be treated less favourably for a reason relating to his or her community background (Fig 11). In contrast, only 2 of the Controlled schools stated that questions were checked and more than one third stated that questions were not checked for this possibility (Fig 11).

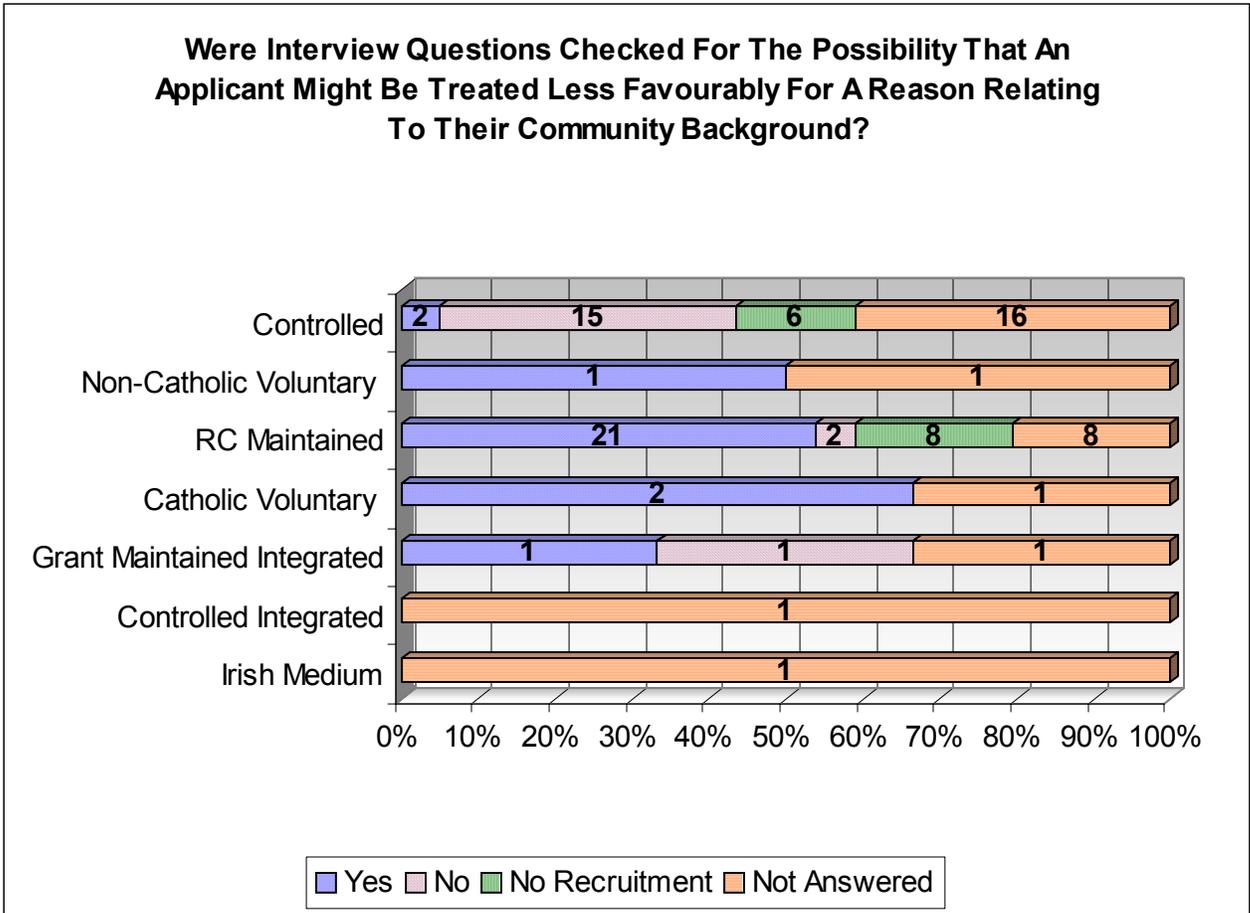


Figure 11

Exit Interviews

It was not common practice to conduct exit interviews with teachers who were leaving the sample schools. 14 schools “always”, 6 schools “sometimes” and 57 schools “never” conducted exit interviews.

When asked if any equal opportunities issues had ever been identified as a reason for a teacher leaving, 75 schools responded “never”, 2 schools responded “sometimes” and 1 school responded “always”. The school, which responded “always”, did not state what equal opportunities issue(s) had been identified and neither did one of the 2 schools which responded “sometimes”. The other school which responded “sometimes” stated the issue identified was “leaving to start a family”.

Public Opinion About The Teachers Exception

The Equality Commission placed information about the Teacher Exception Investigation on its website and invited comments from members of the public but this did not produce any response.

In March 2004 Public Notices about the investigation were placed in the Belfast Telegraph, Irish News and Newsletter again inviting comments from the public. Only 12 responses were received.

All of the respondents thought that the Exception should be removed. Equality of opportunity for Protestants in Catholic schools, as well as for Catholics in non-Catholic schools was common goal.

Throughout the investigation Commission staff met with a number of representatives of education intermediary organisations to seek advice on the conduct of the investigation, provide information about the progress of the investigation and seek views on the future of the Exception. Whilst equality of opportunity for schoolteachers was the main priority of the education intermediary representatives, opinions on the future of the Teachers Exception were varied.

In reaching a decision on their recommendation to the Office of the First and Deputy First Minister in relation to the Teachers Exception the Commission gave careful consideration to all opinions expressed.

Options For The Future Of The Teachers Exception

Removal of Exception

Not only is removal of the Exception the Equality Commission's original recommendation to the Office of the First Minister and Deputy First Minister, it is the preferred option of all those who responded to the Commission's request for public views. Like the Commission, all respondents felt that retaining the exception will do little to further equality of opportunity in employment for teachers.

In their research Seamus Dunn & Tony Gallagher outlined a number of factors contributing to a 'Chill' for schoolteachers including:

- 1 Deep seated divisions within our society
- 2 Perceptions of the influence of the church in some schools
- 3 Lack of desire amongst teachers to move outside the tradition in which they themselves were educated
- 4 The requirement to have a Certificate in Teaching Catholic Religious Education
- 5 Schools which have traditionally employed a majority of one community

It must be recognised that should the exception be removed, many of these factors in addition to the fact that many of our schools are physically located within communities strongly aligned to a particular political tradition may not change and therefore continue to act as a "Chill" for teachers.

The Commission is aware that it is a basic human right of every parent to be able to choose for their child to be educated in a school of any particular religious belief, or in one of no religious belief. There is no evidence to suggest that removing the Exception will in any way affect parents' decisions to enrol their children in schools with a particular religious ethos. Removing the Teachers Exception has nothing to do with creating a secular or an integrated education system. It will not automatically herald an end to the system of denominational education which presently exists.

Removal of the Exception could however have serious implications for the Integrated Education Sector in Northern Ireland because schools at times need to positively discriminate on the grounds of community background in teacher recruitment in order to maintain a workforce balance in line with the ethos of integrated education.

Controlled Schools would be unfairly disadvantaged in comparison to Roman Catholic Maintained schools in relation to justification of decisions should an unsuccessful job applicant decide to lodge a discrimination complaint with the Fair Employment Tribunal. It is the strongly held belief of the Council for Catholic Maintained Schools that should a challenge be raised against one of their schools on the grounds of religious discrimination, their well-documented religious ethos would be a justification of recruitment decisions.

Removal of the Exception would lead to an increase in the number of complaints of religious discrimination lodged with the Fair Employment Tribunal. The merits of each complaint would have to be considered on an individual basis.

The one political party (Ulster Unionist Party) who responded to the Commission's request for views on the exception stated:
"The institutions established by the Belfast Agreement are based on the principles of inclusivity, equality and mutual respect. It is our intention that these principles are extended in practice to all areas of public life and the removal of the exception for teachers in the Fair Employment and Treatment Order is an outworking of that commitment".

Narrowing The Exception

There might a justification for the Exception to remain for Primary level teachers only. This investigation has already highlighted that the majority of Roman Catholic Maintained Primary schools require candidates to possess the Certificate in Teaching Catholic Religious Education whereas schools at secondary education level rarely require this. The reason being that unlike secondary level education, religious education is taught by every teacher to every class in the primary sector.

If the Exception were to be restricted to Genuine Occupational Qualification, this would only offer a justification at the stages when preparation for Confession, Communion and Confirmation takes place. Currently this is at Primary level but the Catholic Church

retains the right to change this on doctrinal grounds and would not welcome legislative restrictions on this right. At Secondary level a Genuine Occupational Qualification would restrict the Exception to teachers of Religious Education as a single subject.

No Change

According to the research by Seamus Dunn & Tony Gallagher, those associated with or representative of religious denominations and the Catholic Church in particular are most strongly opposed to any change in the exception. Dunn & Gallagher state, “The central point for many was that Catholic children should have the right to be educated within the Catholic faith in an institution that reflected that ethos. This implied that it was a basic human right to have denominational schools and the state should not move to oppose that right.” The position in relation to the Protestant Churches was the need for parity between the maintained and controlled schools. “A removal of the exception provisions might be possible if it applied equally to both. However, the requirement for teachers in (primary) maintained schools to have an RE certificate, meant that Protestants were excluded, and so there would not in fact be a ‘level playing field’. A form of discrimination already existed, it was argued, in that ‘Catholics could apply to controlled schools, but Protestants could not apply to Catholic schools’. As it stands, therefore, the teacher exception clause did at least give controlled schools some protection”.

Whilst the majority of employees in Northern Ireland are protected under the Fair Employment Legislation against religious discrimination, should there be no change in the status of schoolteachers the issue continues to be one of denial of protection for those employees. The recent introduction of the provisions of the European Union Framework Directive has the effect of protecting promotion but not recruitment. It is doubtful whether this will promote equality of opportunity for teachers where recruitment patterns remain the same because how can those teachers who are not recruited be promoted?

Background to the Investigation

Introduction

The Fair Employment and Treatment (Northern Ireland) Order 1998 (FETO) makes it unlawful to discriminate against someone in recruitment, employment or promotion on the grounds of religious belief or political opinion. This includes a person's supposed religious belief or political opinion and the absence of any, or any particular, religious belief or political opinion.

The Order defines discrimination as the less favourable treatment of a person on either of those grounds. It includes applying a requirement or condition, which though applied equally to all, has the effect that a considerably smaller proportion of people of a particular religious belief or political opinion can comply with it and non-compliance causes detriment to individuals who cannot comply. Such a condition or requirement would not be unlawful if it can be justified on grounds other than religion or political opinion. Discrimination also includes the victimisation of a person because he/she has asserted, or assisted another person to assert, their rights under the Order. Under the legislation a person who believes that he/she has been discriminated against for a reason relating to his/her religious belief or political opinion may bring a complaint to the Fair Employment Tribunal.

Public Authority and private sector employers in Northern Ireland with 11 or more employees are required by the Order to register with the Equality Commission; monitor the community composition of their applicants and employees; and carry out a 3 yearly review of their workforce composition and employment practices. In so doing, employers may:

- 1 Establish whether or not fair participation is being afforded and is likely to continue to be afforded to members of the Protestant and Roman Catholic communities
- 2 Establish whether or not their employment procedures are operating well and will continue to do so
- 3 Decide upon any reasonable and appropriate affirmative action to encourage applications from the under-represented community.

Under Article 71 of the Order schoolteachers in Northern Ireland, namely those employed in primary, secondary and grammar schools are exempt from the provisions of the Order. In relation to employment as a teacher, this means that those persons who believe they may have been the subject of religious discrimination cannot bring a complaint under the legislation. It also means that unlike the majority of employers in Northern Ireland, there is no requirement on employers of teachers to monitor the religious composition of their employees or those applying for positions. Similarly, education providers are not required to implement affirmative action procedures, which would encourage applications from the under-represented community. The “teacher exception”, as it is commonly known, has been in place since the original Fair Employment Act of 1976.

At the time of drafting the original Fair Employment legislation in 1976 concerns about the inclusion of teachers were expressed by various interest groups. Roman Catholic educational interests were concerned that the Act could eventually lead to a system of non-denominational education, with a resulting loss of Catholic ethos. On the other hand, Protestant educational interests were concerned that Protestant teachers would be placed in an unduly unfavourable position. They believed that the state education system would come within the scope of the legislation, while the maintained schools, which are in the main Catholic, would not as they could conceivably claim that religion was a bona fide occupational qualification. In other words, Roman Catholics would have a right to equality of opportunity in state schools but Protestants would not have the right to equality of opportunity in Catholic schools.

The Government at the time decided to exempt teachers in schools from the provisions of the fair employment legislation, and gave responsibility for keeping the exception under review to the Fair Employment Agency.

This duty (to keep the exception under review) has continued right up to the present under the Fair Employment and Treatment (NI) Order 1998 and is set out in Article 71(2).

On 27 November 2000 the Council of the European Union adopted a

Framework Directive for Equal Treatment in Employment and Occupations (2000/78/EC) arising from the Treaty of Amsterdam. Article 15(2) of the Directive specifically exempts from the religion and belief provisions of this Directive the employment of teachers in schools in Northern Ireland. The text of Article 15(2) is as follows:

“In order to maintain a balance of opportunity in employment for teachers in Northern Ireland while furthering the reconciliation of historical divisions between the major religious communities there, the provisions on religion or belief in this Directive shall not apply to the recruitment of teachers in schools in Northern Ireland in so far as this is expressly authorised by national legislation.”

Committed to “promoting equality of opportunity and tackling discrimination through strong laws and effective public policies” and conscious that “differences in these pieces of legislation can lead to difficulties in interpretation of the law and confusion for employers and service providers and for those to whom the law is designed to offer protection”, the Office of the First Minister and Deputy First Minister issued a consultation paper in 2001 on a proposal to develop a Single Equality Bill for Northern Ireland.

This Bill would harmonise the existing anti-discrimination law in Northern Ireland and apply to all forms of discrimination. The consultation noted that in a Single Equality Bill for Northern Ireland the “teacher exception” would need to be amended to reflect the EU Framework Directive. The current exception in the Fair Employment & Treatment Order applies to **employment** as a teacher in a school. This contrasts with the Framework Directive, which only exempts from non-discrimination provisions the **recruitment** of teachers in schools in Northern Ireland. The narrowing of the present exception to recruitment brings such areas as promotion within the scope of the fair employment legislation.

In fulfilment of its duty to keep under review the schoolteachers exception in FETO, and in preparation for the Single Equality legislation, the Equality Commission decided to begin enquiries into the present structure of education, the arrangements for the employment of teachers, and the options for the narrowing of the exception.

As part of these enquiries Seamus Dunn and Tony Gallagher were commissioned in 2002 to examine the views of those within the education sector on:

- The abolition of the teacher exception;
- The retention of the teacher exception for some, but not all, educational levels;
- The retention of the teacher exception for specific types of teaching posts.

The study included desk research of relevant documents and criteria used in the advertising and selection of teachers in schools, in-depth interviews with representatives of key organisations and a wide range of educational interests and focus groups with student teachers.

Key Themes of the Study

- Little evidence that the practical consequences of the teacher exception were discussed much by educational bodies;
- A wide acceptance by those within the educational sector of the exception of teachers from the religious discrimination provisions;
- The exception seen, even amongst teachers and student teachers, as an inevitable consequence of an educational system that permits separate denominational schools;
- A widespread acceptance of a “Chill Factor” for teachers i.e. that very few Protestant teachers apply for jobs or actually work in maintained schools and very few Catholic teachers apply for jobs or actually work in controlled schools;
- Most of the Churches in favour of retaining the teacher exception, particularly the Roman Catholic Church;
- The argument for the maintenance of the exception particularly strong in relation to Catholic primary school teachers since they are involved in significant level of preparation for religious rituals;
- Employing authorities indicated that in recruitment decisions they applied direct religious tests or used indirect factors such as asking candidates how they could contribute to the ethos of a school or through giving weight to particular references on character.

The study found that a reluctance to support change either partially or fully was held in varying degrees by different groups. For example since the drafting of the original Fair Employment legislation “the emergence of the integrated schools has introduced a new element into the picture, since any removal of the teacher exception is likely to cause some difficulties for their desire to maintain a religious balance in their teacher workforce”.

The Commission gave detailed consideration to the views expressed in the Dunn and Gallagher research. Whilst it took these on board, it is particularly aware that its review duty has the express purpose of furthering equality of opportunity in the employment of teachers. Taking into account the accepted Chill Factor in addition to the acknowledged application of direct and indirect religious tests in the recruitment of teachers the Commission did not consider that the continuation of the exception would so further equality of opportunity. In its response to public consultation, the Commission formally recommended to the Office of the First Minister and Deputy First Minister that teachers in schools should come within the ambit of the religious discrimination provisions of the Single Equality Act.

A number of factors contributed to progress on the Single Equality Act being delayed thereby opening up an opportunity for the Commission to give further detailed consideration to its recommendations generally. The implementation of the EU Framework Directive necessitates at least some modification to the Teacher Exception. The Commission is prepared in light of further evidence to reconsider its recommendations in respect of the Single Equality Act.

In order to consider further this issue and to ensure that its recommendations are based on evidence of the current situation rather than subjective opinion, the Commission decided to undertake an Investigation of the exception as set out in Article 71(3) and (5) and Schedule 2 of the Fair Employment and Treatment (NI) Order 1998. The Office of the First Minister and Deputy First Minister being informed of this decision requested that the investigation focus specifically on recruitment practices.

Methodology

Because of his detailed knowledge of the school sector in Northern Ireland Prof. Tony Gallagher was consulted on:

- 1 A robust method for selecting a representative sample of schools for the investigation
- 2 Methods of collecting information on employment practices.

His advice was that the traditional denominational or church relationships should be factored into a sampling frame (Table 1).

Category	Primary	Grammar	Secondary
Denominational	Maintained	Voluntary Catholic	Maintained
Church-related	Controlled	Controlled	Controlled
Integrated	Grant Maintained & Controlled		Grant Maintained & Controlled
Other	Voluntary Prep	Voluntary	
Other	Maintained Irish Medium		Maintained Irish Medium

Table 1 Schools by Traditional Denominational / Church Relationship

In order to ensure that the sample would be representative of rural as well as urban schools, Prof. Gallagher also suggested that the geographical spread of schools, as determined roughly by their Education and Library Board location, should be factored into the sampling.

In relation to an analysis of recruitment practices, Prof. Gallagher advised that the hiring decisions of the investigation sample for a set school year be obtained.

Schedule 2 of the Fair Employment and Treatment (NI) Order 1998 prescribes the conduct of investigations. Before initiating an investigation the Commission must:

- 1 Serve on every person whose practices it intends to investigate, a notice of its intention to hold the investigation
- 2 Supply to them written particulars of the scope and purpose of the investigation

- 3 Give them an opportunity to comment on the matters, which are the subject of the investigation.

In order to assist it to fulfil its responsibility for keeping the exception under review, the power to obtain information was given to the Commission under Article 71(5) of the Fair Employment and Treatment (NI) Order 1998, which states:

“Schedule 2 shall have effect with respect to the conduct of investigations under this Article”.

Schedule 2 Paragraph 7 of the Order states:

“For the purposes of the investigation the Commission may require any person who in its opinion is able to furnish information or produce documents relevant to the investigation to furnish any such information or produce any such documentation”.

Rather than adopting an adversarial relationship by invoking these powers, the Commission was keen to conduct the investigation in a spirit of co-operation with those employing teachers. Beginning in July 2003 the Commission had discussions with representatives of a number of education intermediary bodies about how best to initiate the investigation.

How A Sample of Schools Was Identified

A list of Primary, Secondary and Grammar schools and their 2002 enrolment obtained from the Department of Education for Northern Ireland. Given that there were in excess of 1,600 pre-school, primary and secondary schools in Northern Ireland, the Commission decided to collect information from a 10% sample of schools representing the key categories suggested by Prof. Gallagher. The Commission felt that schools with a small enrolment may not have had any recent recruitment so it drew an original sample from primary schools with an enrolment of 150 or more pupils and secondary and grammar schools with an enrolment of 200 or more pupils. However representatives of the education intermediary bodies felt that the sample should be representative of the Northern Ireland experience regardless of employment turnover. Taking this on board, the Commission redrew the sample randomly from schools with 75 or

more pupils within the educational categories advised.

Table 2 shows that the first phase of sampling identified the number of schools in each management category by educational level that were to be drawn.

Educational Management Category	Primary		Grammar		Secondary	
	Number of Schools	Sample Size	Number of Schools	Sample Size	Number of Schools	Sample Size
RC Maintained & Voluntary Catholic	307	31	0	0	76	8
Voluntary Catholic	0	0	32	3	0	0
Controlled	323	32	17	2	69	7
Grant Maintained Integrated	17	2	0	0	13	1
Controlled Integrated	7	1	0	0	4	1
Non-Catholic Voluntary	0	0	11	1	0	0
Non-Catholic Voluntary with Prep School	0	0	11	1	0	0
Irish Medium (Irish Medium)	9	1	0	0	1	0
Total	663	67	71	7	163	17

Table 2: Number of Schools by Educational Level & Management Category

The purpose of the second sampling phase was to break down the number of schools in each cell of Table 2 by Education and Library Board in order to achieve a geographical spread. Schools were

grouped by educational level, educational management category and Education & Library Board area. Table 3 shows the 10% sample of schools in each management category and educational level that were to be drawn in each Education & Library Board area.

		Primary	Secondary	Grammar
BELB	Controlled	4	1	
	RC Maintained	4	1	
	Irish Medium	1		
	Voluntary Catholic			1
	Voluntary with Prep School			1
	Total	9	2	2
NEELB	Controlled	10	2	
	RC Maintained	6	2	1
	Grant Maintained Integrated	1		
	Non-Catholic Voluntary			1
	Total	17	4	2
SEELB	Controlled	8	1	
	RC Maintained	4	1	
	Controlled Integrated	1	1	
	Total	13	3	0
SELB	Controlled	6	2	
	RC Maintained	9	2	
	Grant Maintained Integrated	1		
	Voluntary Catholic			1
	Total	16	4	1
WELB	Controlled	4	1	1
	RC Maintained	8	2	
	Grant Maintained Integrated		1	
	Voluntary Catholic			1
	Total	12	4	2

Table 3: Geographical Spread of Sample Schools

Schools in each group identified in Table 3 were sorted by number of enrolled pupils (in descending enrolment order). A list of random numbers was generated for the 10% sample of each group. The schools with a number corresponding to the random numbers generated for that specific group were identified as the investigation sample.

How The Investigation Was Commenced

Letters explaining the background, rationale, scope and purpose of the investigation were drawn up and addressed to the Principal and Chairperson of the Board of Governors of each of the 91 schools in the investigation sample and the Chiefs Executive of the Council for Catholic Maintained Schools and 5 Education & Library Boards. Those addressed to the Principal and Chairperson of the Board of Governors of the Voluntary, Grant Maintained Integrated and Irish Medium Schools were posted directly by the Commission. Those addressed to the Principal and Chairperson of the Board of Governors of the Controlled Schools (including the Controlled Integrated schools) and Roman Catholic Maintained schools were forwarded through their employing authorities (i.e. the Council for Catholic Maintained Schools and 5 Education & Library Boards). Appended to each letter was:

1. A request for information on the community background of teachers employed in the school and copies of the school's recruitment policies (see Appendix 2)
2. A table to be completed giving information on the number of teaching recruitment and promotion positions advertised, short-listed and appointed during the period September 2002 until September 2003 (See Appendix 3)
3. A tick-box questionnaire about teaching recruitment practices (See Appendix 4).

A period of three months was given for return of the investigation information to the Commission.

As the Commission was keen to receive the views of people in Northern Ireland about the Teacher Exception the letters to the

investigation sample encouraged comment from the addressees and teachers in their schools on the matters, which were the subject of the investigation. A document explaining the background, rationale, scope and purpose of the investigation was placed on the Equality Commission website encouraging public comment.

Education Intermediary Organisations Represented At Discussions on the Investigation

Department of Education Northern Ireland
Belfast Education & Library Board
Comhairle na Gaelscolaíochta
Council for Catholic Maintained Schools
Governing Bodies Association (NI)
North Eastern Education & Library Board
Northern Ireland Council for Integrated Education
South Eastern Education & Library Board
Southern Education & Library Board
Western Education & Library Board
Diocesan Committee on Social Affairs
Transferors Representative Council
Irish National Teachers Organisation
National Association of Head Teachers (NI)
National Association of Schoolmasters & Union of Women Teachers
Ulster Teachers Union
Staff Commission for Education & Library Boards

Also Represented

Office of the First Minister & Deputy First Minister

Information Request

1. A breakdown of the perceived community background of teachers in the school.

The Commission requires information on the composition by reference to perceived community background of the staff employed as teachers in the sample schools; the position they hold including any post of responsibility, their length of service, i.e. their initial date of appointment to the school and their date of appointment to their current post.

If the employing authority (Education & Library Boards, CCMS or sample schools) does not presently hold information on the composition by reference to community background then the Commission requests the employer to collect this information.

The Commission recommends that you do this by:

- Issuing a monitoring questionnaire to all teaching staff within the sample schools
- Making a determination of community background using the Direct Question
- If necessary, applying the Residuary Method
- Disclosing the determination of community background to each individual and giving them an opportunity to correct any material inaccuracy in the information taken into account in making the determination.

The Commission is happy that the employing authority does this using the documents currently used to monitor non-teaching staff.

- 2. A copy of the scheme of management for each school in the investigation sample.**
- 3. Copies of the policies and procedures governing the recruitment and promotion of teachers in the sample schools.**
- 4. A copy of all job descriptions and personnel specifications used in the recruitment and promotion of teachers in the sample schools.**
- 5. Copies of the employing authority's teaching advertisement policy or a list of all newspapers used to advertise any teaching posts from September 2002.**
- 6. Details of all recruitment decisions (including promotions) in the sample schools from September 2002.**

Please indicate on Appendix 1

 - where posts were advertised
 - how many posts were advertised
 - how many were permanent posts and how many were temporary posts how many applicants were there for each post
 - how many were short-listed for each post
 - how many were appointed
- 7. For each teaching post in the sample schools from September 2002, please indicate:**
 - a. Whether or not the questions asked at interview were checked for the possibility that a person might be treated less favourably for a reason relating to his or her community background.
 - b. Whether or not an interviewee's community background was in any way a factor in the decision to appoint.
 - c. For which posts candidates were required to possess a certificate in religious education.
- 8. Please also complete and return Appendix 2 Recruitment and Selection Questionnaire.**

Appendix 3

Teaching posts recruited since September 2002

Job Title	Where Advertised	Permanent (P) or Temporary (T) Post	Number of Applicants	Number Shortlisted	Number Appointed

Promotions since September 2002

Job Title	Where Advertised	Permanent (P) or Temporary (T) Post	Number of Applicants	Number Shortlisted	Number Appointed

«School_Name»

Advertising Vacancies

	Recruitment			Internal Promotions		
	Always	Sometimes	Never	Always	Sometimes	Never
Are all eligible and suitably qualified persons made aware of vacancies and encouraged to put themselves forward for consideration?						
Do job advertisements contain a statement that applicants must be committed to the general ethos of the school?						
Do job advertisements contain a statement that applicants must be committed to the religious ethos of the school?						
Do job advertisements contain a statement encouraging applicants from a specific community background to apply?						
Please state your Equal Opportunities Statement used in advertisements of teaching posts.						

Recruitment Documentation

	Always	Sometimes	Never
Have job descriptions been prepared?			
Have personnel specifications been prepared?			
Do you use standard application forms?			
Do you accept a person's Curriculum Vitae instead of an application form?			

Internal Promotion Documentation

	Always	Sometimes	Never
Are formal procedures used in internal promotion exercises i.e. job descriptions, personnel specifications drawn up and standard application forms issued?			
Please state in what circumstances job descriptions, personnel specifications and standard application forms are not used in internal promotion exercises.			

«School_Name»

Shortlisting/Interview Panels

	Recruitment			Internal Promotions		
	Always	Sometimes	Never	Always	Sometimes	Never
Are interview panels properly constituted in relation to the scheme for the management of this particular school?						
Do you ensure that the same panel is used at shortlisting and interview?						
Are all members of interview panels provided with training / guidance on selection methods?						
Are all members of interview panels provided with training / guidance on the school's Equal Opportunities Policy?						
Are marking systems used at interview?						
Do these reflect the criteria for the job?						
Do members of interview panels meet formally before shortlisting and interview to decide on the structure and conduct of interviews, relevant and appropriate criteria (e.g. qualifications, experience etc.) to be used in the selection process?						
Do members of interview panels meet formally before shortlisting and interview to decide on the importance to be given to each factor at each stage of selection (i.e. weighting of each factor)?						

Shortlisting Records

	Recruitment	Internal Promotions
For how long are Application Forms retained?		
For how long are shortlisting notes of panel members retained?		
For how long are records of shortlisting criteria retained?		
For how long are records of the reason for shortlisting or not shortlisting individual applicants retained?		

«School_Name»

Interview Records

	Recruitment	Internal Promotions
For how long are the notes made by interview panel members retained?		
For how long are records of questions asked at interview retained?		
For how long are records of individual interviewer's assessment of interviewees retained?		
For how long are records of panel decisions to appoint or not appoint retained?		

Selection Criteria

	Recruitment			Internal Promotions		
	Always	Sometimes	Never	Always	Sometimes	Never
Are selection criteria strictly job-related?						
Are selection criteria appropriate in every case?						
Does agreement with the general ethos of the school carry a high importance in the decision to appoint?						
Does agreement with the religious ethos of the school carry a high importance in the decision to appoint?						

	Recruitment			Internal Promotions		
	Always Offer Feedback	Offer Feedback if requested	Never Offer Feedback	Always Offer Feedback	Offer Feedback if requested	Never Offer Feedback
Do you offer feedback interviews to unsuccessful candidates?						

«School_Name»

Leavers

	Always	Sometimes	Never
Do you conduct exit interviews with leavers?			
Have any equal opportunities issues been identified as a reasons for leaving?			

If any equal opportunities issues have been identified as a reasons for leaving please state below what these issues have been.