



EQUATE welcomes the opportunity to make a submission to the Department of Education and Skills Strategy for Education and Skills 2016-2018.

About EQUATE

EQUATE is a family and children's rights organisation that advocates for a substantial change in how primary and secondary school education is delivered in Ireland.

We want all children to experience equality in their local school so that no child is isolated because of their identity, family background, religion or non-religion. Our education system should reflect the diversity of twenty first century Ireland.

A recent national opinion poll carried out by Behaviour and Attitudes on behalf of EQUATE shows that people across the country want changes to the religious nature of our school system.

The results include:

- 46% would not chose a Christian school for their child if they had a choice locally.
- 84% think the Irish education system should be reformed so that no child is excluded because of their religion or non-religion.
- 77% do not think a school should have right to refuse admission to a child who has a different religion to that of the school's patron.
- 82% of people think Ireland should do all it can to honour its international human rights obligations to ensure equality in our education system.

In our submission we have provided responses to the questions that the consultation document set out which are relevant to our organisation.

1 How well does the Education service meet the needs of children and students?

1(a)

What improvements can be made within existing resources?

- New school admissions legislation, including reform of Section 7.3 (c) of the Equal Status Act.

We welcome the introduction of the School Admissions and Excellence Bill as committed to in the Programme for a Partnership Government and its intention to bring 'transparency and fairness in admissions for all pupils'. The new bill must reform Section 7.3 (c) of the Equal Status Act which allows school admission policies to discriminate against children on religious grounds. A transparent and fair admission policy cannot allow for religious discrimination.

- Number of non- and multi-denominational schools reaches 400 by 2030 as committed to in the Programme for a Partnership Government.

In order to reach this number by 2030 new approaches to divestment and reconfiguration of existing resources must be agreed. The Recommendations of the Forum on Patronage and Pluralism notes that reconfiguration of patronage in existing schools can be a cost neutral process.

The recent announcement of a roadmap for divestment along with targets of 20 new multi-denominational schools a year until 2030 is very positive.

One of the proposals being put forward is the concept of joint patronage arrangements between different school patron bodies.

EQUATE believes that any new school divestment system must ensure that new non- and multi-denominational schools are genuinely that – non- or multi-denominational. It would not be acceptable if one religion was given preference over any other under this model or if children of no religion were marginalised in their classroom. It will be important that the Department brings greater clarity to any proposal for joint patronage of schools.

- The Department of Education and Skills issue new procedures to schools so that children can opt-out of religious classes and access appropriate alternatives.

Parents and their children have a constitutional right to opt-out of any religious instruction which they do not want to be a part of. This right is not being fully honoured in some of our schools. The United Nations Committee on the Rights of the Child recommended, along with other recommendations, that the Department of Education:

Provides accessible options for children to opt-out of religious classes and access appropriate alternatives to such classes, in accordance with the needs of children of minority faith or non-faith backgrounds

Until this reform is enacted Ireland's school system will still not honour our obligations under the UN Convention on the Rights of the Child.

Issuing standard procedures would give schools much needed guidance in how to facilitate children who opt-out and ensure they and their parents are supported and their constitutional right upheld.

- Religious instruction is moved to a discreet time of school day or outside of curriculum hours

The suggested Time Framework for the Curriculum review currently being done by the National Council on Curriculum and Assessment should assess the possibility of faith formation being moved to a discrete part of the school day or facilitated after school hours. The assessment should consider the positive impact on a child's learning from increased time spent on core curriculum subjects if faith formation happened outside of school hours.

- The Department of Education issues a framework of a protocol for an Inclusive School in line with the recommendations of the Forum of Patronage and Pluralism

The Forum on Patronage and Pluralism recommend that a new framework of a protocol for an Inclusive School be issued.

Issues that are proposed to be dealt with in the protocol are:

- Composition of Boards of Management
- Whole-School Evaluation for the Inclusive School
- Self-Evaluation for the Inclusive School
- School Ethos or Characteristic Spirit
- Enrolment in a Stand-Alone school
- Patronage
- Opting-out of Denominational Religious Education /Faith Formation
- Denominational Religious Education
- Education about Religion and Beliefs (ERB), and Ethics
- Religious Artefacts, Celebrations and Other Non-Taught Issues

The protocol would give clarity to schools on their responsibilities to protect the rights of all children regardless of their religion or non-religion. It would then be up to each school to action the protocol into their school plans.

1 (b)

What improvements can be made through new provision?

- Education about Religions and Beliefs and Ethics curriculum

It is very positive to see the State preparing its own curriculum about religions and beliefs and ethics. There is a cost associated with its creation, implementation and the continuous professional development training for teachers once it is introduced. These costs should not stop the Department from introducing the curriculum and ensuring that it is a standalone subject in the school day. Other reforms should be implemented if needed to ensure that the new curriculum is stand alone when introduced and not blended in with patron's religious education programmes.

- Continuous Professional Development supports to schools and teachers to empower them to implement new Department of Education and Skills guidelines and protocols

The Forum on Patronage and Pluralism recommend a new framework of a protocol for an Inclusive School while the draft Admission to School Bill 2015 says all schools

should publish their opt-out guidelines for children not taking part in religious instruction. These proposed protocols and guidelines need to be supported by continuous professional development training for teachers. These trainings will empower teachers to implement the guidelines and protocols in the classroom.

2 Comment on work currently being undertaken by the Department in your area of interest and / or expertise. (What we are doing well, what we could do better?)

- Education about Religions and Beliefs and Ethics curriculum

We welcome the introduction of a state curriculum about Religions and Beliefs and Ethics that supports and celebrates diversity in our society and schools. However, it is important that this state curriculum about Religions and Beliefs and Ethics is not blended with a denominational faith formation programme. This must be done to protect the constitutional and internationally agreed human rights of every child in every school.

It is important that the Department take every step to ensure the new curriculum will be delivered as an independent, integral state curriculum separate from any patron programme.

- School admission reform

The State is currently sanctioning discrimination in admissions to schools through section 7.3 (c) of the Equal Status Act which allows state funded schools to discriminate against children on religious grounds. Our research shows that 77% of people nationwide do not think a school should have right to refuse admission to a child who has a different religion to that of the school's patron. Even one child being refused a place in their state funded local school because of their family's religion or non-religion isn't acceptable in a modern pluralist democracy. This law needs to be reformed.

- Forum on Patronage and Pluralism recommendations implementation

The Forum's recommendations provide us with a roadmap to an education system that respects and celebrates diversity. The Department of Education and Skills and the Education stakeholders delivered considered, respectful and implementable recommendations. We commend their work in this area and believe it is vital that all the recommendations now be implemented.

- Reconfiguration of patronage

The current divestment process has stalled. New approaches are needed to reenergise the process.

We welcome the Programme for a Partnership Government's commitment to 'new approaches' to moving the divestment process forward. The recent announcement of a roadmap for divestment along with targets of 20 new multi-denominational schools a year until 2030 is very positive.

However, EQUATE believes that any new school divestment process must ensure that new non and multi-denominational schools are genuinely that – non- or multi-denominational.

It would not be acceptable if one religion was given preference over any other under this model or if children of no religion were marginalised in their classroom. It will be important that the Department brings greater clarity to any proposal for joint patronage of schools.

Our research shows that 46% of people would not choose a Christian school if they were given the choice locally, while just 2% of schools in the country are multi-denominational.

3 Are there opportunities (eg new areas of work) which the Department should consider when developing the new 2016 – 2018 strategy which would advance the achievement of our mission, vision and objectives across the continuum of education and skills?

Department of Education and Skills Statement of Strategy 2015 – 2017, Goal 3 – Output 5

Education (admission to schools) bill enacted to improve access and inclusion to schools for all learners

The proposed School Admission and Excellence Bill needs to incorporate an amendment to Section 7.3 (c) of the Equal Status Act 2000. At present the State is sanctioning discrimination in our schools by keeping section 7.3 (c) of the Equal Status Act in our laws. These law needs to change and a more transparent and fair admission policy take its place.

The Department's vision states that it wants policies designed to anticipate and respond to changing needs of learners, society and economy. Our research shows that 84% of people agree that the Irish education system should be reformed so no child is excluded because of their religion or non-religion. Amending Section 7.3 (c) is responding to these changed needs in a positive and proactive way.

Department of Education and Skills Statement of Strategy 2015 – 2017, Goal 3 – Output 7

Progress on the divestment of schools and establishment of new schools to provide a greater diversity of school type

In order to deliver the Programme for Partnership Government commitment to 400 non- and multi-denominational schools by 2030 new approaches are required.

Divestment has become a negative concept and we need to move away from that idea. The Department and education stakeholders needs to reengage with local communities and see where school patronage can be reconfigured. This process is about giving schools back to the local communities they serve.

A system is needed that is positive and empowering as opposed to a scheme that was felt to be negative and about taking something away from a local community.

EQUATE believes that any new school divestment process must ensure that new non and multi-denominational schools are genuinely that – non- or multi-denominational. It would not be acceptable if one religion was given preference over any other under this model or if children of no religion were marginalised in their classroom.

Department of Education and Skills Statement of Strategy 2015 – 2017, Goal 3 – Output 8

High quality and relevant Initial Teacher Education and Continuing Professional Development (CPD) programmes for teachers that support a fully inclusive education system.

The proposed opt-out guidelines for religious instruction and framework of a protocol for an Inclusive School will need support for teachers who would be implementing both. The provision of Continuous Professional Development to inform and guide teachers as they adapt would be an essential part of either piece.

It is important that teachers are supported with any changes so that both they and their pupils are given the best opportunity to get the maximum value from the guidelines and protocols.

4 How should success on achieving our strategies be measured?

The strategy should set clear targets, timelines and implementation plans for each of the actions listed. This approach would enable both the Department and education stakeholders to monitor its implementation against the agreed targets.

For example, success in the area of Diversity and Equality would look as follows:

1. Department of Education and Skills issues procedures to schools so that children can opt-out of religious classes and access appropriate alternatives.
2. Department of Education and Skills issues a new framework of a protocol for an Inclusive School, accompanied by continuous professional development training for teachers.
3. Religious instruction is moved to a discreet time of school day or outside of curriculum hours.
4. Policy and procedures which allow religious instruction to happen throughout the school day are repealed.
5. New school admissions legislation which includes reform of Section 7.3 (c) of the Equal Status Act.
6. Number of non and multi-denominational schools reaches 400 by 2030.

6 Any other observations that you would suggest the Department should consider in the formulation of our strategy for education and skills 2016 - 2018

International human rights obligations

Last February The UN Committee on the Rights of the Child recommended that Ireland take the following steps so our school system is consistent with the UN Convention of the Rights of the Child:

- Provides accessible options for children to opt-out of religious classes and access appropriate alternatives to such classes, in accordance with the needs of children of minority faith or non-faith backgrounds
- Expeditiously undertakes concrete measures to significantly increase the availability of non-denominational or multi-denominational schools
- Amends the existing legislative framework to eliminate discrimination in school admissions, including the Equal Status Act

EQUATE calls on the Department of Education and Skills to implement the recommendations by the UN Committee that religious discrimination needs to be removed from our schools and our laws. Once again a UN Committee is recommending to the Irish Government that serious reform is needed in how our schools operate.

There is an opportunity with this Strategy to meet Ireland's international Human Rights obligations so that at the next Committee meeting in 5 years time we can go back to the UN with these recommendations implemented.

A Programme for a Partnership Government – Chapter 10 Education

Diversity and Choice for parents

3(a) Comment on the approach contained in the Programme for a Partnership Government (are we capturing the essential issues, are there additional matters we should take into account).

The commitments in the Diversity and Choice section of the Programme for a Partnership Government are a real opportunity to tackle religious discrimination in our school system. The following are particularly significant.

- *We will publish a new updated Action Plan for Educational Inclusion within 12 months.*

New guidelines for opting out of religious instruction for children of a different religion to the patron or no religion will help social inclusion in our schools. It is also a constitutional right of parents to opt their children out of religious instruction which is currently not being honoured.

The current lack of Department of Education and Skills guidelines is helping to alienate children from their peers as schools are not told how to deal with children who opt-out. This leads to children being sent to back of the classrooms, sent out into corridors to wait or being ignored in their seat as the class goes ahead.

We will produce a three-year strategy for the Department of Education within the first 100 days and a framework for measuring its progress in consultation with stakeholders.

The 3-year strategy is a very positive development. It can set out the steps the Department along with all the education stakeholders will take so that the diversity of our society is celebrated and respected in every school.

- *We need a dynamic and innovative education system that reflects the diversity of Twenty First Century Ireland. We will strengthen parental choice and diversity in our school system, reflecting the need in modern Ireland for new forms of multi-denominational and non-denominational education, while also safeguarding the right of parents to send their children to denominational schools that offer a distinct religious ethos, should they so wish.*

Addressing religious discrimination in our school system will help to reflect the diversity of 21st century Ireland.

A very clear Action Plan is needed to develop the diversity in our school system so that reforms that deal with school admission, new and transferring school patronage along with changes to religious instruction during the school day are planned for, prepared for and enacted.

- *A road map has been agreed for a phased transfer of Catholic schools to new patrons, where the support of communities exists. We will work with all stakeholders to facilitate this process whilst also considering new approaches such as the potential of different patrons on a single site.*

The pilot divestment programme that began in 2012 should be reassessed and new approaches considered to expand it nationwide, as always intended. A new approach to divestment needs communities to feel that they are gaining from the change of patron as opposed to feeling like something is being taken away from them. A recent national opinion poll shows that 46% of people would not choose a Christian school if they were given the choice.

One of the proposals being put forward as a new approach is the concept of joint patronage arrangements between different school patron bodies.

EQUATE believes that any new school divestment system must ensure that new non and multi-denominational schools are genuinely that – non- or multi- denominational. It would not be acceptable if one religion was given preference over any other under this model or if children of no religion were marginalised in their classroom. It will be important that the Department brings greater clarity to any proposal for joint patronage of schools.

- *We will increase the number of non-denominational and multi-denominational schools with a view to reaching 400 by 2030.*

The recent announcement of a roadmap for divestment along with targets of 20 new multi-denominational schools a year until 2030 is very positive.

EQUATE believes that any new school divestment process must ensure that new non and multi-denominational schools are genuinely that – non- or multi-denominational.

- *We will publish a new School Admissions and Excellence legislation taking account of current draft proposals (publication of school enrolment policies, an end to waiting lists, introduction of annual enrolment structures, and*

transparency and fairness in admissions for pupils). We will seek to enact this legislation for the start of the school year 2017 - 18.

The current admission policy law is state sanctioned religious discrimination. It is forcing some parents to baptise their children into a religion which they do not practice to get them into a local school. This is bad for the parent, the child and our society.

A new admissions policy needs to bring 'transparency and fairness in admissions for all pupils'. The introduction of the School Admissions and Excellence legislation is positive. It is vital that the new bill reform Section 7.3 (c) of the Equal Status Act which allows school admission policies to religiously discriminate against children. If we truly want an admission policy that is transparent and fair, then this law must be reformed.

3(b) How should progress on Diversity and Choice be measured?

Each strategic aim needs to have a clear, step by step plan from beginning to implementation. This would give all stakeholders involved the clarity needed to make the Programme for Partnership Government commitments a reality.

This clarity allows for implementation roadblocks to be spotted early on and dealt with so that they do not hinder progress.

A review should take place every year of the 3-year Strategy to ensure that targets are being met and to identify where more focus is needed to keep to timelines.

At the end of the 3-year strategy the overall measurement should be:

- Our schools no longer have religious barriers to admission,
- Children have the right and opportunity to opt out of religious instruction if they choose to,
- Greater provision of a diverse range of multi-denominational and non-denominational school patrons with clear targets set for 400 by 2030. A step target of 200 schools by 2022 should be considered as an interim measure.
- Religious instruction moved to a set time during the school day in all schools

3(c) What would you consider to be the priority actions and outcomes in this area?

- Department of Education issued guidelines for all schools to follow so that children can opt-out of religious classes and access appropriate alternatives.
- Implementation of The Forum on Patronage and Pluralism recommendation for a protocol for an inclusive school accompanied by a programme of continuous professional development training on the protocol for teachers.
- Religious instruction is moved to a discreet time of school day or outside of curriculum hours.
- Policy and legislation which allow religious instruction to happen during the school day are repealed.

- New school admissions legislation which includes amendment of section 7.3 (c) of the Equal Status Act 2000 so that children are not discriminated against on religious grounds for school admission.
- Roadmap for the increase to 400 non- and multi-denominational schools by 2030.