

Forum on Patronage and Pluralism – a 10-Year Review

What has been achieved?



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This article reviews the progress to date on the recommendations of the Forum on Patronage and Pluralism, chaired by Professor John Coolahan, which submitted its report in April 2012 to the then Minister for Education, Ruairí Quinn. The Forum made a number of recommendations on how the Irish education system could provide a sufficiently diverse number and range of primary schools catering for all religions and none, and on how this could be achieved.

Ownership of national schools in Ireland

National or primary schools in Ireland are privately owned but publicly funded. In more than 95% of schools, the patrons are bishops (Catholic or Church of Ireland) and the owners of the buildings are diocesan trustees – Catholic, Church of Ireland, or trustees nominated by other churches. In the case of Educate Together schools and Gaelscoileanna set up in the past 40 years under the patronage of An Foras Patrúnachta, the patron is a limited company.

All national schools built before the year 2000 are vested in trustees or in a trust. Catholic national schools are vested in a diocesan trust or trustees. On receipt of a government building grant, usually around 90% of the building costs, those trusts or trustees signed an official lease stating that the building would be used for national school purposes for 99 years from the date of the lease. The leases were tripartite: The owner of the site was the first party to the lease, the Minister for Education was the second, and the trust or trustees were the third.

Trustees also committed to ‘repaying the unexpended value of the grant’ if the school ceased to be used for national school purposes within 99 years. In most cases, the first party to the lease, i.e., the site owner, was also the diocesan trust or trustees. and after 99 years the lease would revert to them.

The first multi-denominational school since the foundation of the State was set up by a group of parents and supporters in Dalkey, south County Dublin, in 1978. Its patron was a limited company called the Dalkey School Project, and the patron had to provide a temporary premises, in which the school started, and a site on which to build a permanent school. The movement for multi-denominational schools grew throughout the country, and initially each school had to have its own patron. An umbrella body, Educate Together, was set up in 1984,

and in the mid-1990s the Department of Education recognised Educate Together as a patron of national schools.

Deeds of Variation

Following the passing of the 1998 Education Act, the Department of Education began to provide sites and buildings for national schools and to lease them to recognised patrons. During negotiations with the churches leading up to the passing of the Education Act, the Department agreed to allow the old leases for national schools to be 'varied' – that is, they agreed to Deeds of Variation, which legally recognised the denominational nature of Catholic and Protestant schools.

Before that date, national school leases specifically precluded any such recognition. The Deeds of Variation of schools under the patronage of the Roman Catholic Church stated that the schools should be managed 'in accordance with the doctrines, practices and traditions' of that church, that members of their boards of management should 'make and keep themselves familiar with the ethos of the Roman Catholic Church and the Roman Catholic Faith insofar as the same relates to education and schools', and that they should 'manage and cause the school to be managed in a manner which will uphold and foster such ethos'.

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It is not clear whether all, some, or any of the trustees of national schools under Catholic patronage have signed these Deeds of Variation, but if a patron of a Catholic school wished to claim legal privilege in copper-fastening the Catholic ethos of their school, they could now do so.

Forum on Patronage and Pluralism 2011–2012

In 2011, recognising the growing demand for multi-denominational and non-denominational education, the newly elected Fine Gael/Labour government set up a Forum to report on 'how it can best be ensured that the education system can provide a sufficiently diverse number and range of primary schools catering for all religions and none' and on the practicalities of achieving this.

In April 2012 the Forum, chaired by the late Professor John Coolahan, submitted its report to the then Minister for Education, Ruairí Quinn. Recognising that 96% of all national schools were under denominational patronage (90% under Catholic patronage), the 174-page report stated there was a mismatch 'between the inherited pattern of denominational school patronage and the rights of citizens in the much more culturally and religiously diverse contemporary Irish society'.

The report provided valuable information on the religious and demographic profile of national schools and identified the challenges that would have

to be overcome to provide a religiously and culturally diverse education system. It pointed out that out of 3,169 mainstream primary schools, only 58 were Educate Together schools and five were under the patronage of the VECs (Vocational Education Committees).


It identified three categories of schools which would be encountered when attempting to increase the number of schools under multi- or non-denominational patronage: (a) schools in green-field areas where residential housing was being developed and in areas where additional school places were required; (b) 'catchment areas' where there were already a number of schools under the same patronage but where it was unlikely that additional places would be required; and (c) 'stand-alone' schools – areas with only one school and where it was not envisaged that the demographic would require further schools to be set up.

Category (a): In the case of green-field areas and areas where the need for further school places had been identified, the report recommended that a register of parents of preschool children be established. An independent survey should be carried out in these areas to give these parents/guardians an opportunity to indicate their preference for a type of school patronage. The Department would then provide the type of school sought by the majority of parents.

Category (b): In catchment areas where there were already a number of schools, a process should be set up to identify parental preferences and to move towards a situation where at least one of the existing buildings under church patronage could be divested and transferred to a multi-denominational or non-denominational patron. Where very significant demand for a new school type had already been evidenced (the Department had evidence of 47 such areas), the report recommended that these areas should be prioritised and that the Department, in consultation with established patrons, should seek to find out if a building could be made available from existing school stock.

Category (c): In relation to stand-alone schools, the report conceded that change of patronage could be problematic. It stated that where a stand-alone school community had gathered evidence that change of patronage was warranted, 'a calm reflective process should follow'. However, it made some recommendations about current school practices, especially those relating to denominational religious education. It recommended that 'boards of management who are or may be accommodating children from diverse backgrounds in their school, should develop a school policy, in accordance with the Department's Diversity Protocol and in consultation with parents, on the measures that the school will put in place to meet their obligations to children and parents.'

The report also recommended that sacramental preparation, or education for religious rites or other belief systems, should not encroach on the time allocated for the general curriculum. It recommended ongoing discussion

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with parents and clergy on the parish role in sacramental preparation. It expressed the view that all children have the right to access a programme on Education about Religious Beliefs (ERB) and Ethics and that the State has the responsibility to ensure this is provided.

While the report recognised an urgency for action on divesting, it advised against a 'big bang or radical upheaval approach', recommending instead that change of patronage should happen in a phased, incremental way.

10 years later, what has been achieved?

The most recent statistics from the Department of Education show that in 2021 there were 160 multi- and non-denominational schools in the country, out of a total of 3,104 mainstream schools (down by 55 from 3,159 in 2011). In that decade, 126 Catholic and 12 Church of Ireland schools closed, due to amalgamations and declining school populations, while the number of multi-denominational schools increased by 80.

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All newly established mainstream primary schools which opened in the last five years have been under multi-denominational patronage. Most of them started in temporary premises of various kinds, such as private residences, warehouses, and prefabs. Yet despite these changes, Catholic schools still comprise the vast majority of primary schools, at 88.6% in 2021.

In the same decade, the total enrolments in Catholic national schools increased by 23,342, while enrolments in multi-denominational schools increased by 12,934. The proportion of pupils in Catholic primary schools is still over 89% overall. However, enrolments in Catholic schools have fallen by more than 18,000 in the past three years, while enrolments in multi-denominational schools continue to grow, by more than 5,000 in three years.

Progress since 2012 in the various categories

Category (a): In the first category of schools, the recommendations of the Forum on Patronage and Pluralism are being implemented by the Department of Education. Most of the new schools which opened in the last 10 years are multi-denominational schools under the patronage of either Educate Together or the Education and Training Boards (ETBs).

Category (b): The situation has been very slow in the second category, that of legal divesting of existing church-owned national schools. The Department of Education stated in January 2022 that 20 new multi-denominational schools have been established under patronage divestment and a more recent 'reconfiguration' process. In 2012, the Department identified 23 towns/areas in which there was clear and urgent demand for a multi-denominational school.¹ These became priority areas for the Department.

Eleven of these areas now have Educate Together schools. Six are housed in former national school buildings, which suggests they were subject to divestment or reconfiguration. One school is housed in an old vocational/technical school. The other four are in various types of building which do not appear to have been national schools: a business park building, hotel, private house, etc. An existing Catholic school in Nenagh has (from September 2022) been transferred to ETB patronage. No multi-denominational school has been set up in the other 12 towns/areas, in spite of ongoing campaigns by parents seeking such a school.

Setting up a multi-denominational school in 23 areas, and seeking to have some existing patrons divest one of their buildings, might not have seemed an unduly daunting task when it was first mooted 10 years ago; indeed, many people regarded it as too modest a target. It is disappointing that only 11 have been set up. It is particularly disappointing that only six were set up in buildings vacated by and made available by church bodies, in spite of the commitment of church and state to the principle of divestment.²

Category (c): While increasing numbers of stand-alone schools throughout the country have welcomed significant numbers of pupils from non-Irish and non-Christian backgrounds in the past 10 years, and treated them with respect and esteem, the formal patronage structure of these schools remains unchanged. Teachers have responded with commendable alacrity to the diverse cultural, ethnic, and religious balance in their classrooms, often with little or no additional support or resources, but the recommendations of the Forum on Patronage and Pluralism that a programme on Education about Religious Beliefs (ERB) and Ethics be offered in every school has not been implemented.

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In September 2022 the Catholic Archdiocese of Dublin announced that preparation for the sacraments of First Communion and Confirmation would move to the parish rather than be undertaken in schools. However, it has made it clear that Catholic schools will continue to provide children with 'an education in the sacraments' through junior infants and up to sixth class. There has been no statement from the Department of Education as to whether or when a programme on Education about Religious Beliefs (ERB) and Ethics will be made available to all schools.

The future?

The Department of Education has set a target of 400 multi- or non-denominational primary schools by the year 2030. This would amount to about 13% of all primary schools. Given that the population projections by the Central Statistics Office predict a fall in the number of pupils attending primary schools in the foreseeable future, the Department is reluctant to commit to opening further multi-denominational schools in addition to the existing Church-run schools and seems to be relying on divestment or reconfiguration to achieve its target. If the trend of the last 10 years

continues, with only one or two schools divested every year, it is difficult to see how the target will be met.

Following the spring 2022 meeting of the Episcopal Commission, pilot arrangements were agreed between the bishops and the Department of Education involving the possible 'reconfiguration' or transfer of eight Catholic schools to other patrons. The areas named were Arklow, Athlone, Cork, Dublin, Dundalk, Galway, Limerick, and Youghal. Under the deal, the State will pay rent to the Catholic Church for the school buildings that transfer to multi-denominational patronage under new 40-year leases. The Church will retain ownership of the buildings and receive appropriate rents which will take into account that the schools may have benefited from State capital investment. The Department has appointed independent facilitators to negotiate with school communities, and their work is ongoing at the time of writing (September 2022).

Even if this process is successful, the task of reaching the government target of 400 multi- or non-denominational schools by 2030 will be challenging. And even if that target is met, there will remain some areas of the country with unmet demand for such schools. The United Nations Expert Committee of the Rights of the Child has pointed out more than once that Ireland is in breach of the Convention on Human Rights by denying access to non-religious-run schools to so many of its young people. And the Irish Human Rights and Equality Commission (IHREC) recently stated that 'while the Commission has welcomed commitments by the State to establish more multi-denominational schools, it shares the UN Committee's concerns about the slow progress to date'.

ENDNOTES

1. The towns/areas were Fermoy, Castlebar, Dublin 12, Tuam, New Ross, Malahide/Portmarnock, Trim, Tramore, Ballina, Dublin 8, Westport, Arklow, Clonmel, Cobh, Dungarvan, Kells, Killarney, Loughrea, Nenagh, Palmerstown, Passage West, Shannon, and Dublin 9.
2. In the 1980s, when this author was chair of Educate Together and when demand for multi-denominational schools began to build throughout the country, six of the early Educate Together schools were housed in former church-owned national school buildings.

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