

*After lunch 26/7:
In our PQ file - and FEA file - you
have one OK 26/7*

*GL
CFC 555
MR Kidd
Ab. 21/7*

cc: Secretary
Mr Holmes
Mr Cardy

PS/DR MAWHINNEY

ADDITIONAL BRIEFING FOR ORAL PQs - 20 JULY 1989

DRAFT FEA REPORTS ON EMPLOYMENT PRACTICE AT QUB AND UU

You asked for an update on where things stand on the draft Fair Employment Agency documents presented to the Vice-Chancellors of QUB and UU last March. I attach a background note and some key points for the Minister's guidance.



A M DODDS
20 July 1989

Enc

[PS]AMD/8985

KEY POINTS

1. GOVERNMENT'S VIEW OF ALLEGED DISCRIMINATION AT QUB AND UU.

The Government is aware that the employment practice of the two Northern Ireland universities has figured in the media on the basis of leaked information. In accordance with FEA's own procedures, draft reports on employment practice have been submitted to the two universities but these are still at consultation stage and have not been published.

2. CONTENTS OF THE DRAFT REPORTS.

The draft reports have not been submitted to Government and it is not possible to comment on their alleged contents.

3. SCOPE FOR GOVERNMENT ACTION.

Government will certainly be interested in the reports when they are published, but universities are entirely autonomous institutions, responsible for their own employment policy and the matter would appear to be entirely between them and the Fair Employment Agency.

[PS]AMD/8987

DRAFT FAIR EMPLOYMENT AGENCY REPORTS ON EMPLOYMENT PRACTICE AT QUB AND UU

BACKGROUND NOTE

1. The FEA sent draft reports on Employment Practice at both universities to the Vice-Chancellors last March. In accordance with usual practice, these draft documents, which are still confidential, are being scrutinised by each institution, who are being given the opportunity of making a final response before the reports are published.
2. The most controversial aspect of the FEA findings - which was leaked to the press last April - is that UU is apparently employing four times as many Protestants as Catholics and QUB three times as many Protestants as Catholics.
3. We understand that the "defence" likely to be made by both universities is that they do not accept the narrow way in which FEA determines the religious complexion of the academic and non-academic staff on the basis of known information about those born and educated in Northern Ireland. A substantial number of staff, particularly on the academic side, were born and educated outside of Northern Ireland.
4. As the draft reports are still at consultation stage and have not been published, it would not be proper for Ministers to make any comment on their content whatsoever. Moreover, as Charter bodies, the universities are responsible for their own employment practice and it would be only to the university authorities and not Government that the final report will be submitted.
5. The key points below have been cleared by DED in consultation with FEA.

[PS]AMD/8986

cc: Secretary

PS/DR MAWHINNEY

LEAKED FEA DOCUMENTS ON EMPLOYMENT PRACTICE AT QUB AND UU

1. You referred earlier to the front page article in today's Irish News about the leaked FEA documents relating to employment practice at QUB and UU. The essence of the alleged findings is that UU is apparently employing four times as many Protestants as Catholics and QUB three times as many Protestants as Catholics.
2. I have spoken with Mr Minnis of FEA who confirms that the Agency has been investigating the religious mix of university staff at both institutions for some time. Following normal practice, each university has been given six copies of the draft final report for comment on factual detail. The broad findings are more or less as the Irish News have reported them, subject to a number of caveats. However FEA strenuously denies that any leak occurred on their part, though they have reason to believe that the leak occurred at QUB.
3. Professor Sean Fulton, Pro-Vice-Chancellor at QUB, has already been interviewed for today's lunch-time news. He confirms that QUB has received a draft report and that this is being studied carefully. He also gave an indication of the steps which QUB has been taking to ensure fair employment practice, which is an explicit requirement of their Royal Charter. I have spoken with Professor Fulton to inform him that the Minister might come under pressure in Parliament this afternoon. He agrees completely that the matter is entirely between FEA and the universities. I have not, as yet, had any reaction from UU, though if the Vice-Chancellor has anything significant to add I will report this to you by telephone.
4. As Charter bodies, the universities are responsible for their own employment practice and FEA confirms that it would be only to the university authorities and not Government that the final report will be

submitted. I therefore suggest that if the matter is raised during Questions, the Minister replies as follows:

"I am aware that the employment practice of the two Northern Ireland universities has figured in the media and that the basis would appear to be some leaked documents prepared by the Fair Employment Agency. I have not seen these documents and I cannot comment on their alleged contents. In any case, universities are entirely autonomous institutions, responsible for their own employment policy and the matter would appear to be entirely between them and the FEA."

A M DODDS

20 April 1989

PF555

Mrs McFeeters / Mrs Morris
Mr Brown
HERB
To note: 3/6/89
1/16

Mr Duff
1/16
We want
decreased

DEPARTMENT OF EDUCATION
INTEROFFICE MEMORANDUM

Date: 26-May-1989 03:12pm GMT
From: Mr D McNeill
MCNEILL
Dept: AB CO-ORD & COMMON SERV.
Tel No: 2334

TO: PETER HOLMES

(HOLMESP)

CC: Marcus Dodds

(DODDS)

Subject: UNIVS.-FAIR EMPL'T

PETER

PETER TAGGART(DED) RANG ME TODAY TO SAY THAT NIC/ICTU HAD COME BACK TO DED TO LOBBY FOR THE INCLUSION OF THE UNIVS IN THE LIST OF PUBLIC SECTOR BODIES IN THE FE LEGISLATION. NIC/ICTU WILL NOT ACCEPT OUR LINE THAT THEY ARE NOT PUBLIC SECTOR. ALTHOUGH THEIR NON INCLUSION WILL NOT AFFECT THEIR RESPONSIBILITIES AS EMPLOYERS IT WILL MEAN THAT WILL NOT BE SUBJECT TO THE REQUIREMENT THAT THEY SHOULD ONLY AWARD CONTRACTS TO THOSE WHO DO COMPLY WITH THE FE LEGISLATION. NIC/ICTU ARGUE THAT AS BODIES WHICH DO AWARD CONSIDERABLE AMOUNTS OF PUBLICLY FUNDED CONTRACTS THEY SHOULD BE SUBJECT TO THOSE REQT'S. AT THIS STAGE NIC/ICTU HAVE NOT GONE PUBLIC ON THIS NOR AS YET HAVE THEY SOUGHT TO INVOLVE MINISTERS BUT THEY WILL DO EITHER OR BOTH PROBABLY IF WE HOLD TO OUR LINE. I HAVE ASKED DED TO SEND US THE DETAILS OF THE REPRESENTATIONS. CLIVE GOWDY WILL WRITE TO YOU ABOUT IT.

I AM HAPPY TO DISCUSS.

DANNY

Mr Dodds 1 agree.
Mr Holmes

71-5

We have been
through all this at least
twice before. As Charter
Bodies, the Universities
cannot be regarded as
Public Sector. If Nic/ICTU
go to ministers, so be it.
30/5/89
30.5/8
RJJ 44/9
30/5