



Fair Employment (Northern Ireland) Act 1976

1976 CHAPTER 25

PART V

EXCEPTIONS

38 Review of exception of school-teachers

- (1) The Agency shall keep under review the exception contained in section 37(1)(c) relating to the employment of teachers in schools, with a view to considering whether, in the Agency's opinion, it is appropriate that any steps should be taken to further equality of opportunity in the employment of such teachers.
- (2) For the purpose of assisting it in the discharge of its duty under subsection (1), the Agency may conduct investigations—
 - (a) into the composition, by reference to religious beliefs, of the staff employed as teachers, or teachers of any class, in schools generally, schools of any class or particular schools; and
 - (b) into practices—
 - (i) affecting the recruitment or access to benefits of, or the terms of employment applicable to, such staff, or
 - (ii) involving any detriment to such staff, including practices discontinued before the time of the investigation so far as relevant for explaining the composition of the staff at that time.
- (3) The Agency may from time to time, and shall whenever the Secretary of State so directs, report to the Secretary of State upon the exercise of its functions under this section; and a report under this subsection may make recommendations as to any action which the Agency considers ought to be taken to further equality of opportunity in the employment of teachers, or teachers of any class, in schools, or in schools of any class (including action by way of the exercise of the power conferred by section 39 to remove or limit the exception contained in section 37(1)(c)).

Status: This is the original version (as it was originally enacted).

- (4) Schedule 5 shall have effect with respect to the conduct of investigations under this section.