



## Equal Opportunities Policy

**This policy should be read in conjunction with:**

Procedures for Staff Recruitment Policy



# POLICY STATEMENT

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***Objective:***

It is the policy of the Board of Governors that all eligible teachers will have equal opportunity for employment and promotion in the school, irrespective of gender, marital status, disability or race. Selection for employment and promotion will be on the basis of ability, qualifications and aptitude to carry out the duties of the post.

***Member of staff responsible for this Policy***

Chairman of Board of Governors

***Next Review of Policy***

August 2018

***Additional Notes***

Policy Number: 2002/09/01

***Update History:***

Drafted: September 2002

Update: November 2017 by

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## **INTRODUCTION**

The Board of Governors of Hazelwood College are committed to securing fair and equal consideration of applications by teachers seeking to be employed and fair and equal treatment of teachers who are so employed in schools.

The statement affirms that the Board of Governors will rigorously pursue the objectives and principles set out in the statement and be committed to promoting equality of opportunity and fair participation within schools.

Please note: This policy reflects the duty of all educational organisations to have updated and published their Equal Opportunities and Diversity Policy, which adheres to the Equality Act 2010, by April 2012. Below is a generic policy and intended only as an example. It is the centre's responsibility to ensure that any policy produced is modified to suit their individual characteristics and needs.

This policy describes the way in which Hazelwood Integrated College will meet the requirements of the Equality Act 2010. This Act replaced all previous equality legislation such as the Race Relations Act, the Disability Discrimination Act and the Sex Discrimination Act. The policy will be applied to all staff and learners, as well as any volunteers working in the school.

### ***Access***

Employees, learners and volunteers are made aware of the existence of this policy and where it can be accessed.

This policy is reviewed annually.

### ***Policy Statement***

Hazelwood Integrated College will adhere to the requirements of the Equality Act 2010 by not discriminating against learners, staff, volunteers or anyone involved in external agencies the organisation may be working with on the grounds of:

- sex, race, disability, religion or belief or sexual orientation.

*In addition, there will be no discrimination against:*

- pregnant females or new mothers
- staff, learners or volunteers undergoing gender re-assignment
- learners due to the behaviour of their parents and/or siblings

When recruiting staff, health related questions will not be asked until after a job offer is made, and then, only if it is necessary for the role.

Hazelwood Integrated College may decide to use the 'Positive Action' clause of the Equality Act 2010, which allows for the setting up of courses specifically for a certain group, such as Afro-Caribbean boys or Roma children. (Previously, this could have been considered discriminatory.)

It is expected that every person in the organisation will make a positive contribution to this policy, namely:

- All staff whether paid or voluntary
- All visitors to Hazelwood Integrated College

- All learners at Hazelwood Integrated College

*In addition, Hazelwood Integrated College will:*

- ensure that the services it provides are accessible to all and endeavour to positively encourage and benefit people from disadvantaged groups
- supply specialist aids and facilities to enable disabled people
- monitor any issues that arise within the organisation and take appropriate action, fully supporting any person in the organisation who is faced with prejudice or discrimination
- undertake an annual evaluation process to ensure that the policy is clear, in keeping with current legislation and being adhered to
- treat seriously any breaches of the policy, regarding them as misconduct which may lead to disciplinary proceedings

## **COMPLAINT PROCEDURE**

### ***Stage 1***

Any person who experiences, witnesses or is reasonably led to believe that this Equal Opportunities Policy has not been respected, should immediately bring the situation to the attention of the Principal. e.g. centre's senior staff, governing body, trustees) . The person responsible for this breach will be reminded of the existence and purpose of this policy, and asked to adhere to the policy.

### ***Stage 2***

If the person continues behaving in an unacceptable manner, the matter will be referred to the Board of Governors who will decide the best course of action.

This may result in:

- a warning being issued
- a disciplinary
- a referral to a higher level of authority

### ***Stage 3***

The offending person has the right to appeal. He/she can write to the Chair of the Board of Governors. The decision of the governors will be final.

## **PURPOSE**

It is the policy of the Board of Governors that all eligible teachers will have equal opportunity for employment and promotion in the school, irrespective of gender, marital status, disability or race. Selection for employment and promotion will be on the basis of ability, qualifications and aptitude to carry out the duties of the post.

There will be no unlawful discrimination, direct or indirect, against any teacher in recruitment, training, promotion or in any other way. The Board of Governors and teachers should be aware of the forms which unlawful discrimination can take guard against them and avoid any action which ought influence others to discriminate unlawfully.

## LEGAL FRAMEWORK

There is a legal framework to protect individuals from unlawful discrimination. This statement is designed to build upon the statutory requirements and to reflect the spirit of the legislation.

The existence of law and agreed procedures do not themselves ensure that any policy of non-discrimination will work effectively. This is achieved only when individuals critically examine their attitudes to people and ensure that no trace of unlawful discrimination is allowed to effect their judgement.

The Board of Governors and teachers recognise their obligations under the Sex Discrimination (NJ) Orders 1976 and 1988, the Equal Pay Act (NI) 1970, as amended, and the Disabled Persons (Employment) Acts (NI) 1945 AND 1960 and the Equality Act 2010.

## LEGAL DEFINITIONS OF UNLAWFUL DISCRIMINATION

**Unlawful discrimination** means acting in such a way as to place at a disadvantage or treat unlawfully any individual because of factors which are irrelevant in any aspect of the employment relationship.

**Direct discrimination** means treating a person less favourably on the grounds of gender, marital status, age, disability, race or any other criterion which is not relevant or justified in law,

**Indirect discrimination** occurs where a requirement or condition which is not relevant or justified in law is applied equally, but is of such as to be unfavourable for particular groups in that considerably smaller proportion of the group can comply with it.

**Victimization** means treating a person less favourably because they have made or intend to make a complaint or may have assisted an individual in asserting their rights under the Sex Discrimination or Equal Pay legislation. Individuals have a legal right to make a complaint without prejudice to their existing, potential or future employment opportunities

**Harassment** means any behaviour, deliberate or otherwise, which is offensive to an individual or group and which may threaten a teacher's job security or create an intimidating work environment.

**Other forms of unlawful discrimination**, which may not easily be identified may result from general assumption about the capabilities, characteristics and interests of particular groups or individuals, which influence the way in which they are treated. They may also take the form of applying conditions or requirements without considering whether they operate disproportionately to the disadvantage of particular groups.

## RECRUITMENT AND PROMOTION

As an equal opportunity employer the Board of Governors will endeavour to reach the widest possible labour market. Public advertisements and internal trawls will not indicate, or appear to indicate, an intention to discriminate in selection for recruitment, promotion or transfer. Nothing will be stated which may be interpreted as reflecting any form of discrimination.

Public advertisements will be placed in publications which are not geographically restrictive thus ensuring the satisfactory attraction of applications from suitable qualified candidates. A statement promoting the equal opportunities policy will be included in all advertisements for teachers.

Eligibility criteria used for recruitment and promotion will be related to job requirements and will be non-discriminatory. Eligibility criteria will be stated in public advertisements and

internal trawls. Criteria will be reviewed to ensure that they do not have a disproportionate impact on particular groups.

When constituting Selection Panels, the Boards of Governors will endeavour to ensure male and female representation.

The decision of a Selection Panel will be recorded at each stage of the selection process. All documentation e.g. short-listing criteria, record of interviews and recommendation for appointment will be retained.

The Education and Library Board has the statutory responsibility to provide training in equal opportunities and recruitment and selection and Boards of Governors will be afforded the opportunity of attending such training.

## **CAREER DEVELOPMENT**

The Board of Governors will ensure that all teaching staff will be provided with equal access to career development information and selection for training and development will be carried out in a fair and equitable manner using objective criteria.

## **CONDITIONS OF SERVICE**

The Board of Governors recognise their obligations to ensure that conditions of service do not unlawfully discriminate.

The Board of Governors therefore will ensure that in developing salary policies, deciding on applications for job-sharing and career breaks and selecting for redundancy, etc. that the principles of equality of opportunity are applied to avoid unlawful discrimination.

## **IMPLEMENTATION**

*The Chairperson of the Board of Governors* is responsible for ensuring that the policy statement is implemented and reviewed on a regular basis.

*The Board of Governors* is responsible for the promotion and implementation of the policy at school level.

*The Principal and School Senior Management Team* are responsible for ensuring that all teaching staff for whom they have a responsibility are aware of the school's policy on equal opportunity.

*All teachers* in this school have a responsibility to accept personal involvement in the application of the equal opportunity policy.

A copy of this policy will be issued to all teachers within the school, its aims and objectives will be reflected as appropriate in training courses undertaken by the education and library board, circulars and guidance material relating to recruitment and promotion will be included in job advertisements.

## **MONITORING**

The composition of teachers and applicants for appointment and promotions will be monitored on the basis of gender, marital status, disability and race to measure the effectiveness of this policy and will provide such information as requested by NICIE to assist in this.

## **REGULAR REVIEW**

The Board of Governors, in conjunction with NICIE, is committed to a process of consultation with recognised trade unions on the policy and practices outlined in this statement. The policy and practices will be regularly reviewed and consideration will be given to the need for implementation of any affirmative action as is deemed lawful and appropriate.

## **COMPLAINTS OF UNLAWFUL DISCRIMINATION**

A member of the teaching staff who considers that they have been unlawfully discriminated against in appointment, promotion or training may in the first instance raise the matter with the Principal and/or the Chairperson of the Board of Governors.

There is a separate policy and procedure for dealing with complaints of sexual harassment.

Irrespective of whether an internal procedure is invoked, any individual has the right to seek advice and assistance from the following.

<i>In matters of unlawful discrimination on grounds of sex, marital status or equal pay</i>	<b>Equal Opportunities Commission</b>
<i>Injustice as a result of misadministration</i>	<b>The Commissioner for Complaints</b>

It is important to note strict time limits within which complaints should be lodged with the appropriate body.

It is the policy of the Board of Governors that a teacher who makes a complaint in respect of unfair and/or unlawful discrimination or misadministration will not be subject to any form of victimisation. Acts of discrimination, victimization or harassment perpetrated by a teacher will result in disciplinary action.

It should be noted that complaints can be brought against individual teachers as well as against the Board of Governors of a school.