

Southern Education and Library Board



**EQUAL OPPORTUNITIES POLICY
FOR TEACHERS IN SCHOOLS**

1. Interpretation

"Teacher" means a qualified teacher and a non-qualified teacher including an assistant teacher, vice principal and principal. It also includes part-time teachers.

"School" means an institution for providing primary or secondary education or both primary and secondary education, being a grant-aided school; and, when used without qualification, means either or both such schools as the context may require.

"Special School" means a school which is specially organised to make special educational provision for pupils with special educational needs and which is approved by the Department as such.

"Board of Governors" means the Board of Governors of one or more controlled schools appointed under Article 10 of the Education and Libraries (Northern Ireland) Order 1986.

2. General

The purpose of this policy statement is to emphasise the commitment of the EA Southern Region to securing fair and equal consideration of applications to the board by teachers seeking to be employed in schools and special schools and fair and equal treatment of teachers who are so employed. The statement affirms that the EA Southern Region, Board of Governors, school management and trade unions 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.

Teachers in schools are one of the excepted occupations from both the indirect and direct discrimination prohibitions in the Fair Employment (Northern Ireland) Acts 1976 and 1989.

3. Purpose

It is the policy of the Board of Governors that all eligible teachers will have equal opportunity for employment and advancement in the school, irrespective of gender, marital status, disability or race. Selection for employment and advancement 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 might influence others to discriminate unlawfully.

4. **Legal Framework**

There is a legal framework to protect individuals from unlawful discrimination. This statement is designed to build upon the statutory position and to reflect the spirit as well as the letter of the Legislation.

The existence of law and agreed procedures cannot ensure that any policy of non-discrimination will work effectively. This will be achieved only when the EA Southern Region, Boards of Governors and teachers critically examine their attitudes to people and ensure that no trace of unlawful discrimination is allowed to affect their judgement.

The EA Southern Region, Board of Governors and teachers recognise their obligations under the Sex Discrimination (NI) Orders 1976 and 1988, the Equal Pay Act (NI) 1970 as amended and the Disability Discrimination Act 1995.

5. **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, 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 a nature as to be unfavourable for particular groups in that a considerably smaller proportion of the group can comply with it.

Victimisation 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 assumptions 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.

6. 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 not be confined unjustifiably to geographical areas or media publications which would exclude, or disproportionately reduce, the number of applicants from a particular group.

A statement promoting the equal opportunities policy will be included in all advertisements for teachers.

Eligibility criteria used for recruitment and promotion must 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 or individuals.

When constituting selection panels the Board of Governors will endeavour to ensure male and female representation.

Selection panels' decisions and reasons for such decisions will be recorded at each stage of the selection process. All documentation eg shortlisting criteria, record of interviews, recommendations, including panel members notes must be retained for a period of at least three years.

The EA Southern Region will provide training in equal opportunities and recruitment and selection and Boards of Governors will be afforded the opportunity of attending such training.

7. 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.

8. Implementation

The Chief Executive of the board is responsible for ensuring that the policy statement is implemented and reviewed on a regular basis.

The Human Resources Manager assisted by the **Assistant Personnel Officer - Equal Opportunities** is responsible for monitoring, co-ordinating and developing the policy through the board's equal opportunities unit.

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 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 and a summary to all potential applicants for employment. Its aims and objectives will be reflected as appropriate in training courses, circulars and guidance to recruitment and promotion panels and will be included in careers literature and job advertisements.

9. Monitoring

The composition of teachers, applicants for employment and appointees will be monitored on the basis of gender, marital status, disability and race to measure the effectiveness of this policy. Monitoring provides an objective view on the existence and progress of equality of opportunity.

10. Regular Review

The EA Southern Region is committed to a process of consultation with recognised trade unions on the policy and practices outlined in this statement. These will be regularly reviewed to ensure that the EA Southern Region 's objectives on equality of opportunity are assessed and such affirmative action as is deemed lawful, appropriate and necessary will be taken.

11. 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, chairperson of the Board of Governors and/or the board's equal opportunities officer.

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:-

In matters of unlawful discrimination on grounds of sex, marital status or equal pay; Equal Opportunities Commission

Injustice as a result of maladministration; The Commissioner

for Complaints

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

It is the policy of the EA Southern Region and the Board of Governors that a teacher who makes a complaint in respect of unfair and/or unlawful discrimination or maladministration will not be subject to any form of victimisation. Acts of discrimination, victimisation 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.

12. Declaration

This policy statement which has been agreed by the EA Southern Region in conjunction with the recognised teacher unions has been formally adopted by the Board of Governors of

(school name)

Signature _____ Chairperson of the Board of Governors

Signature _____ Principal of School

Date _____