

**MALONE COLLEGE
BELFAST**



**EQUAL OPPORTUNITIES
POLICY
2020**

Equal Opportunities Policy

1 INTRODUCTION

1.1 The Board of Governors of Malone College are committed to securing fair and equal consideration of applicants seeking employment and fair and equal treatment of staff who are so employed in the College.

1.2 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 the College.

2 PURPOSE

2.1 It is the policy of the Board of Governors that all eligible employees 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.

2.2 There will be no unlawful discrimination, direct or indirect, against any member of staff in recruitment, training, promotion or in any other way. The Board of Governors and employees should be aware of the forms which unlawful discrimination can take and guard against them avoiding any action which might influence others to discriminate unlawfully.

3 LEGAL FRAMEWORK

3.1 There is a legal framework to protect individuals from unlawful discrimination. The Board of Governors of Malone College recognise their obligations and will meet all statutory obligations under the relevant legislation, and where appropriate, anticipate future legal requirements signalled under EU Directives. The College's policy is guided by (refer to appendix 1 for summary of legislation):

- Equal Pay Act (1970) amended (1984)
- Sex Discrimination (NI) Act (1976) amended 1988)
- Race Relations (NI) Order 1997
- Fair Employment and Treatment (NI) Order 1998
- Disability Discrimination Act (1995)

3.2 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. There must be no direct or indirect discrimination against any eligible person, whether in recruitment, training, promotion or in any other way.

4 LEGAL DEFINITIONS OF UNLAWFUL DISCRIMINATION

4.1 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.

4.2 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.

4.3 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.

4.4 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.

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

4.6 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.

5 RECRUITMENT AND SELECTION

5.1 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.

5.2 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.

5.3 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.

5.4 Similarly, any tests used in recruitment, training or promotion must be examined to ensure that they are directly related to job requirements and are non-discriminatory.

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

5.6 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.

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

6 CAREER DEVELOPMENT

6.1 Malone College is committed to the personal development of every employee. Employees will be supported to undertake the training and development they need to help them to achieve and maintain a high standard of performance and be encouraged to achieve their full potential.

6.2 The Board of Governors will ensure that all 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.

7 CONDITIONS OF SERVICE

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

7.2 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.

8 IMPLEMENTATION

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

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

8.3 The Principal and Senior Management Team are responsible for ensuring that all staff for whom they have a responsibility are aware of the school's policy.

8.4 All employees are responsible for complying with the Equal Opportunities Policy and for ensuring that the standards of behaviour required by the Board of Governors are achieved.

8.5 A copy of this policy will be issued to all employees within the College, 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.

9 MONITORING

9.1 The composition of employees 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 Equal Opportunities Commission to assist in this.

10 REGULAR REVIEW

10.1 In accordance with the Fair Employment (NI) Act 1989 and the associated Code of Practice, the College Board of Governors will review at least once every three years, the composition of the workforce and employment practices affecting recruitment, training and promotion of employees.

10.2 The Board of Governors is committed to a process of consultation with recognised trade unions on the policy and practices outlined in this statement.

11 COMPLAINTS OF UNLAWFUL DISCRIMINATION

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

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 mis-administration – The Commissioner for Complaints. 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 an employee who makes a complaint in respect of unfair and/or unlawful discrimination or mis-administration will not be subject to any form of victimisation. Acts of discrimination, victimisation or harassment perpetrated by a teacher will result in a disciplinary action. It should be noted that complaints can be brought against individual employees as well as against the Board of Governors of the College.