

Chorley St Mary's Catholic Primary School

Equal Opportunities Policy

Reviewed February 2010

MISSION

St Mary's is a welcoming Christian community which upholds the values of justice, respect and equality and promotes enthusiasm for life and learning.

AIM

To ensure that all members of our school uphold the values of the mission statement and treat all members of our school community irrespective of age, ability, gender, race, religion with respect and fairness. St Mary's is a socially inclusive school and aims to ensure equal access and opportunity for all.

The effectiveness of this policy will be assessed at governors' meetings after monitoring the impact of this policy and procedures.

RATIONAL

This policy is intended to relate to all procedures and practices which take place at St Mary's including all curriculum planning, delivery, evaluation, and assessment, all performance management and recruitment, training and conditions of service for all staff and volunteers. **Please read this policy in conjunction with the Anti-Racism Policy and the Anti-Bullying Policy.**

St Mary's is committed to provide a learning, working and social environment in which all its members are valued and respected and which is free from discrimination, prejudice and all forms of bullying.

DEFINITION

"Equal Opportunity" is taken to mean:-

- Providing for all regardless of gender, race, ethnicity, religion, disability etc.
- Being mindful of the difficulties that some groups can face and ensuring that any obstacles to them are removed.
- Being aware of personal prejudices and stereotypical views and avoiding labels related to these.
- Valuing each person's worth.

We acknowledge that this does not necessarily mean treating all equally some may need additional care and differentiated teaching; in some cases practical changes to the school environment may need to be made.

STATUTORY

The requirements for equal opportunities are underpinned by law (The Human Rights Act 1998) and discrimination on the grounds of race, gender and disability is outlawed.

GENERA

The application of recruitment, training, redeployment/transfer and promotion of all individuals will be the basis of the job requirements and the individual's ability and fitness for the post in question. Likewise, in the provision of education, individual ability will be fostered and developed so that each pupil can fulfil his or her full potential regardless of race, gender, disability, religion. This means equality of opportunity and equal access to all areas of learning and school life.

SUITABILITY FOR

In the application of the Equal Opportunity Policy, it is essential that persons responsible for appointment when short-listing or interviewing applicants, should seek to appoint the most suitable person for the position and during this process not discriminate either directly or indirectly in matters of sex, marriage, race, colour, ethnic or national origins and nationality. Similarly, due regard should be given for the employment of persons with disabilities.

Direct discrimination means treating one candidate less favourably than another for reasons of race or gender: for example, preferring to appoint male teachers in senior positions because it is believed that they are better disciplinarians or managers. Indirect discrimination occurs where the same conditions are imposed on everyone but the conditions themselves are of such a nature that they have a disproportionately adverse effect on one gender or race.

DISABILITY

The Disability Discrimination Act 1995 makes it unlawful for an employer with 20 or more employees to treat a disabled person less favourably than other people, because of their disability, without 'good reason'. Employers are required to make reasonable adjustments to working conditions or the workplace where that would help a disabled person to work effectively.

School and colleges are required to give information about arrangements for pupils with disabilities and students.

EMPLOYMENT OF CATHOLIC TEACHERS

The Governors have a duty imposed on them by the Education Act 1944 to secure, preserve and develop the character of the school as a Catholic Voluntary School and to conduct the school in accordance with the provisions of its Trust Deed. As part of this duty, preference will be given to professionally competent applicants who are committed to the practice and teachings of the Catholic Faith.

RECRUITMENT AND

Applicants for vacancies should be given information about posts through advertisements or communicated job details or interviews in order to enable them to assess their own suitability for the post. Information about posts shall be prominently displayed to ensure the full implementation of this policy.

Vacancies shall be advertised internally within the school to attract staff that are likely to possess appropriate qualifications or have relevant experience. External advertisements and recruitment drives should be on a sufficiently wide basis to attract suitably qualified and experienced candidates and should be advertised in the denominational press as well as general media.

All applicants shall be informed that the school operates an Equal Opportunity Policy. Such information should be made for applicant inspection.

All personal specifications of posts shall include only requirements of (a) essential and/or (b) desirable as shall be justifiable for the effective purpose of the job. Requirements which are placed in personal specifications which impose limitations on potential applicants must be assessed for potential discrimination.

It is the School's policy to interview all disabled applicants who meet the essential criteria for a vacancy which are identifiable at the shortlisting stage. (see appendix I)

Against the background of this guidance, persons making appointments should conduct interviews on an objective basis and should deal only with the applicant's suitability for the job and ability to fulfil the job requirements. For example, questions directed exclusively and in isolation at domestic commitments are not justifiable and may prove embarrassing and confusing to applicants and must be avoided. Furthermore, if such questions are only put to women candidates, they are most likely to amount to sex discrimination.

GUIDANCE AND TRAINING

A. Interviewers: Governors/employers involved in interviewing and selecting or in other aspects of the implementation of the Equal Opportunity Policy shall be given guidance and training in relation to the law, school policy, and their own personal liability under law and the nature of discrimination to ensure that procedures are carried out with full regard to the school's Equal Opportunity Policy.

B. Employees: Within the resources available, appropriate training shall be provided to enable employees to perform their jobs effectively and to progress within the school.

EQUAL OPPORTUNITIES IN THE

In St Mary's Catholic Primary School we should be aware that the whole curriculum has a spiritual dimension and is committed to the aims, values and teachings of the Catholic Faith. In designing the curriculum, our primary concern should be the full personal development of individual pupils with their particular potential, needs and background. This will demand that the curriculum has breadth, balance, relevance, differentiation, progression and continuity, and is one which, above all, provides opportunities for ALL pupils to experience success. It is important that the attitudes and values which underpin any factual content of the curriculum are consistent with our Catholic vision of individuals, of relationships and of society.

COMPLAINTS

Where it appears on complaint to the Clerk of the Governors that the school's Equal Opportunity Policy is not being followed, the circumstances will, in the first instance, be investigated by the Head teacher and a report will be sent to the Governors. Disciplinary action will be taken if appropriate. These arrangements will not however detract from a complainant's right to take advice from the Equal Opportunities Commission or the Commission for Racial Equality, or in the case of an existing employee, through the Grievance Procedure operated by the school, if so preferred. In respect of European Community legislation it should be noted that the Directives referred to in the Equal Opportunity Policy could not be directly enforced against the Governors: they can only have direct effect against an 'emanation of the state', and although a local education authority would come under this definition, in a Catholic school it is the Governors who employ staff. Nevertheless, the cases brought in the European Court of Justice pursuant to such Directives are of significance and European Community legislation has played a key role in developing British anti-discrimination legislation.

LANCASHIRE COUNTY COUNCIL

Employment of Applicants with Disabilities

The Interview Guarantee Policy

1 Introduction:

It is the school's policy based on the County Council's policy to interview all disabled applicants who meet the essential criteria for a vacancy which are identifiable at the shortlisting stage. The considerations which led to the adoption of this policy included:

- The view of members of the community with disabilities that being given a chance to meet recruiters directly would provide them with an opportunity to demonstrate to a Selection Panel their abilities rather than promote a concern about their disabilities.
- The need to establish direct contact between recruiters and applicants with disabilities to enable a proper consideration of the requirements of the post in relation to the disability (if relevant) to take place. This process should limit the possibility of assumptions being made relating to disabled applicants which deter proper appointments.
- The County Council's adoption of the Employment Service's "Positive About Disabled People" Symbol which includes a commitment to "interview all disabled applicants who meet the essential requirements for a vacancy and consider them on their abilities". The appointment decision will thereafter be made solely on merit. This Policy is permissible within the requirements of the Local Government and Housing Act 1989 Section 7 "Appointment On Merit" and is seen as meeting the "reasonable adjustment" requirements of the Disability Discrimination Act.

2 Promotion of the County Council's Policy:

To assist Managers and recruiters to implement the Interview Guarantee Policy this short descriptive note has been prepared together with an advice/information note on interviewing and selecting disabled applicants entitled "Practical Guidance for the Recruitment of People with Disabilities" which is shown at Appendix "X". The County Council's general policies and actions dealing with the employment of applicants with disabilities have also been publicised in the "Equal Opportunities at Work" leaflet which is sent to all job applicants.

The definition of a disabled person is that taken from the Disability Discrimination Act. Any applicant who has indicated that they have a disability on the Application Form should have their application considered in the light of this Policy.

The Disability Discrimination Act Code of Practice (Employment) gives advice on whether or not a condition meets the definition of disability. Conditions which are "minor" or "trivial" are generally excluded as are certain addictions or dependencies. Conditions such as asthma or dyslexia are likely to be included if their effects generally meet the definition. If there is any doubt advice should be sought and where necessary the benefit of the doubt extended to the applicant to enable discussions on reasonable adjustments etc to take place at the interview.

3 Monitoring:

The Applicant Monitoring process is designed, in part, to provide statutory and audit data on how disabled applicants are faring in the selection process. Information is reviewed regularly on the number of disabled people employed by each Directorate and Service within the County Council. This information at a corporate level is required to meet Best Value Performance Indicator targets.

4 Policy Exemption Arrangements

The County Council's purpose in adopting this policy is essentially to assist applicants with disabilities to find employment within the County Council. If it is to succeed in this purpose, it is important that the time and energy of such applicants and managers in Directorates is not wasted and that from both perspectives interviewing applicants with disabilities is not seen as a meaningless ritual. To prevent such a development the Head of HR (or other officer designated for this purpose) of the relevant Directorate/DSO may in limited circumstances authorise the non-shortlisting of a disabled applicant who meets the essential requirement where he/she is satisfied that;

- i) the applicant has been interviewed on at least two occasions in the recent past by the Directorate for a post of an essentially similar nature to that in question. Where the applicant has been found to be completely unappointable for reasons relating to the skill requirements of the post in question and these satisfy the Designated Officer following on representations made to him/her in writing by the Chair of the Selection Panel.
- ii) a full explanation, based on such written representations preferably communicated by a process of post interview counselling, has been offered to the applicant to indicate why he/she is considered to be unsuitable for the type of post in question. It is also suggested that as part of this process advice would be given to the applicant on areas of County Council employment which may be potentially more suited to them and/or the possibility of obtaining appropriate training or of assistance available through the Disability Employment Adviser at Jobcentre Plus.

5 Further Advice

Further advice on the "Interview Guarantee Policy" can be obtained from AskHR.