


Equality Policy		
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Equality Policy – 3HR14

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SECTION (1) - INTRODUCTION

1. Purpose

This policy sets out to create awareness and understanding of how diverse the workplace has become and sets out the framework within which ITB staff will work towards the elimination of unfair discrimination where such exists. The policy seeks to redress imbalances and to foster genuine culture of equality at ITB.

One of the main aims of the policy is to promote equality of employment opportunities by ensuring that all employment practices are operated on the basis of the relevant qualifications, merits, abilities and potential of individuals and are free from any criteria which cannot be justified by the demands of the post.

Specifically, the objectives of the policy are:-

- a) to ensure that all Institute policies, procedures and official documentation and publications accord with equal opportunities principles and are amended as necessary to this end;
- b) to ensure that all employees of the Institute are recruited, selected, trained, given access to relevant work experience, promoted and otherwise treated on the basis of their relevant merits and abilities;
- c) to ensure that all job applicants are treated on the merits of their abilities;
- d) to implement policies, procedures and programmes that ensure opportunities are available equitably to all;
- e) to take all reasonable steps to identify and eliminate unlawful direct, indirect and systematic discrimination from its structures and practices;
- f) to establish and maintain mechanisms within the Institute to deal with complaints concerning discrimination and harassment.

2. Scope

This policy applies to all staff at the Institute.

3. Definitions

WHAT IS EQUALITY?

Equality is simply about treating people fairly, regardless of any irrelevant attributes they may possess, such as skin colour, background or lifestyle.

Most people are in favour of equality. It has many positive connotations, but can be difficult to define. At its most basic, equality is about fairness. It means that people will not suffer unfairly, or benefit unduly, just because they happen to belong to a certain ethnic group or sex, or because they happen to possess certain personal attributes.

[As per the Employment Equality Acts 1998 and 2004]

Discrimination – There are different types of discrimination covered by the Acts including **indirect discrimination, discrimination by imputation** and **discrimination by association**. Discrimination is defined as the treatment of a person in a less favourable way than another person **is, has been or would be** treated in a comparable situation on any of the nine grounds which **exists, existed, may exist in the future**, or is imputed to the person concerned. The instruction to discriminate is also prohibited.

Indirect Discrimination – happens where there is less favourable treatment in effect or by impact. It happens where people are, for example, refused employment or training not explicitly on account of a discriminatory reason but because of a provision, practice or requirement which they find hard to satisfy. If the provision, practice or requirement puts people who belong to one of the grounds covered by the

Acts at a particular disadvantage then the employer will have indirectly discriminated, unless the provision is **objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary.**

Discrimination by Association – this happens where a person associated with another person (belonging to a specified ground) is treated less favourably because of that association.

Equal Pay – the Act provides for **equal pay for like work**. Like work is defined as work that is the **same, similar or work of equal value**.

Harassment and sexual harassment – harassment is any form of **unwanted conduct** related to **any of the discriminatory grounds**. **Sexual harassment** is any form of **unwanted verbal, non-verbal or physical conduct of a sexual nature**. In both cases it is conduct which has **the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person**. In both cases the **unwanted conduct may include acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material**.

4. Policy

The concept of equality is central to the shared values and ethos of the Institute. Intrinsic to the way we conduct our business and working relationships are the shared values we hold. This policy seeks to encourage and enhance an environment where the following values are firmly held:-

*We acknowledge the diversity of people involved in our work
We respect the different role played by each person
We listen with patience and understanding
We work to build genuine relationships founded on acceptance and trust*

*We aim to enjoy our work and derive fulfilment from it
We value positive attitudes throughout our workplace*

In tandem with this, the policy seeks to promote the principles of Partnership, which management, staff and trade unions at ITB have committed to.

It is considered that an environment of equality, where the highest respect for the value and dignity of all those who join ITB is the most conducive to the free and open exchange of ideas. While basic principles are prescribed by legislation, reliance on legislative provisions alone will not ensure that equality of opportunity is effectively applied. ITB also relies on the contribution and attitude of all staff in ensuring the overall effectiveness of the application of this policy. ITB endeavours to ensure that all of its activities are governed by principles of equality of opportunity and that all staff are encouraged to achieve their full potential.

A section on equal opportunity is included in our Annual Report. This policy will be communicated to all ITB staff, consultants and suppliers.

SECTION (2) – LEGISLATIVE CONTEXT

5. Legislative Context

The Institute takes note of its obligations regarding equality especially those set out in recent legislation:-

5.1 Employment Equality Acts 1998 and 2004

Colleges and Universities are bound by the terms of the Employment Equality Acts 1998 and 2004. The **Employment Equality Act 1998** came into force on the 18th October 1999, and was amended on the 25th October 2004 by the **Equality Act 2004**.

The Employment Equality Acts 1998 and 2004:-

- Promotes Equality

- Prohibits discrimination (with some exceptions) across nine grounds
- Prohibits sexual harassment and harassment
- Prohibits victimisation
- Requires appropriate measures for people with disabilities in relation to access, participation and training in employment
- Allows positive action measures to ensure full equality in practice across the nine grounds - ***gender, marital status, family status, age, race, religion, disability, sexual orientation, membership of the traveller community.***

5.2 Equal Status Acts, 2000 and 2004

The Equal Status Acts, 2000 and 2004 prohibit discrimination on the same nine grounds as described in 5.1 above, in four other contexts, namely; the disposal of goods and the provision of services, the disposal of premises and provision of accommodation, in education and by clubs.

SECTION (3) – WHY DOES EQUALITY MATTER?

6. Why Does Equality Matter?

The reasons for tackling inequality and promoting equality at ITB can be summarised under three headings:-

6.1 Legal

As previously mentioned, the Institute has a legal obligation to comply with current equality legislation, and in some circumstances, the law demands equality. There are laws requiring equal pay and equal treatment in employment and non-employment areas on various grounds, particularly the Employment Equality Acts 1998 and 2004 and the Equal Status Acts 2000 and 2004.

6.2 Business

Equality in the workplace enhances productivity and therefore 'profit' for ITB. A more relaxed atmosphere and higher morale can follow from reassurance and adjustments in work practices to take account of the different marital and family circumstances, abilities/disabilities, ethnic or religious origins, age, gender, or sexual orientations of staff.

One of the business cases for equality is that to recruit and promote on merit is to ensure the best person is in each post.

Our attitude to equality can send out a strong signal to prospective business partners, employees and customers ie., the students.

6.3 Ethical

Equality is a matter of fair play. It is simply unfair and wrong to discriminate. This argument can be made in the form of the question 'How would you feel if you were treated like that?'

An appreciation of equality gives an insight into the diverse life experience of work colleagues and students. This helps to build respect for each other and makes us less likely to make assumptions about the stereotype individuals.

SECTION (4) – GUIDING PRINCIPLES

7. Language and Equality

Sensitivity is required in our use of language. Words can be used to include or to marginalise people, to hurt or support them. Where possible, we will refer to people using terms that they themselves find

acceptable. For example, the term 'people with disabilities' is often preferred to terms like 'the disabled' or 'the handicapped'. This emphasises a reference to the person first, rather than the disability.

Words can help to reinforce stereotypes and thus tend to exclude people. For example, terms like 'fireman' and 'policeman' seem to suggest that only men can do these jobs. It is because of this that gender-neutral terms such as 'fire-fighter' or 'police officer' are preferred.

An awareness that the meanings of words can change is also important. Words can acquire negative associations, so that a word that is acceptable at one stage, or in one context, may be unacceptable at another.

The important thing is to understand the effect of our words on others. The use of words to empower and enrich rather than to demean and impoverish are encouraged.

8. Language and Documentation

The Institute is committed to the use of non-discriminatory language in all documents both internal and external, in recognition of the fact that language used can play an important role in conditioning attitudes. Words which have no gender (e.g. person and applicant) and text that specifically refers to both genders will be used as far as possible.

We shall take steps, where appropriate, to ensure that employees for whom English is not their first language, understand all disciplinary and related procedures.

We will comply with the requirements of the Official Languages Act 2003.

9. Diversity

Diversity refers to human qualities that are different from our own and those of groups to which we belong; but that are manifested in other individuals and groups. Dimensions of diversity include but are not limited to; age, ethnicity, gender, physical abilities / qualities, race, sexual orientation, educational background, geographic location, income, marital status, military experience, parental status, religious beliefs, work experience, and job classification.

Diversity as a concept focuses on a broader set of qualities than race and gender. In the context of the workplace, valuing diversity means creating a workplace that respects and includes differences, recognising the unique contributions that individuals with many types of differences can make, and creating a work environment that maximises the potential of all employees.

Our ethos at ITB is very much one of welcoming diversity and recognising the unique worth of each individual regardless of their race, colour religion, gender, disability, sexual orientation or other.

At ITB we hold the belief that every human being is of equal worth, entitled to the same privileges and opportunities without regard to race, gender, disability or age or other.

Valuing diversity is a long-term process that begins with individual efforts.

Diversity is also about having the long term goal that the campus work force will generally reflect the population of the state it serves in all its dimensions.

10. Ethnicity and Culture

Our culture is the set of typical behaviours, values and beliefs we acquire as we grow up in a particular society. Societies differ from one another sometimes slightly, sometimes fundamentally, so behaviours, values and beliefs which seem natural to us will seem unusual to people from another culture. We each view the world from the perspective of our own culture. In an increasingly open and diverse society it is becoming every more important for people to understand other cultures. This is no less true for us at ITB. Multi-cultural education and training can play a role in helping people to understand one another.

ITB is committed to an environment where diversity is respected and celebrated.

11. The Traveller Community

*The Equal Status Acts, 2000 and 2004 defines the Traveller community as:-
The community of people who are commonly called Travellers and who are identified (both by themselves and others) as people with a shared history, culture and traditions including historically, a nomadic way of life on the island of Ireland.*

At ITB we acknowledge and respect the distinct culture of the Travellers and do not engage in direct or indirect discrimination against them.

SECTION (5) EQUALITY IN THE CONTEXT OF EMPLOYMENT

12. Equality in the context of employment

The Institute of Technology Blanchardstown is an equal opportunities employer. As such it is committed to equality of opportunity for existing and potential employees, and to promoting a work environment free from discrimination on grounds of gender, marital status, family status, race, religious beliefs, sexual orientation, disability, age or membership of the travelling community, in accordance with the relevant legislation.

The Institute is committed to equality of opportunity, and employment decisions will accordingly be based on merit, qualifications, abilities, skills, knowledge and attitude required to perform the job effectively and efficiently, to the standards required both in the present and in the future. Recruitment and selection policies, promotion policies, and training and development policies, and all associated documentation, will reflect the Institute's commitment to this policy.

13. Conditions of Employment

The Institute will not discriminate unfairly in relation to working conditions, or access to overtime, shift work or transfers, where the circumstances in which staff are employed are not materially different.

14. Equal Pay

The principle and practice of equal pay will be respected and kept under review and will be a feature of any collective agreements.

See Equal Employment Opportunity and Selection of Staff: Principles in Employment Practice. [Section 7].

15. Bullying and Harassment

The Institute of Technology Blanchardstown is committed to promoting an environment within the Institute that is free of harassment (including sexual harassment) and bullying and within which all members of the Institute will be treated with dignity.

It is recognised that harassment and bullying can seriously damage working and social conditions, and it will not be tolerated during the course of work, study or any other activity of the Institute. The Institute has published a separate policy on Preventing and Dealing with Bullying and Harassment (3HR05).

16. Work-Life Balance

We will enhance the opportunities to reconcile work-life balance among our employees bearing in mind the requirements and needs of both the Institute and other work colleagues.

Alternative working arrangements such as, career breaks, flexi-time, part-time working and job sharing options, are in place for staff during periods in their lives when they find it difficult to work conventionally.

Employees who avail of family friendly work arrangements will not be discriminated against and will be treated equally with other employees.

SECTION (6) – RESPONSIBILITY / COMMUNICATION

17. Responsibility

All employees of the Institute are expected to comply with this policy, and are assured by the Institute that any employee who wishes to raise concerns or make a complaint in relations to the operation of the policy may do so without fear of reprisal. It is the responsibility of every manager in the Institute to support the Equal Opportunities Policy and to communicate it to their staff.

Any employee of the Institute who is found to have engaged in any form of discrimination in contravention of the Equal Opportunities Policy may be liable for disciplinary action according to the Institute's Disciplinary Procedures.

The Human Resources Manager is responsible for ensuring the effective implementation of this policy and will deal with any breaches of policy appropriately.

18. Communication

Whilst it is the responsibility of the Human Resources Manager to ensure that the policy is implemented effectively, it is the responsibility of every manager in the Institute to support the Equal Opportunities Policy and to communicate it to their staff.

19. Raising an issue

Any person who wishes to raise issues concerning alleged discrimination should:-

- a) do so, in the first instance by writing in confidence to the HR Manager.
- b) the HR Manager will take up issues related to equality and will investigate them further.

The Institute is committed to ensuring that all issues concerning alleged breaches of this policy will be dealt with seriously, promptly and with appropriate regard for "confidentiality".

20. Confidentiality

At ITB we comply with the Data Protection Act, 1988, the Data Protection (Amendment) Act 2003 and the Freedom of Information Act 1997 in relation to information on employees and are committed to respect for individual privacy and confidentiality.

21. Records and Review

All aspects of ITB policies and procedures will be kept under review to ensure that they actively promote equality of opportunity in employment.

SECTION (7) - EQUAL EMPLOYMENT OPPORTUNITY AND THE SELECTION OF STAFF: PRINCIPLES IN EMPLOYMENT PRACTICE

It is the policy of the Institute of Technology, Blanchardstown that all applicants for employment at ITB are afforded equality of opportunity. The Institute is an equal opportunities employer and is committed to the legislation governing the equality of opportunity.

Equal Employment Opportunity may be defined as an employment environment in which the merit principle operates. In short, it is an environment in which the best candidate is appointed to the post.

The Institute will be able to demonstrate that the selection processes used are valid and transparent to all.

1. Merit Recruitment and Selection Processes may be defined as being:-

- OPEN – any person who feels that they meet the requirements of the post may apply.
- COMPETITIVE – all applicants are assessed comparatively and against the specification for the post.
- PERFORMANCE BASED – the sole criterion for choice is merit.

2. The Recruitment Process

The recruitment process will be documented in a manner both consistent and transparent, under the following headings:

- a) Confidentiality
- b) Realistic standards – The Job / Person Specification
- c) Advertising
- d) Application forms
- e) Opportunity to apply
- f) Short-listing
- g) Ranking on the basis of ability
- h) Special needs of applicants in selection
- i) Career Development and Promotion

(a) Confidentiality

The Institute emphasises the necessity for observing strict confidence concerning the proceedings of the recruitment process, including all information received by members of selection boards regarding candidates and all reports made by a selection board to the Governing Body of the Institute.

(b) Realistic Standards – The Job/Person Specification

The requirements of any post will be clearly and explicitly stated. The skills, aptitude and knowledge sought will be specifically related to the needs of the job. Statements of length and type of previous experience will be restricted to what is necessary for effective performance in the job. Educational and training requirements will not exceed the minimum requirements for satisfactory performance in the job. Criteria covering personal qualities and circumstances will be directly related to the job and be applied equally to all candidates.

(c) Advertising

- It is our policy to avoid displaying intentionally or unintentionally, advertisements or wordings that suggest, implicitly or explicitly, that jobs are not open to candidates from within all nine grounds of the Employment Equality Act, 1998 and 2004.
- All advertisements, recruitment documentation and publicity material will indicate that the Institute is committed to a policy of equality of opportunity in employment.

- We will seek to ensure a creative approach to our advertising that affirms diversity and attracts the widest pool of applicants.
- We will keep our public relations and communications concepts under review to ensure they are aligned with our employment equality policy and to ensure their capacity to attract employees from all nine grounds.
- All interested and suitable qualified persons will have a reasonable opportunity to be aware and avail of job opportunities. The requirements of the available posts will be published by way of accurate, non-discriminatory advertisements placed in appropriate media. Advertising may also be by means of circulation internal to the Institute. In either case it will be made plain that the Institute is an equal opportunities employer and that the advertised post is available to all.

d) Application Forms

Application forms will be simple and clear and will not require the provision of unnecessary or irrelevant information.

e) Opportunity to Apply

Any person interested in applying for an advertised post will have an adequate opportunity to make known their interest, and to receive proper consideration as a candidate for that post.

f) Shortlisting

Shortlisted candidates will have at least the qualifications and experience specified in the advertisement and further particulars. The advertisement and particulars will only be as specific as is necessary or desirable to enable the job to be carried out effectively. The application of each candidate will be measured against the express criteria for the post.

g) Ranking on the Basis of Ability

Ranking of candidates will be carried out on the basis of a relative evaluation of their ability and fitness for the appointment and a selection process which gives effect to that ranking. Candidates who have been shortlisted for interview will be assessed independently by each member of the Selection Board and each member of the Selection Board will be given the opportunity to participate fully in the discussion which precedes the ranking process.

h) Special Needs of Applicants in Selection

The Institute will make every effort to ensure that the special needs of the job applicants with disability will be met as far as practicable during the selection process.

Offers of employment to non-EU nationals will be made conditional upon the issuing of a Work permit by the Department of Enterprise & Employment. The Institute will comply with legislation accordingly.

i) Selection

ITB is committed to an agreed objective system of rating candidates for recruitment by experience, skill, qualifications or job record as appropriate.

There will be no bias against candidates at interview on any of the nine grounds prohibited under the Act. Interviewers will not make assumptions about the suitability of individuals for certain types of work based on any of these grounds.

There will be a gender balance on interview boards where applicable.

Questions at interview will be related to the requirements of the job. Where it is necessary to assess whether personal circumstances will affect performance (e.g. where the job involves unsocial hours or extensive travel) the same relevant questions, where deemed absolutely necessary, will be asked of all candidates.

The Institute will ensure that persons involved in making employment-related decisions are aware of their responsibilities, the Institute's policies, and the legal requirements.

Candidates will be rated using an agreed objective marking scheme. In the case of two equally qualified candidates, equally ranked on merit, the case will be examined in the light of existing minority representation in the Institute and positive action taken to address it.

Where selection tests are used as part of the selection process, they will relate directly to the actual requirements of the position.

j) Career Development and Promotion

It is our policy to encourage promotion and progression of ITB staff without regard to a person's gender, marital status, family status, race, religion, sexual orientation, disability, age or membership of the traveller community. Promotional procedures will not discriminate either directly or indirectly on any of these grounds.

APPENDIX A – FURTHER DEFINITIONS

WHAT IS 'EQUAL OPPORTUNITY'?

'Equal Opportunities' means the removal of formal and legal barriers to participation in society. It means formal policies and legislation to ban discrimination. For example, in the workplace, it means that irrelevant characteristics, such as sex, race, ethnicity or disability may not be taken into account in recruitment, selection or promotion.

WHAT IS PREJUDICE?

The basis for much inequality is to be found in prejudice and discrimination.

To be prejudiced is to pre-judge someone or something on the basis of generalisations derived from faulty or incomplete information.

To a certain extent, prejudice arises from the fact that the world is very complex. To simplify it, we produce stereotypes, which are deeply held assumptions about aspects of the world.

Stereotyping is a feature of how people think. It provides a foundation for much prejudice and discrimination, as people do not check their stereotypes against reality. We may treat people less favourably because of assumptions and perceptions we have about them, on account of, say, their gender, skin, colour or the fact that they have particular impairments or medical conditions.

WHAT IS RACISM?

Racism is prejudice or discrimination on the basis of race or a belief that one race is superior to another.

Racism exists as a daily reality for many people in Ireland. It is not just refugees and foreigners who suffer from racist attitudes. All non-white residents, including Irish citizens of colour also experience problems, as do members of the Traveller community.

- Sexism; Unfair discrimination on the basis of sex or gender
- Ableism; Unfair discrimination on the basis of disability
- AGEISM; Age discrimination can occur when a person is not considered for a job because they are too young or too old although they hold the required qualifications.

Age discrimination can interact with other kinds of discrimination. For example, an upper age limit can discriminate against an older woman returning to the work force.

ETHNIC GROUP

An ethnic group is a group of people who share a common national or cultural tradition.

REFERENCES

This policy has been drawn up in accordance with the Department of Equality and Law Reform's Code of Practice – Measures to Protect the Dignity of Women and Men at Work – 1994, the Employment Equality Acts 1998 and 2004 and the Equal Status Acts 2000 and 2004. See also Irish Statutes Book 1992, Department of Education & Science letter 30/11/99, F55/84. Also, Guidelines for Employment Equality Policies in Enterprises reference www.equality.ie, the website of the Equality Authority.