	Human Resources Policy Document	
		Effective Date:
	Equal Employment Opportunity Policy	18 March, 2009


Title : **Equal Employment Opportunity Policy**

Status : ***Revision of original policy Equal Employment Opportunity dated 1 Sep 2005***

Approval Date : **17 March, 2009**

Date for Next Review : **March, 2009**

Originator : **Keith Tucker, Director, Human Resources**

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3. Definitions/ Abbreviations
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Appendix I: Definitions of Grounds for Discrimination

Originator: *Human Resources, ESF Centre*

Originator:	Reviewed by:	Approved by :
Keith Tucker Director, Human Resources	SMT	Functional Director/ Chief Executive
Date:	Date:	Date:


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REVISION STATUS TABLE

Revision No	Effective Date	Summary of Revision	Reviewed		Approved	
			By	Date	By	Date
A	18 Feb 2009	For review by SMT	Keith Tucker	17 Mar 2009	SMT	17 Mar 2009

POLICY DOCUMENT ANNUAL REVIEW

This Policy document is subject to an Annual Review by ESF that is formally documented to ensure its continuing suitability, adequacy and effectiveness. Areas subject to review include, but are not limited to, follow-up action from previous reviews, policy conformity, review of complaints, status of corrective and preventive actions, and improvements for the forthcoming year. ESF reserves the right to amend this Policy by notice following such review in circumstances in which it considers such change to be necessary or appropriate.

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1. PURPOSE

ESF is committed to be fair in the way it deals with all aspects of its employment practices and to a policy of equal opportunity which aims to ensure that no job applicant or Staff Member receives less favourable treatment because of discrimination on any of the factors identified below and in doing so ESF meets, and often exceeds, the requirements under the Sex Discrimination Ordinance, the Disability Discrimination Ordinance, the Family Status Discrimination Ordinance and the Race Discrimination Ordinance.

ESF does not permit discrimination of any kind against any person on the grounds of the following Factors (defined in Appendix I), where they do not impede the Staff Member's ability to do their job properly:

- Sex;
- Age;
- Family status;
- Belief;
- Ethnicity / Race;
- Affiliation;
- Disability; or
- Sexuality.

2. SCOPE

This Policy applies to all Staff Members in all ESF and ESL entities, namely: -


1. Primary Schools;
2. Secondary Schools;
3. Private Independent School;
4. Kindergartens;
5. ESL Head Office;
6. ESF Centre.

This Policy also applies to persons engaged on a contractual basis and commissioned agents of ESF and ESL.


Out of scope: This Policy does not cover alleged discrimination against students, parents or other non-Staff Member stakeholders within ESF. Equally, it does not cover situations where a Staff Member feels he/she is being harassed by someone on the basis of one of the Factors, this is dealt with under the Harassment Policy.

3 DEFINITIONS / ABBREVIATIONS

ESF	-	the English Schools Foundation
ESL	-	ESF Educational Services Limited
Senior Manager	-	A member of the Senior Management Team of ESF or the management team of ESL
Staff Member	-	Any employee of ESF and/or ESL
Principal	-	Principal of an ESF School or ESL School or kindergarten.
Director HR	-	Director Human Resources of ESF

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Factor - The Equal Employment Opportunity criteria identified in section 1 of this policy.

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4. RESPONSIBILITIES

4.1 Management

The Human Resources Director and Human Resources Managers within the ESF Centre and Principals are responsible for communicating, implementing, monitoring and reviewing the effects of the Policy.

4.2 Staff Members

Staff Members are responsible for upholding the Policy and thereby creating an environment free from discrimination.

5. PROCEDURE

The following procedures are examples of the employment situations covered by this Policy. The list is not exhaustive.

5.1 Recruitment

ESF is committed to ensure that all candidates who apply for employment will be considered equally and without discrimination on the grounds of any Factor. For example, where a candidate has a physical disability and it does not impede his or her ability to do the job, we will ensure that he/she is considered equally for the post for which he/she has applied.

All interviewers will be made aware of this Policy, advertisements will acknowledge ESF as an Equal Employment Opportunity employer and procedures for selection must state criteria for selection relative to each specified role.

Application forms and interview notes on all unsuccessful candidates should be kept for a minimum of twelve months. This information is important evidence in case of alleged discrimination.

5.2 Job Descriptions

Job descriptions will be written with care, ensuring that they reflect job requirements, competencies and qualifications and without discrimination on the grounds of any Factor.


5.3 Performance Management

A Staff Member's individual performance will be managed based on the stated criteria without discrimination on the grounds of any Factor.

Performance appraisal notes should be kept for a minimum of twelve months. This information is important evidence in case of alleged discrimination.

5.4 Promotion, Transfer and Training

Selection criteria for promotion, internal transfer, further training and other opportunities will be based solely on the performance, competence and potential of the Staff Member relative to the requirement of specified roles and without discrimination on the grounds of any Factor.

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5.5 Remuneration

Remuneration decisions will be made based on the criteria stated in the Compensation Policy, without discrimination on the grounds of any Factor.

5.6 Termination of Employment

Decisions to terminate the employment of a Staff Member will be made based on relevant criteria as identified in the employment contract and Conditions of Service without discrimination on the grounds of any Factor.

5.7 Advertisement and Recruitment Literature

Advertisements and recruitment literature must guard against stereotyping. For example, in brochures with photographs, it is important to show mixed and representative people. Similarly, any advertisements should acknowledge ESF as an Equal Employment Opportunity employer.

5.8 Disciplinary, Grievance and other Procedures

Any procedure conducted under the Disciplinary Policy, the Grievance Policy or other procedures designed to manage or deal with a Staff Member's poor conduct or performance will be managed based on relevant criteria without discrimination on the grounds of any Factor.


Notes related to these procedures should be kept for a minimum of twelve months. This information is important evidence in case of alleged discrimination.

6. COMPLAINTS

Any complaints of victimisation, vilification or discrimination will be thoroughly investigated. If any allegation is proven, it will be viewed as a serious offence against the stated policy of ESF, and may result in a grievance procedure, disciplinary action or legal action. Any person who wishes to make a complaint or who has a complaint brought against them relative to this policy should contact the Human Resources Department for guidance.

7. COMPLIANCE

Any matters concerning the implementation of this Policy in a particular school or ESF office should be raised with the Principal or appropriate Senior Manager with a view to reaching a mutually workable solution. Any matters of non compliance should be raised with the Director, Human Resources, ESF Centre.

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Appendix I

DEFINITIONS OF GROUNDS FOR DISCRIMINATION

The following list defines the terminology used to identify various bases of discrimination, within ESF policies. The list of eight Factors is by no means exhaustive or comprehensive.

Sex

Discrimination against someone based on their gender; male or female.

Age

Discrimination against someone based on their age, subject to ESF's contractual retirement age practice.

Family status

Discrimination against someone based on their home situation; eg. whether they are; single, married (legally or de facto), divorced, pregnant, with dependants, without dependants, and so on, or based on the background of their family.

Belief

Discrimination against someone based on their declared religion, religious belief or general creed.

Ethnicity / Race

Discrimination against someone based on their country of origin, nationality, race, ethnic origin or colour.

Affiliation


Discrimination against someone based on their political or social affiliation.

Disability

Discrimination against someone based on their physical or mental disability, or medical condition.

Sexuality

Discrimination against someone based on their sexual orientation; heterosexual, homosexual or bisexual.

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