



**cmeth**

Bord Oideachais agus Oiliúna  
an Chabháin agus Mhuineacháin  
*Cavan and Monaghan  
Education and Training Board*

# **Cavan and Monaghan Education and Training Board**

## **Equality and Diversity Policy**

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## 1. Purpose of Policy

This policy sets out the commitment of Cavan and Monaghan Education and Training Board (CMETB) to ensuring equality of opportunity and experience for all learners, staff, and prospective staff in relation to engagement with the CMETB. We are an equal opportunity employer and will always strive to maintain a work environment in which all staff are treated with respect and dignity.

This Equality and Diversity Policy has been developed to provide a framework for CMETB to meet its obligations as an equal opportunities employer and public service provider.

## 2. Scope

The policy sets out CMETB's commitment to equality of opportunity and experience for all students and learners, staff and prospective staff, in relation to engagement with CMETB services within schools, Institutes, centres and administration.

This policy is applicable to all employees, students, and learners within CMETB and will be brought to the attention of all suppliers and contractors.

This policy relates to all areas of employment practice including recruitment and selection, training and development, progression which includes promotion, pay, employment conditions and retention.

This policy relates to all services provided by CMETB in all its activities, both external and internal.

## 3. Legislation

The Equality and Diversity policy is informed by the [Employment Equality Acts 2008-2015](#) and the [Equal Status Acts 2000-2018](#) which prohibit direct and indirect discrimination, sexual harassment, harassment and victimisation in relation to **nine specified equality grounds: gender, family status, civil status, sexual orientation, age, disability, religion, ethnicity and membership of the Traveller community.**

The Employment Equality Acts prohibit discrimination in employment, including recruitment, promotion, pay and other conditions of employment. The Equal Status Acts prohibits discrimination in access to and provision of services, accommodation and educational establishments.

The Equal Status Acts places certain requirements on schools and educational institutions in relation to how they deliver their services. The Equal Status Acts specify four areas in which an education institution must not discriminate:

- the admission of a student, including the terms or conditions of the admission of a student,
- the access of a student to a course, facility or benefit provided by the school,
- any other term or condition of participation in the school and
- the expulsion of a student or any other sanction.

The Acts require that schools and educational institutions do not discriminate across the nine equality grounds (although there are exemptions in relation to gender and religion).

They must reasonably accommodate students with disabilities. Harassment and sexual harassment is prohibited in education institutions.

The [Education Act, 1998](#) emphasises inclusivity and equality of access, including provision for persons with disabilities or other special educational needs and sets out the rights of parents to send their children to a school of their choice. The promotion of equality is embedded in the Education Act. Schools must use their resources to ensure that the educational needs of all students, including those with a disability or other special educational needs, are identified and provided for.

The [Education for Persons with Special Educational Needs Act, 2004](#), includes the aim that children with special educational needs should be educated, wherever possible, in an inclusive environment and that those with special educational needs should have the same rights to appropriate education as children without special educational needs.

The [Education Welfare Act, 2000](#) gives every child in the State an entitlement to a certain minimum education. It also requires schools to prepare a code of behaviour that specifies the standards of behaviour to be observed by students.

The [Education \(Admission to Schools\) Act, 2018](#) provides that, in the schools admission statement, the school shall not discriminate in its admission of a student to a school on the basis of gender, civil and family status, sexual orientation, religion, disability, race, membership of the Traveller community or if the student has special educational needs.

The [Disability Act, 2005](#) places significant obligations on public bodies in terms of providing integrated access to services and information to people with disabilities, as well as promoting the employment of people with disabilities.

The [Irish Human Rights and Equality Commission Act, 2014](#) Section 42, requires that in the performance of their functions, public bodies shall have regard to the need to eliminate discrimination, promote equality of opportunity and treatment and protect the human rights of staff and service users.

#### **4. CMETB Public Sector Duty**

The Irish Human Rights and Equality Commission Act 2014 places a positive duty on public sector bodies to have regard to the need to eliminate discrimination, promote equality and protect human rights, in their daily work. Section 42 of the Act places an obligation on Public Sector Bodies to assess and identify the human rights and equality issues that are relevant to their functions. This is referred to as the Public Sector Duty.

CMETB has carried out an assessment of the human rights and equality issues faced by staff and service users in counties Cavan and Monaghan. This assessment has been published on the website [www.cmetb.ie](http://www.cmetb.ie) along with an implementation and action plan to address these issues.

## **5. Policy**

### **Policy Statement**

Cavan and Monaghan Education and Training Board (CMETB) is committed to equality of opportunity in all its policies, practices and services.

CMETB is committed to fostering an inclusive culture, which promotes equality, values diversity and maintains a working, learning and social environment in which the rights and dignity of all its staff and service users are respected.

CMETB will aim to ensure that no user of any CMETB service, employee, job applicant or student will receive less favourable treatment due to their sex, marital status, family status, age, sexual orientation, religion, disability, race and membership of the Traveller community, in terms of recruitment, pay and conditions of work, training and work experience and opportunities for career promotion.

Equality of opportunity is an integral part of CMETB's overall policy and relies on the contribution of management and staff for the overall effectiveness of the application of the policy. While equal opportunities are formally assigned as an integral part of the responsibility of management, all staff are encouraged to promote equality for all in working life.

Employees will be selected, promoted and treated on the basis of their abilities and merits only, and according to the requirements of the job. All employees will have equal opportunity to show ability and to progress within the ETB and its associated bodies.

In presenting this policy we demonstrate our dedication to upholding principles of equality and diversity, and to encourage a dynamic and positive working environment which informs our public service ethos and commitment to our culture and our society.

CMETB is committed to public service core values, of which equality and diversity are central. We recognise our responsibility to the society which we serve and the value in providing a workplace where diversity reflects contemporary and evolving Irish society.

CMETB is committed to being a modern, diverse and inclusive organisation that reflects the capability of serving in Irish society.

## **6. Equality in the Provision of Services**

CMETB will endeavour to ensure equality of access and opportunity for students, adult learners, and other service users and that admission and application processes, assessment, administration and any other related procedures do not discriminate directly or indirectly against any student, learner or service user in relation to any of the nine grounds under the Equality Legislation and people with special educational needs.

CMETB will aim to provide a high-quality service to its students, learners, staff and service users which is inclusive, accessible and flexible to the diverse needs of the population.

Subject to resourcing, CMETB will actively seek to accommodate the diversity of students and learners, staff and service users from across the nine equality grounds and people with special educational needs by:

- Identifying and addressing students and learners, staff and service user needs across the nine equality grounds.
- Providing equality of access to our services and programmes.
- Providing reasonable accommodation for students and learners, staff and service users with disabilities, which includes access to buildings, services and information.
- Taking positive action measures to promote equality of opportunity for disadvantaged persons where necessary.
- Providing flexibility in the operation of systems and services, where possible.
- Embedding inclusiveness within all CMETB activities and academic practices.

## **7. Equality in Employment**

CMETB is committed to equality and non-discrimination in all areas of employment, including recruitment and selection procedures, promotions, learning and development and terms and conditions of employment.



## **Recruitment and Selection Procedures**

CMETB selection procedures provide equal access at all stages to candidates. Employees will be selected, promoted and treated on the basis of their abilities and merits only, and according to the requirements of the job. All employees will have equal opportunity to show ability and to progress within the ETB and its associated services.

**Recruitment:** It is the policy of CMETB that the highest quality applicants are recruited for all vacancies, in an efficient, fair and consistent manner, free from any discrimination on the basis of Gender, Marital Status, Family Status, Sexual Orientation, Religious Belief, Age, Disability, Race and Membership of the Traveller Community. This equality and diversity policy aims to ensure consistency of treatment between applicants, adherence to best practice recruitment and selection processes as well as compliance with all relevant legislation.

**Interviews:** Interviews will be conducted on a reasonable, fair and objective basis. All staff involved in recruitment and selection interviewing will be made aware of their obligations under this policy and the law governing discrimination, and that selection is made on a fair and objective basis. Relevant training or guidance will, as far as practicable, be provided to ETB selection board members. Both genders will be represented, where possible, on interview panels. Interview panels will consist of two or more people.

All interviews for particular vacancies, for example teaching, will be conducted by Selection Boards established in line with regulations set down by Department of Education and Model Agreements. The function of the Selection Board is to assess each applicant based on their own merits against the criteria for the vacancy, and to recommend applicant(s) for appointment for the vacancy(s) where they meet the standards required.

There will be no assumptions that individuals, because of Gender, Marital Status, Family Status, Sexual Orientation, Religious Belief, Age, Disability, Race and Membership of the Traveller Community possess characteristics which might put them at an advantage or a disadvantage.

Interview questions are to be consistent with current employment law legislation. Questions asked must not discriminate under any of the nine grounds covered by

Employment Equality Act, 1998, that is Gender, Marital status, Family status, Age, Disability, Race, Sexual Orientation, Religious Belief and Membership of the Traveller Community.

A conflict of interest is deemed to be where a member of the selection board feels that their relationship or knowledge of an applicant will not allow them to make an unbiased judgement. A close relationship to a candidate (i.e., spouse/ partner/ child or other close relative/ acquaintance) is deemed to be a conflict of interest. Any such conflict of interest should be declared in advance, in order to ensure equality of access of applicants to posts.

**Promotions:** CMETB's job promotion procedures will not discriminate on grounds of Gender, Marital Status, Family Status, Sexual Orientation, Religious Belief, Age, Disability, Race and Membership of the Traveller Community. Staff will be made aware of career development and promotional opportunities via email and other means when applicable.

An interview-based system operates for promotion. This comprises a competency-based competitive interview, for all grades. Those under consideration for a position may at the discretion of CMETB, following interview, be required to complete an occupational health assessment and a Garda Vetting application. References will be sought.

**Terms and Conditions:** CMETB will periodically review employment practices and procedures to confirm they comply with this policy and support equality of access, opportunity and participation for all, regardless of status (permanent, temporary, full-time, part-time). Where feasible and compatible with the needs of the service, equal access to flexible working arrangements and benefits will be provided, and every effort will be made to make reasonable accommodations for staff members with disabilities.

**Professional Learning and Development:** CMETB recognises that the key to successfully achieving its vision and mission lies in developing and harnessing the talents and energies of its staff. CMETB recognises the contribution of individual staff members and is committed to providing the necessary support to enable staff to contribute effectively to the strategic development of the organisation whilst fulfilling their personal career aspirations and goals.

The training and development of staff is important to the success of CMETB. CMETB is committed to ensuring that staff members are supported to achieve their potential with extra training being provided where necessary, appropriate and feasible, subject to resources.

A balanced participation by both genders in the training opportunities open to them will be encouraged and assumptions about domestic responsibilities or other extraneous factors will not influence training decisions.

Gender stereotyping will be eliminated from all CMETB's training documentation.

CMETB will endeavour to ensure that staff members have equal access to training and development opportunities and will seek to provide programmes that are inclusive and accommodating of all staff. Equality and diversity issues will be included in CMETB training programmes offered to staff members, where appropriate.

## **8. Bullying and Harassment / Sexual Harassment**

CMETB fully supports the right of every staff member to work in an environment which is free from bullying or harassment / sexual harassment of any kind and is committed to provide an environment which is free from such.

CMETB has adopted the National Agreed Bullying Prevention and Harassment / Sexual Harassment Prevention Procedures. These procedures are available at each school / centre and on the CMETB Staff Hub SharePoint or can be requested from CMETB Administration Centres.

## **9. Grievances**

The Employment Equality and Equal Status Acts provide protection for individuals who, in good faith, have acted in pursuance of a claim under any of those Acts. Any complaints of discrimination will be pursued through the Nationally Agreed Grievance Procedures. This procedure is available at each school / centre and on the CMETB Staff Hub SharePoint or can be requested from CMETB Administration Centres.

## **10. Other related CMETB Policies**

- Dignity at Work Charter
- Bullying Prevention Policy
- Harassment and Sexual Harassment Prevention Policy
- Recruitment and Selection Policy
- School and Centre Policies, for example:
  - Codes of Behaviour
  - Anti-bullying policies
  - Child Protection policies
  - Special Educational Needs policies

## **11. Responsibilities**

This policy applies to equality and diversity across all aspects of the CMETB organisation.

### **Line Manager Responsibilities**

Each Line Manager (Principal/Director/Co-ordinator/Manager/APO) is responsible for ensuring adherence to this policy with regard to those members of staff under their supervision.

### **Staff Responsibilities**

All CMETB staff members play an important role in implementing this policy and should familiarise themselves with its contents and other CMETB related policies that have been detailed above.

### **Student. Learner and Service User Responsibilities**

Students, Learners and Service Users also have an important role to play and must be aware that, when availing of CMETB service, their actions must not discriminate, harass or intimidate others and actively promote inclusion and equality.

## **12. Implementation and Review**

This policy will be monitored and reviewed by CMETB, in consultation with relevant managers and staff/their representatives. Each Principal / Director / Manager / APO / Co-ordinator is responsible for the implementation of this policy; however, all staff are requested to familiarise themselves with this policy.

CMETB will review and improve existing practices and procedures where inequalities have been found or alleged to exist, in light of changes in legislation and on receipt of guidance from Government departments and organisations such as IHREC, NDA.

**This policy was approved by the Senior Management Team of Cavan and Monaghan Education and Training Board on the 26 August 2024.**

## Appendix 1: Definitions

**Bullying:** Bullying can be defined as repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work. An isolated incident of the behaviour in this definition may be an affront to dignity but as a once-off incident is not considered to be bullying.

**Equality:** the principal of equality is enshrined in the Irish Constitution and in many international and EU treaties and declarations. The Universal Declaration of Human Rights see equality as a fundamental principle in terms of a person's human rights: 'All human beings are born free and equal in dignity and rights'.

Key pieces of equality legislation in Ireland are the Employment Equality Acts 1998-2011 and the Equal Status Acts 2000-2012.

**Equality Grounds:** Discrimination is prohibited by legislation on the basis of any of the following grounds:

Gender, Civil Status, Family Status, Age, Race and Ethnicity, Religion, Disability, Sexual Orientation, Membership of the Traveller community.

**Discrimination:** Discrimination is prohibited and has a specific meaning in the Employment Equality Acts and the Equal Status Acts. 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 equality grounds. Discrimination can be direct, indirect, by association or imputation.

**Indirect Discrimination:** Indirect discrimination happens when there is less favourable treatment in effect or by impact. It happens when 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 is deemed to 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:** Discrimination by association occurs where a person is treated less favourably due to an association with someone belonging to one or more of the nine equality grounds.

**Discrimination by Imputation:** Discrimination by imputation occurs where a person is treated less favourably due to being labelled as belonging to one or more of the nine equality grounds.

**Harassment:** Harassment is any form of unwanted conduct related to any of the nine equality grounds (Gender, Marital Status, Family Status, Sexual Orientation, Religious Belief, Age, Disability, Race and Membership of the Traveller Community) that has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature.

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. The emphasis is on the effect of the unwanted conduct on the recipient, not on the intention of the perpetrator.

There are other forms of bullying and harassment which are not included in the Acts but covered by other legislation such as the Unfair Dismissals Acts, the Safety, Health and Welfare at Work Act 2005, Civil and Criminal Law.

**Positive Action:** The Equality Acts allow for preferential treatment or the taking of positive measures which are bona fide intended to:

- Promote equality of opportunity
- Cater for the special needs of persons, or a category of persons who because of their circumstances, may require facilities, arrangements, services or assistance.

**Reasonable Accommodation:**

**Reasonable accommodation of people with disabilities in service provision:** a person selling goods or providing services and educational institutions are required to do all that is reasonable to accommodate the needs of the person with a disability. This involves providing facilities in circumstances where, without these, it would be impossible or unduly difficult to avail of goods or services.

**Reasonable accommodation of people with disabilities in employment:** For the purposes of the Act, a person who has a disability is considered fully competent and capable on reasonable accommodation (referred to as appropriate measures) being provided by the person's employer. An employer is obliged to take appropriate measures to enable a person who has a disability:

to have access to employment

- to participate or advance in employment
- to undertake training

unless the measures would impose a disproportionate burden on the employer.