



<b>POLICY</b>	EMPLOYMENT EQUITY POLICY
<b>APPROVED</b>	AUGUST 2021
<b>REVIEWED</b>	
<b>VERSION</b>	1
<b>SCHOOLS</b>	PRESCHOOL AND PREPARATORY

## BACKGROUND

This policy is in place to protect the general wellness of all staff at Broadacres Academy (“The School”). The school should have regard to the **Code of Good Practice on the Integration of Employment Equity into Human Resources Policies and Practices** in order to consider its own policy decisions in respect of this document.

## LEGISLATION

This policy is aligned to the following legislation:

1. The Employment Equity Act 55 of 1998
2. South African Schools Act, 1996 (Act No. 84 of 1996)

## GENERAL

The School believes in the values of human dignity, non-racialism and non-sexism as stipulated in the Constitution of South Africa.

The process of transformation requires a re-orientation from past values and practices to an environment of greater observance of human rights and more equity. Embracing diversity involves looking closely at our interpersonal interactions as well as our structures, policies, practices and broader School culture.

## EMPLOYMENT VISION AND SCHOOL VALUES

This policy and the vision, goals and standards for decision-making and behaviour it provides in relation to affirming Employment Equity (EE) at the School, is not intended to deal with every situation or eventuality that may occur at the School, regarding this topic. It is intended as a guideline for School decision-makers, to ensure a common and principled understanding of how to conduct all School employment affairs with equity and integrity.

While this Policy Statement deals with a range of more specific employment aspects, it is important at the outset to clearly highlight the School’s key employment and EE values and aims as hereunder.

1. To translate the School's own educational vision, ethos and mission into employment practices that are progressive, but which also reflect the priorities and realities of an independent school servicing the needs of learners in a globally-exposed South Africa.
2. To maintain consistency and sound judgement in the day-to-day operational application of, and compliance with, the principles and policies set out herein; thereby promoting and preserving the best interests of the School, its learners, employees as well as other stakeholders.
3. To treat all our employees in a respectful, fair and caring manner, so as to create a non-discriminatory climate and workplace where they will respond positively and assist the School to achieve the best results possible, even under challenging circumstances.
4. To set an expectation of mutual respect and high standards of equitable behaviour by every employee - with no exceptions. Any employee, irrespective of their status or service, who does not conduct him/herself in accordance with the School's expectations in this regard should be challenged and their behaviour corrected by the School. Unethical, demeaning or racist behaviour by any single employee will affect others in a negative way and impact on the School. Unacceptable and discriminatory behaviour can therefore not be tolerated.
5. To accept responsibility for correcting decisions and actions as may be necessary to achieve equity in the workplace and to effect remedial actions to address unfair discrimination at the School. All School employees must strive at all times to behave in a principled and disciplined manner that is above reproach and respects the rights of others as enshrined in the SA Constitution and Bill of Rights.

#### **SCHOOL EE POLICY PRINCIPLES**

The principles set out herein create a broad framework of reference for employment decision-making and seek to establish a common understanding of fundamental expectations, decision-making considerations and critical responsibilities in relation to implementing our vision of Affirming Employment Equity at the School.

##### **1. Application of EE Principles**

- 1.1. The School's policy on Affirming Equity is fully endorsed by its Board and all levels of School management. This commitment is based on a firm belief of the need for the School to be seen to be conducting itself ethically and fairly in all its employment practices; and further in a manner that demonstrates a clear intent to affirm equity through the application of a progressive EE approach.
- 1.2. In accordance with the School's educational ethos of striving to nurture and develop each individual to his/her optimum potential, the School must also commit itself to employment practices that are both caring and developmental.

##### **2. Ongoing Commitment to Affirming Equity**

All School employees, and especially those in managerial and employee-interface positions of responsibility, will be expected to familiarise themselves with this policy, and apply it with the spirit intended in their own day-to-day conduct and in their decisions.

The School will not condone breach of the policy, nor any violation of the laws of ethical and equitable employment practices, at any level of the organisation.

##### **3. Staffing and Employment Matters**

The School strives to foster and maintain a stable, secure, professional and productive working environment for all its employees. This requires the attraction and retention of suitably qualified, competent and motivated staff, with values that are compatible with the ethos of the School.

Application of the principles and our values of Affirming Equity in staffing matters will be demonstrated in numerous ways, including the following aspects.

3.1. Employment and deployment of resources

Appointment to the School's staff and deployment to a suitable post, will be on merit, with due and fair consideration to all relevant criteria, but also in the best interests of the School, its learners and its community.

While the attraction and appointment of suitable candidates, and the further development of employees with potential and talent is of great importance, the best interests of the School and its learners must still be the primary consideration that guides all actions and decisions related to the employment and utilisation of human resources by the School.

The fundamental principles of appointment and deployment of employees to which the School subscribes include:

- (a) The elimination of all forms of unfair discrimination from School employment practices.
- (b) Identifying and doing away with any historical or traditional education sector 'differentiation' practices between various categories of staff that are not operationally justified and that entrench outdated and inequitable employment and /or remuneration and benefit practices (e.g. unfair differences between academic, administrative and support staff benefits and conditions of service).
- (c) The use of fair and open but targeted recruitment and selection procedures with appointment on merit, but with due consideration to historically disadvantaged individual (HDI) candidates with potential.
- (d) Giving priority consideration to the identification, development and promotion of the potential and talent of existing resources / staff wherever possible, resorting to the employment of persons from outside the School only when no suitable candidate can be found within the School's existing workforce complement.
- (e) Placing employees in positions that develop and use their capacity and skills to the fullest extent possible, and where most appropriate to the needs and interests of the School.
- (f) Ensuring honesty, transparency and realism in decision-making, with open and direct lines of communication and regular contact with employees regarding employment opportunities.

3.2. Developing capacity and performance through training

The School's policy is to encourage the development of all its staff through various training initiatives. These initiatives are intended to improve work performance, maintain educational standards of excellence, as well as encourage personal growth by every employee.

More specifically, the School will seek to apply the following development and training principles:

- (a) Employees with identified potential from designated (targeted) disadvantaged groups will receive necessary consideration for development and training wherever feasible, and in accordance with School commitments set out in the School's Employment Equity Plan (EE Plan).

- (b) The accelerated development of specific employees, in line with the School's employment equity goals or plans, will be managed in a professional but transparent manner.
- (c) While most training is generally provided informally (in-house and on-the-job), external training and additional educational / professional development will be considered and provided on merit, and where the individual employee's chosen field of study is also in line with School needs and priorities reflected in the EE Plan.

### 3.3. Remuneration and employment benefits

The School commits itself to the application of equitable and sound remuneration practices, and benefit and service condition structures that also reflect merit, performance, contribution and employee value.

- (a) In accordance with the principle of "equal pay for work of equal value", the School will aim to implement and maintain appropriate remuneration and reward structures.
- (b) Attention must be given to the need for School remuneration and benefit practices aimed at eliminating historical and discriminatory differences in remuneration and employment benefits (e.g., such as access to school attendance by employees' children) through implementing *inter alia* -
  - provision for equal or reasonable benefit structures for all staff wherever possible;
  - market-related total cost of employment remuneration packages for all employees, with due attention to rewarding long service and closing any historical wage gap within various categories of School employees;
- (c) The confidentiality of remuneration information, including salaries and benefits of the individual employee, must be respected.
- (d) The provisions of all relevant legislation and regulations pertaining to employee remuneration, including the payment of all income taxes and insurance costs or benefit contributions by the School on behalf of all its employees, will be adhered to by the School.
- (e) The creation of any individualised or flexible ('structured') remuneration and reward structures, will be implemented in a manner that does not undermine the principles of the School's EE policies and does not constitute a breach of SA Revenue Services / SARS regulations.

## 4. Affirmative Action

The School considers the affirmative action process as being a means to achieve equity of employment, and not as an end in itself.

The School's approach to Affirming Equity is based on the creation of meaningful opportunities and the positive management of workplace diversity. It will not be based on the forced removal of competent persons from skilled positions to 'create space' for anyone, in particular not for people who are unable to perform with competence and confidence.

### 4.1. Affirming equity in employment

The School promotes a policy of fair and realistic affirmative action in its employment practices.

The ethical and sensible application of this policy will not cost any employee their job because they are of a particular race, creed, gender or orientation, nor will it guarantee anyone a position based solely on these factors.

However, as an equitable and responsible employer, the School must recognise the need for an active programme which assures and actively affirms employment equity, and which incorporates the taking of steps to ensure the equalisation of employment opportunities.

More specifically, the School has adopted an equity affirmation policy founded on the principles of:

- (a) Decisions based primarily on considerations of operational (School and educational) requirements, but with recognition of the need for equity, and School initiatives aimed at eliminating the effects of historical and unfair discrimination.
- (b) Recruitment, selection, deployment, development and promotion practices driven by School needs and job requirements, with due consideration for the achievement of realistic and transparent targets set in terms of the School's EE Plan.
- (c) Reasonable accommodation for people from designated groups to ensure that they enjoy equal opportunities.
- (d) The School will strive to have its workforce reflect the demographic and social profile of the community it serves.
- (e) The notion of 'window dressing' or affirmative action tokenism is considered to be insulting to any employee or so-called beneficiary thereof. Such actions will not be implemented by the School, especially as an expedient or temporary measure to appease any pressure group.
- (f) The School will not impose nor accept the imposition of forced quota-based employment practices in its efforts to be reasonably representative. Consideration must be given to the skills required by the School, the availability of critical skills in the marketplace and the expected outcomes of accelerated development programmes in place at the School.
- (g) Bridging cultural differences and promoting the recognition of and respect for diversity at the School.

The organisation will nevertheless be progressive and 'affirmative' in all its people practices. A key objective for the foreseeable future will be to maintain employment practices that reflect the objective for the employment and development of HDIs.

#### 4.2. Fair discrimination

The School does not subscribe to a rigid, quota-based 'reverse discrimination' policy. However, the School will endeavour to take appropriate steps to:

- (a) Prevent any practices which keep employees in an unfairly disadvantaged position.
- (b) Strive to correct any historical imbalances, inequities and "unfair discrimination" as defined in our labour law, including measures to eliminate differences in terms and conditions of employment which may be based on one of the listed grounds in the EE Act or any other arbitrary ground.
- (c) Encourage increased workforce diversity, preferably through development of existing staff and persons associated with the School from designated (targeted) disadvantaged groups.
- (d) Utilise and accelerate the development of existing internal human resources within the School's workforce from designated groups as a first priority wherever possible.

The School's policy is therefore based on the principle of "best opportunity for all" rather than "only opportunity for some". It seeks to identify, develop and reward every employee who demonstrates the desirable qualities of professionalism, initiative, hard work and loyalty in their work at the School.

**5. Legislation, recording and reporting on Equity matters**

The School fully endorses the principles and provisions of the EE Act, as may be applicable to the School, and as set out above.

In order for the School to effectively assess, monitor and report on its employment equity practices, and the racial, gender and disability mix of its employees, it is necessary for information to be gathered and reported regularly by the School authorities.

- 5.1. The periodic collection, classification, recording and reporting of such statistics by the School is therefore a legitimate statutory information requirement, and will be used for such purposes only. Any information requested of employees relating to gender, race or disability status will be restricted to that which is required for such reporting purposes.
- 5.2. All information collected should be treated as sensitive information and not made readily available to unauthorised persons.

**6. Harassment and Victimisation**

All School employees have the right to work in an environment free from harassment, victimisation or unfair discrimination.

- 6.1. Any allegations of harassment, whether they involve a learner, parent, employee or a School manager, should be reported to the School Head immediately by an employee who is aware of any such allegation or any incident.
- 6.2. All such allegations will be treated as being of a serious nature and will be properly investigated by senior School authorities prior to appropriate corrective action being taken, if so required.
- 6.3. All employees are required to avoid statements, acts or participation in activities that may be construed as being harassment or victimisation of another, or as indicating or promoting racism, intolerance, hate speech or unfair discrimination.
- 6.4. The School reserves its right to impose appropriate disciplinary measures on employees who it considers to have acted in breach of this policy or relevant codes of conduct.

**COMPLIANCE WITH SCHOOL POLICY**

Every employee of the School is expected to be familiar with, and to embrace the School's policy, founding principles and the Affirming Equity process being practiced by their employer.

- 3.1 If any employee becomes aware of, or suspects a contravention of this policy, he/she is expected to promptly bring this information to the attention of the School Head.
- 3.2 Breaches of the School's Affirming Equity Policy could result in disciplinary, civil or other legal proceedings being initiated against the employee by the School and/or any negatively affected person.

All employees are therefore advised to ensure that their conduct does not call their compliance with this policy into doubt.

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End of Policy