



# Cedarwood School

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## CEDARWOOD SCHOOL EQUITY POLICY

This policy must be read in conjunction with the POPIA Manual

### Purpose of this Policy:

The purpose of this policy to make clear where Cedarwood stands with regards to employment equity.

### 1. PREAMBLE

- 1.1 Cedarwood School recognises that the implementation of Affirmative action, employment equity and diversity programmers is integral to the process of transformation in South Africa.
- 1.2 Cedarwood School is an institution with a mission of serving all sectors of its community through excellence in teaching and learning.
- 1.3 Consistent with national aspirations, the Institution seeks to implement an approach to employment equity aimed at redressing past imbalances and at ensuring that future actions do not contribute towards the recreation of a socially dysfunctional society.
- 1.4 In addition to the promotion of equal opportunity through the elimination of unfair discrimination Cedarwood commits itself to a program of positive redress based on employment equity, affirmation through training and education, economic empowerment of persons from the designated groups and a change in the management ethos, and value system in order to enhance, reflect, accommodate and celebrate the institution's diversity.

### 2. DISCRIMINATION AND HARASSMENT

- 2.1 Cedarwood is committed to widening access to all sections of the population.
- 2.2 Cedarwood is committed to the elimination of any form of unfair discrimination or harassment. This includes any acts or threats that interfere with the performance at work or in study of any individual or group on account of race, gender, sex, pregnancy, marital status, family responsibility, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, political opinion, culture, language or birth.

### 3. EQUAL OPPORTUNITIES

- 3.1 The appointment of, and conditions of service for, all Cedarwood will be nondiscriminatory.

3.2 The procedures by which Cedarwood staff are appointed will be transparent and selection committees will be accountable to the Cedarwood community through appropriate committee and management structures.

3.3 The minimum requirements for all jobs will be clearly formulated and appropriately publicised. Appointees must be suitably qualified and able to satisfy the minimum published performance requirements. All appointments shall be based on merit. In assessing candidates competing for appointments, due consideration will be given to individual potential, based on achievement relative to a candidate's circumstances and opportunities.

#### **4. AFFIRMATIVE ACTION**

4.1 Affirmative Action, as a corrective mechanism, is a necessary component of an Employment Equity and Diversity Policy. It is necessary in order to redress the consequences of previous policies that, in denying or restricting opportunities, placed groups and individuals at a disadvantage relative to others.

4.2 Affirmative action recognises that certain actions are required in order to create a platform from which equal opportunities can be legitimately and effectively practiced, and from which the race and gender imbalances in our staffing structures can be addressed.

4.3 Employment Equity Plans with specific objectives covering the next five years shall be formulated.

#### **5. The Employment Equity Plans shall avoid the following:**

5.1 The introduction of quotas for designated groups

5.2 Any form of tokenism

5.3 Any procedures that would, on the grounds of race or gender, undermine the dignity of any member of the Cedarwood Community

5.4 The exclusion of Cedarwood members from developmental / promotional opportunities.

#### **6. The Employment Equity and Diversity Plans shall include:**

6.1 Provision for progression and ongoing development based on consistent achievement of required standards;

6.2 Specific initiatives to change the composition of management / decision-making structures within the Institution and to include opinion relevant to the community which the Institution serves;

6.3 Deliberate attempts to scrutinise and transform the culture of the Institution in a

6.4 Participative manner;

6.5 Succession and developmental plans as part of a holistic approach to human resource management which does not undermine operational efficiency;

6.6 Monitoring and evaluation mechanisms.

#### **7. STRUCTURES FOR IMPLEMENTATION**

7.1 The Headmaster in his role as Head of the Institution is finally accountable for the implementation of this policy.

## **8. APPOINTMENTS AND PROMOTIONS**

### **8.1 Preamble**

Staff appointments and promotions shall be conditional on successful candidates being suitably qualified and meeting the inherent requirements of the job as publicised.

Accordingly, no appointment shall involve any element of tokenism. All appointments will comply with The Act and other relevant legislation and will give effect to the principles of the Institution's Employment Equity and Diversity Policy. Current structures are to be utilised wherever possible to avoid duplication.

### **8.2 Advertisements**

All advertisements for vacant positions are to contain a phrase depicting the intent of the Employment Equity Policy.

All advertisements must stipulate the minimum requirements for a particular job.

Minimum requirements may be stipulated as a mix of:

- Formal qualifications
- Prior learning
- Relevant experience and
- Personal attributes which are essential for the performance of the functions of the job, and are consistent with operational necessity.

All notices advertising vacancies are to use whatever media is appropriate, within budgetary constraints, to ensure that all potential sources for candidates are covered.

The Headmaster is to be responsible for ensuring that all advertisements conform to the principles of the Employment Equity policy.

All posts must be re-advertised if, during the selection process, based on the number or candidature of applicants, permission is sought and granted for the job description to be amended, minimum requirements relaxed or terms and benefits (excluding remuneration) attached to the post enhanced.

### **8.3 Appointments**

Assessing the candidates' written application against the minimum makes an initial determination of the potential appoint ability of a candidate. Scrutiny of the requirements of the job in order to determine whether a candidate is suitably qualified is paramount in determining the suitability of a candidate. If there are many suitably qualified candidates for a post, then a preliminary ranking and short-listing may take place in accordance with approved policy and practice. Short-listed candidate(s) will then be interviewed and may be required to successfully complete fair performance or skills tests and/or any scientifically valid and fair personality or aptitude test. At this stage, a candidate should not be excluded from possible appointment if it is assessed that the candidate has the potential to acquire, within a reasonable time, the ability to do the job. The interview, the reports of referees and the outcome of tests will be used to finally determine the appoint ability of short-listed candidates. Appointable candidates must be ranked in order of preference, taking into consideration the Institution and Employment Equity and Diversity Plans and policy.

Where there is more than one appointable candidate, unless cogent and compelling reasons relating to the superior candidacy of the preferred candidate are advanced by the chairperson, supported by the majority of the selection committee, to the approving authority, the

numerical goals and/or the hierarchy of preferred candidates as set out in the Equity Plan shall be factored in to the final selection.

The reasons advanced for preferring a candidate, who does not belong to the target group in the circumstances envisaged above, may not relate to operational necessity. In terms of this policy operational necessity is used to determine the minimum published requirements. Accordingly, these criteria are fixed by the selection committee at the outset and are used to short list candidates. An appointable candidate in terms of this policy is a person who meets the minimum criteria and is also considered as likely to be successful in the post. Minimum criteria can therefore not be manipulated during the final phase of the process, to prefer one appointable candidate over another. The candidate may, however, possess particular skills or experience, which would enhance the scope of the post in a manner consistent with the Institution's goals and mission.

The developmental and promotion opportunities for existing staff who, but for their non-membership of the targeted designated group, would be the preferred candidate, must be given due consideration and be measured against other operational objectives.

The Headmaster (or nominated representative) shall approve all recommendations for appointments prior to such appointment being confirmed with the successful applicant.

Preference will be given to South African citizens and permanent residents of South Africa unless clearly motivated by the selection committee and approved by the Headmaster.

#### **8.4 Monitoring**

While the Headmaster will have the administrative responsibility for the filling of vacancies, the HR Department will have primary responsibility for monitoring that these procedures are in accordance with this policy and the Equity Plan.

#### **8.5 Redress**

In cases where it is believed that there has not been adherence to the principles of this policy or the Equity Plans, the objection will be recorded in a report. The Headmaster will make a ruling on which applicant will be offered the post.

### **9. UNFAIR DISCRIMINATION**

#### **9.1 Preamble**

The term 'Discrimination' should be understood to imply any direct or indirect distinction, exclusion or restriction on one or more of the following grounds – race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language or birth- which has the purpose or effect of nullifying or impairing the exercise by any person on an equal footing of their rights and freedoms within the Institution community.

However, the Institution recognises that not every differentiation or treatment will constitute unfair discrimination and any distinction, exclusion or restriction aimed at achieving a purpose which is legitimate in terms of the Employment Equity Policy shall not be regarded as unfair.

## 9.2 Redress

Individual complaints of discrimination will follow the agreed Institutional grievance procedure and in the first instance should be referred to the person immediately in charge of the affected employee unless there is:

- 9.2.1 Fear of victimisation;
- 9.2.2 The matter is so serious as to warrant consideration or investigation at a higher level;
- 9.2.3 The immediate supervisor is the person accused of unfair discrimination;
- 9.2.4 Other acceptable reason.

General complaints concerning unfair discrimination in Institution wide policies, practices and procedures must be referred to the Headmaster.

## 10. EMPLOYMENT EQUITY PLANS

The Overarching Institution Employment Equity Plan ('the Equity Plan')

The Equity Plan will be a compilation of:

- 10.3.1 The results of the Institution-wide audit and analysis of all policies, practices and procedures as required by the Employment Equity Act ('the Act');
- 10.3.2 The remedial measures necessary to overcome barriers identified in the audit and analysis;
- 10.3.3 The statement of reasonable timeframes required to implement the remedial measures.
- 10.3.4 The agreed dispute resolution process;
- 10.3.5 The framework for monitoring and implementing the employment equity plans.

In compliance with Chapter III, Section 20 of the Act, the plan shall include:

- The objectives and numerical goals to be achieved, within the Institution for each occupational category and level, for each year of the plan;
- A hierarchy of preference in selection, appointment and promotion for employees from the designated groups in each occupational category and level;
- The identification of barriers to achieving employment equity at the Institution and the measures needed to overcome these barriers;
- A statement of reasonable timeframes required for achieving the goals set out in this policy;
- Procedures that will be used to monitor and evaluate implementation of the Equity plan.

Both the Equity Plan and the Diversity Policy shall be reviewed annually during the month of November and altered and/or extended where necessary in order to meet the requirements of this policy and the prevailing legislation.

## 11. PROTECTION OF EMPLOYEE RIGHTS AND THE PROHIBITION OF VICTIMISATION

### 11.1 Intent

No person may discriminate against an employee who exercises any right conferred by the Act or this policy.

No person may prejudice an employee as a result of past, present or anticipated:

- 11.1.1 Participation in any proceedings envisaged by the Act or policy,
- 11.1.2 Disclosure of information that an employee is lawfully entitled or required to give to another person
- 11.1.3 Exercising any right conferred by the Act or policy.
- 11.1.4 No person may favour, or promise to favour an employee in exchange for that employee not exercising any right conferred by this policy or the Act.

## 11.2 Procedures for Redress

Complaints of victimisation must be referred through the agreed Institution Grievance process. The Headmaster may conduct a watching brief over the process and submit a separate report.

## 12. POLICY MAINTENANCE

### 12.1 Policy Review

A review will be done of this policy once a year and the procedures stated herein and recommendations will be reviewed, documented and implemented.

### 12.2 Non-conformance

The following actions will be regarded as non-conformance:  
Disregarding or not implementing this policy.

### RECORD OF CHANGES

<u>Date</u>	<u>Page no, heading, brief description of changes</u>	<u>Entered by</u>
22 Aug & 1 Sept 2015	None	D van Wyk
24 Aug 2016	None	R da Cruz
1 Nov 2017	Added SACE registration	E van Roon
18/07/18	None	P Kotze
30/09/2019	None	P Kotze
11/09/20	POPIA	Management
13/09/21	None	Management
03/11/22	None	Management