A review and analysis of age-equality practise in the learning and skills sctor

...a new era of opportunity

Contents

Executive Summary

Introduction

Trades Union Congress research findings show that the most commonly cited form of employment discrimination is age bias and that it can affect workers of all ages[1]. For example, older workers tend to be unfairly refused training or development opportunities or made to retire when they wish to continue work. All workers, regardless of age, are protected under unfair dismissal, redundancy and other employment protection rights.

The Employment Equality (Age) Regulations 2006 covers all discrimination on the grounds of age. Besides the legal requirement, there are number of compelling reasons for this research and for findings and recommendations that lead to practical approaches to supporting older and younger workers.

The combination of the older age profile across the sector and the legal weight of age regulation provide opportunities to address current age equality issues.

Project aims and objectives

The Learning and Skills Improvement Service (LSIS) and University and College Union (UCU) commissioned this research to identify the age-related challenges and barriers to realising full potential of staff within the further education and skills sector.

In particular, it aims to find out what equality means to and looks like in the further education and skills sector. For example:

- how the further education and skills sector responded to the age equality requirements in the Age (Employment) Regulations 2006 and the Equality Act 2010

- identifying issues around in managing and developing staff of all ages in further education organisations

- to find and assess any models and approaches that sector organisations might be using currently to achieve age equality

- to identify the challenges and barriers associated with pursuing age equality in the sector.

Research methodology

A mixed methodology comprising four online surveys, interviews and focus groups was considered the most appropriate approach to this research. These components sought to capture participants' knowledge of what sector organisations are doing to address age equality issues.

An additional aim of the research is to examine and assess the extent to which the workability model and workability index (WAI)[2] are relevant to the further education and skills sector in England.

Workability is the global concept that underpins an holistic approach to ensuring an appropriate match between individuals' functional capacities and competencies and the demands of their work and work

---

1   TUC http://www.tuc.org.uk/equality/index.cfm
2   Ilmarinen J. Preface. In: Ilmarinen J & Lehtinen S. Past, Present and Future of Work Ability. People and Work – Re
         search Reports 65, Finnish Institute of Occupational Health, 2004; ISBN 951-802-581-9 [English]

environment. The Workability approach was developed by the Finnish Institute for Occupational Health and is now a major influence on approaches to workforce management in Europe. Twenty years of practice and evaluation suggests that a comprehensive program of promoting Workability can improve both organisational productivity and individual workers' wellbeing. In Finland, in particular, it is an important contributor to the extension of working life by decreasing work-related disability and premature retirement. Together, the research findings and recommendations are intended to help the sector to put in place appropriate interventions and support to achieve and maintain a workforce that is fit for purpose in the longer term.

The research approach generated 499 survey questionnaire returns that were completed by 222 sector staff, 57 line managers, 160 human resources / continuing professional development practitioners (HR/ CPD Practitioners) and 60 union representatives over a six-week period ending in June 2009. The survey approach was supplemented by focus groups held in Birmingham, London, York and Manchester to explore experiences, ideas and suggestions in relation to age equality in the sector. The focus groups were conducted along the same lines as the questionnaire to ensure that the qualitative and quantitative approaches were complimentary, consistent and reinforcing.

Research findings

The research found particular issues relation to the following:

- the older age profile of the sector workforce highlights the need for workforce and succession planning that exploits the opportunities provided by the effective application of the age regulations

- workforce statistics confirm that the sector is age diverse. Research participants confirm this diversity at organisation level

- small numbers of staff leaving sector organisations on age-related matters that result in dismissal and redundancy.

A lack of clarity was noted regarding employers' and employees' legal position on retirement, pensions, redundancy and other age-related policies. HR /CPD Practitioners and staff tend not to be aware of the organisation's policy on these issues.

Leadership on age equality - The sector would benefit from visible and communicative leadership on age equality i.e. at sector and organisational levels

Training older staff in particular - Staff nearing the minimum retirement age tend not to be developed or supported for a future in the organisation, as there is a tendency to perceive that they will soon retire and leave the organisation. The research findings also suggest that older staff do not expect the organisation to train and develop them beyond a certain age.

Multiple discrimination; in particular, age and disability - The evidence identifies a need to consider disability in relation to age. Particularly as it applies to older people who are reluctant to inform the organisation of a disability because of their age and the possible implication on the way it is dealt with.

Reviewing and amending organisational policies to incorporate age - A small proportion of research participants indicated that their organisations review and assess their policies specifically in relation to the age equality requirements. Those who do this tend to update relevant policies as a result of the review and assessment. Overall, the responses suggest that age equality is not given the same prominence as other equality strands. Some behaviours and benefits are treated as relevant to some age groups. The evidence highlights the need for, for example, opportunities for career breaks, flexible working and career development

for staff of all ages, thereby creating an organisational culture that values staff throughout their working lives.

Summary of challenges and recommendations

The main challenge for the sector will be leading and supporting institutions to address the research findings by developing an approach, supported by appropriate indicators, to address the research findings. In particular, the finding that age equality is not given the same prominence as other equality strands despite that it is likely to impact on all staff.

Although the regulations came into effect more than six years ago, staff awareness of age equality issues tends to be low. This means that some policies or procedures that can have potentially discriminatory or detrimental impacts on individuals and people in older and younger age groups go unchallenged.

Recommendations

The majority of the following recommendations suggest non-legislative action that the organisation might take to advance age equality in employment and prepare for the introduction of the public sector equality duty in 2010. The recommendations do not address legal exceptions and exemptions.

General recommendations

1.   Identify and promote the cultural change that is required in the sector and institutions

2.   Use unions and age-equality stakeholders more frequently and efficiently to add credibility to approaches and demonstrate to the existing and potential workforce a real commitment to age equality.

3.   The sector to support staff with retirement planning by informing younger staff to enable them to consider their retirement planning throughout their working life and further supporting them as they near retirement to prepare for life beyond employment

4.   The sector to highlight and show that it values the contribution older workers make, and its plans to prolong this valuable resource by offering them appropriate development opportunities to encourage and enable them to remain in the workplace

5.   Sector unions having a key role in championing employment and equality rights, and reviewing and developing policy generally so that age is not perceived to be a special issue for older or younger staff exclusively.

Sector organisations to:

1.   Be explicit in references to age equality in setting out terms and conditions, particularly in relation to new and younger staff, to ensure their terms and conditions do not disadvantage them in relation to existing staff

2.   Address the potential for young people who feel marginalised and insecure in their employment when employed on fractional arrangements. For example, employing younger people on contracts with less favourable terms and conditions than older people who have been working in the sector for a number of years

3.   Keep staff informed of progress made towards the institution's age equality aspirations through the inclusion of relevant information in briefings, publications and staff communications

4.   Re-examine and review employment contracts to remove any bias on grounds of age and gender in particular; and to consider succession planning and unlawful discrimination implications

5.   Make training and development programmes available to develop older non-managerial staff and remove any sense they might have of being marginalised and that they are being prepared for retirement.

Recommendations for sector agencies and partners

1.   Sector agencies and partners to demonstrate explicit sector leadership on age with credibility and strategic support on age policies and action plans

2.   Sector agencies and partners to consider issuing sector specific guidance on promoting age equality in the workforce, outlining systematically the stages from the workforce planning through to impact assessment and policy review

3.   Sector agencies in partnership to develop an age-equality framework based on the principles of the Workability model and Workability Index for consultation. This should be accompanied by a set of sector-relevant age-equality indicators and the process for taking this forward.

Some good practice in promoting equality of opportunity for the sector exists in the Association of Colleges equality publications. These publications cover a number of equality strands and provide a platform to help address age equality across sector employer organisations.

Introduction

Trades Union Congress research shows that the most commonly cited form of employment discrimination is age bias, and that it can affect workers of all ages[3]. For example, older workers tend to be unfairly refused training or development opportunities or made to retire when they wish to continue work. Younger workers may receive lower pay rates and employment benefits, or be denied promotion despite having all the relevant experience and abilities. All workers, regardless of age, are protected under unfair dismissal, redundancy and other employment protection rights.

The Employment Equality (Age) Regulations 2006 covers all discrimination on the grounds of age, not just discrimination against older workers. This means that employers could be responsible for the acts of employees who discriminate on the grounds of age. If, for example, harassment takes place in the workplace or a time and place associated with the workplace, an employer may be liable along with the perpetrator.

Besides the legal requirement, there are number of compelling reasons for this research and for findings and recommendations that lead to practical approaches to supporting older and younger workers. While new equality legislation has often caused a degree of anxiety amongst employers and service providers, generally it has helped achieve a cultural change that benefits the employer and the service user. This age legislation has the potential to help to address the succession-planning crisis that is already affecting the sector by creating new opportunities and new approaches to fully-inclusive workforce planning strategies. The Workability Model[4], assessed in this report, presents some principles that might be appropriate in the

---

3   TUC http://www.tuc.org.uk/equality/index.cfm
4   Ilmarinen J. Preface. In: Ilmarinen J & Lehtinen S. Past, Present and Future of Work Ability. People and Work
        – Research Reports 65, Finnish Institute of Occupational Health, 2004; ISBN 951-802-581-9 [English]

learning and skills sector. The seeming absence of widespread good practice in age equality within the sector and beyond highlights the need for a consistent systematic approach to embedding age equality throughout the sector.

The combination of the older age profile across the sector and the legal weight of age regulation provide opportunities to address current age equality issues. They also provide the chance to promote and treat age equality with the same importance as other equality strands.

This project uses views from the sector to identify the key factors for achieving age equality in the workforce. It also seeks to identify current good practice in organisations that can be developed further and disseminated to provide a consistent and coherent approach to promoting age equality in the sector.

With little evidence of effective age equality practice across the sector, other sectors and generally across the United Kingdom, this research sought to identify and assess a model that can be developed and promoted.

Section 1:   The age equality research project

Project aims and objectives

The Learning and Skills Improvement Service (LSIS) and University and College Union (UCU) commissioned this research to identify the age-related challenges and barriers to realising full potential of staff within the learning and skills sector.

Overall, the project aims to build a robust picture of age equality in further education, the approach to promoting age equality, including good age equality practice, and to identify where practice is not effective and needs to change. In particular, it aims to find out what equality means to, and looks like in the learning and skills sector. For example:

- how the further education sector responded to the age equality requirements in the Age (Employment) Regulations 2006

- identifying issues around in managing and developing staff of all ages in further education organisations

- to find and assess any models and approaches that sector organisations might be using currently to achieve age equality

- to identify the challenges and barriers associated with pursuing age equality in the sector.

A supplementary element of the research is to assess the Workability model. The Workability model was developed and tested in Finland. This research assesses it in light of UK Age legislation and the research findings to understand whether it is an appropriate model that could be adopted to tackle age related issues surfaced through the project, including those relating to multiple discrimination; for example, on grounds of age and disability.

A section of the project assesses the feasibility of adopting the workability model, exemplified by work in Finland on developing age friendly workplaces. The research approach drew out various features of the workability model to produce the four survey questionnaires. Each questionnaire contained quantitative and qualitative components to enable participants to give in depth reasons behind their responses to particular questions. The questionnaires are based on particular situations and incidents, policies and approaches to managing and dealing with age related issues that might affect staff in the workplace.

The information collected via four surveys was supplemented with information gathered via depth interviews and focus groups with Human Resources/Continuing Professional Development (HR/CPD) staff and with staff in life-long learning. The research outcomes make up a final report that is structured, as far as the data allowed, using the principles of Workability and highlighting implications for age diversity within the sector.

The research objectives aim to produce information that can help to understand the extent of age equality; identifying how the issues are managed in sector organisations. For these reasons, much of the information is collected from practitioners and staff in the sector. This allows the assessment of policy and practice against the legal requirements of the Equality Act 2006 and the Age Equality Regulations 2006.

The age-equality regulations

The legal context for the project is the Age (Employment) Equality Regulations 2006. This covers all employees and workers of any age including direct employees, partners of firms, contract workers and anyone in vocational training. All aspects of employment (or prospective employment) are protected

from age discrimination, including recruitment, employment terms and conditions, promotions, transfers, dismissals and training.[5]

Under the regulations, there is no statutory upper age limit on the right to claim unfair dismissal or to receive redundancy payments. The default retirement age is 65 years, making compulsory retirement below 65 unlawful unless the employer can justify it objectively. In addition, all employees have the right to request to work beyond 65 or any other retirement age set by the organisation; employers must consider such requests.

The 2006 Age Regulations refer to any discrimination on grounds of age. They prohibit victimisation – treating a person less favourably because of their age, and harassment on grounds of age. The evidence suggests that little has been done within the sector to identify and promote effective ways of taking forward the regulations. In the meantime, staff continue to leave the sector at age 65. Currently, the evidence suggests that some people would like to continue working beyond that age.

Exceptions and exemptions

There are exceptions to or exemptions that apply to the age regulations in the following areas:

- pay and other employment benefits based on length of service (Employers may use pay scales that reflect growing experience or limit the provision of non-pay benefits to those who have served a qualifying period, subject to the five-year limit).

- pay related to the national minimum wage (e.g. an employer may pay those aged 18–21 more than those under 18, as long as those under 18 are paid less than the minimum adult rate. The exemption does not allow employers to pay different rates to those in the same age category)

- acts under statutory authority (e.g. age used in legislation to qualify for various licences)

- enhanced redundancy (statutory redundancy payments calculated using age-related criteria will still be lawful)

- life assurance

- retirement

- occupational pension systems.

However, an employer can refuse to employ a person because they are, or are within six months of reaching, 65 or above the employer's normal retirement age.

Exemptions based on length of service

It would be lawful to apply the exception based on the length of service for workers who have been in the role for more than five years. This would apply for all types of work where:

- awarding or increasing the benefit is meant to reflect a higher level of experience of the employee, or to reward loyalty, or to increase or maintain the motivation of the employee

- the employer has reasonable grounds for concluding that using length of service in this way fulfils a business need of their undertaking

---

5   Age (Employment) Equality Regulations 2006

- in order to meet these requirements employers would need evidence from which they can conclude there is a benefit to the organisation. This might include information gathered through monitoring, surveys or focus groups.

Genuine occupational requirement (GOR)

In limited circumstances, it will be lawful for an employer to treat people differently if it is a genuine occupational requirement. For example, if the jobholder must be of a particular age. In such a situation, the nature of the work and the context in which it is carried out must be considered.

Retirement

Employers will be able to retire employees at 65 or above or, where objectively justified, a lower normal retirement age. The Age Regulations or unfair dismissal/redundancy law cannot be used to challenge such dismissals if the employer has given between one year and six months notice of 'retirement' and complied with procedures to notify of, and consider, any request to stay on past the intended retirement.

It is important to note that there are other policies that impact on age that needs to be considered when looking to promote age equality.

Background to the research

The Learning and Skills Improvement Service (LSIS) and University and College Union (UCU) commissioned this project. Both organisations and their predecessors have worked to continuously improve quality, practice and effectiveness for sector organisations in their roles as employers and learning providers.

The Learning and Skills Improvement Service (LSIS) was formed in October 2008 to speed up quality improvement, increase participation and raise standards and achievement in the learning and skills sector in England.

LSIS is dedicated to developing excellent learning and skills provision working in partnership with all parts of the sector to build and sustain self-improvement. LSIS is responsible for developing and providing access to resources that help colleges and providers implement initiatives and improve quality. This is achieved by commissioning products and services, identifying and sharing good practice, and providing tailored programmes of support throughout the system. This research is consistent with one of the organisation's key values which is to promote inclusivity as an exemplar resource and catalyst for equality and diversity across the sector.

UCU represents more than 120,000 academics, lecturers, trainers, instructors, researchers, managers, administrators, computer staff, librarians, and postgraduates in universities, colleges, prisons, adult education and training organisations across the UK. It was formed on 1 June 2006 by the amalgamation of two strong partners – the Association of University Teachers (AUT) and NATFHE – the University & College Lecturers' Union – who shared a long history of defending and advancing educators' employment and professional interest.

The dual challenges of an ageing workforce within the sector coupled with a demographic pattern whereby younger people do not seem to entering the sector in sufficient number is a powerful force for change. The solution is crucial to averting the potential crisis in the sector workforce. Age equality legislation provides the opportunity and weight to any attempt to create an age diverse workforce through the fair application of policies and procedures.

Research methodology

A mixed methodology comprising four online surveys, interviews and focus groups were considered the most appropriate approach to this research. These components sought to capture participants' knowledge of what is done in their organisation to address age equality issues. The results are used to present a set of findings and recommendations.

The four surveys were targeted to gather specific information from the following groups of participants:

The HR/CPD Practitioners survey aimed to identify the age equality employment issues appearing across the sector, approaches being used by HR/CPD functions to mainstream age equality, culture of dealing with age in the workplace and practices in place. In particular, to identify good and poor practice that can help to inform effective approaches to embedding age equality and organisational responses to the legislation. The survey of union representatives was undertaken to compare and contrast perspectives with those of the HR/CPD practitioners as cases brought to the attention of the unions are mainly about policies that are not in place or not working. The HR functions, senior management teams and unions work to influence cultural change to benefit the organisation, its staff and learners. Therefore, like HR/CPD practitioners, the unions are involved in creating policies and procedures and deal with issues arising from their implementation.

The line managers' survey is intended to provide an understanding of how leadership of age factors in the workforce does, or can help to deliver age equality. The FE sector workforce has an older age profile that has changed little over the last three years . This means that a high proportion of senior managers in the sector are fast approaching the age when they can retire. Some may continue working, subject to agreement with their employer. Others will be lost to the sector, along with their skills, experience and knowledge. This places an emphasis on sector organisations to maintain an appropriate level of staff competence to ensure effective learning delivery and organisational success as employer and learning provider. Centre for Excellence in Leadership research identified the lack of effective succession planning and talent management to address the potential staff crisis in the sector. The FE sector also faces the challenge of attracting young people into the workforce in sufficient numbers, within appropriate roles and at appropriate levels.

The staff survey results are considered along with the line managers' survey results to provide insight into the possible impact of the leadership and/or management of age equality on the current and future FE workforce in light of the legislative requirements.

All the data and information collected as part of this project is considered together to give an overall picture of the age quality workforce issues, challenges and practices put in place to promote and address age equality issues. Lifelong Learning UK (LLUK) workforce statistics confirm the ageing sector and highlights the growing and urgent need for FE to be effective in tackling age equality. This data is also used to track historical workforce and employment trends in relation to age and other equality indicators to identify where age is the factor and where other factors feature to create potential multiple discrimination situations and solutions to such instances.

An area that might be reasonably identified as one with strong correlation with age is disability. This is because incidence of disability increases as individuals grow older. Where the data allows, the analysis sought to identify findings that indicate potential for multiple discrimination involving age and disability in the first instance, plus other equality strands.

An additional aim of the research is to examine and assess whether the workability model could be applied effectively to the sector to help deliver better age equality in the learning and skills sector workforce. This involves examining the components of this model, the assumptions informing its development and application, its application in other cases, and its compatibility with UK equality requirements. Therefore, this

project looks at elements of the workability model, particularly the work ability index (WAI) in light of the research findings and recommendations. This is done to consider whether and how the model might apply to empowering staff and sector organisation to deal effective with age equality in the sector workforce.

Together, the research findings and recommendations are intended to help LSIS and other stakeholders put in place appropriate interventions and support. These should include recommendations to allow the learning and skills sector to achieve and maintain a workforce that is fit for purpose in the longer term.

The research approach generated 499 survey questionnaire returns that were completed by 222 sector staff, 57 line managers, 160 HR/CPD Practitioners and 60 Union Representatives over a six-week period ending in June 2009. The survey approach was supplemented by focus groups held in Birmingham, London, York and Manchester to explore experiences, ideas and suggestions in relation to age equality in the sector. The focus groups were conducted along the same lines as the questionnaire to ensure that the qualitative and quantitative approaches were complimentary, consistent and reinforcing.

To give the research further depth, an additional 45 face-to-face and telephone interviews were undertaken with individuals who had expressed an interest to be involved in the study. The aim of the interviews was to capture detailed information to help provided a robust qualitative base for the research. It also enabled the research team to explore individual experiences in more detail. Additional interviews also took place with seven sector stakeholders and other organisations with a reputation in age equality including B&Q, which has a reputation for employing and developing older staff and the Finnish Institute for Occupational Health that developed the workability model. Workability is concerned with occupational health and promoting the well-being of individuals in their work and in their lives.

Following the successful application of the research methodology, the statistical analysis of data from the four surveys was undertaken using the Statistical Package for the Social Sciences (SPSS) software. The on-line surveys and data capture were managed using Survey Monkey software. In line with the provisions of the Data Protection Act 1998 and Human Rights Act 1998, and the Market Research Society, the tabulations presented in this analysis and report are presented in ways that prevent the disclosure of personal information about any individual respondent and to prevent individuals from being identified from information in the final report

The findings, conclusions and recommendations are presented without prejudice and reflect the issues raised in the analysis and interpretation of the various data sets secured.

Section 2: Sector workforce trends and their implications

Sector workforce profile

The sector workforce profile contextualises the research by providing a picture of sector workforce trends to highlight the extent of the challenges and the opportunities the age equality legislation presents for addressing age and workforce issues. It confirms the major concerns that need to be addressed in order to bring about the culture change that is required across the sector.

LLUK's Annual Workforce Diversity Profile 2006/07 provides a picture of the national and regional profiles of the further education workforce in England. The data is also collected and analysed by equality category.

According to LLUK statistics, approximately 246,000 staff work in further education (FE) in England and a further 30,000 works in providing vocational and work-based learning. LLUK is committed to and actively, promotes equality and diversity in the sector. Moreover, increasing the diversity of the further education workforce is a key priority of The Workforce Strategy for the Further Education Sector in England, 2007–12.

Broadly, the sector profile presented above is reflected in the overall survey responses. The survey results suggest that teaching staff tend to be in older age groups. Managers and other staff appear to be more evenly distributed across older and younger age groups.

The LLUK statistics show a low incidence of younger staff in teaching and management roles. This underrepresentation in the profile of teaching staff and managers is a clear finding. It could be because those aged under 25 years have not had the experience of working through the staff tiers and into management roles. However, it highlights that more needs to be done to attract young graduates to a variety of roles in the learning and skills sector.

The lifelong learning sector workforce has a predominantly older age profile. Workforce trends between 2004 and 2007 show a small change in this profile. This raises a number of important questions around the sector's ability to function effectively in the future with an ageing workforce and how appropriate succession planning might be implemented and managed. Also maximising the resources, in particular in relation to older and younger staff.

In 2006/07, the largest age group represented in the workforce were those aged 45–49 years, representing 15 percent of all staff in England. The second and third largest cohorts of staff were aged 40–44 and 50–54 years (both 14 percent). Staff in the 50–59 and 35–39 age groups also represented a significant proportion of staff, 13 percent and 12 percent respectively. Overall the age profile has remained broadly consistent over the three years with a slight rise in the proportion of staff aged 60 and over from 7 percent in 2004/05 to 8 percent in 2006/07. The proportion of staff aged under 25 years and 60 years and over represented the smallest staff populations, with 7 and 8 percent respectively in the year 2005/06.

The age group with the highest number of part-time staff in 2006/07 were those aged 55–59 year (92 percent). Those aged under 25 years was the smallest group with 6 percent. The largest groups of full time staff were those aged 45–49 years (17 percent) and 40–44 years (15 percent).

Trends in the further education workforce by age group and working patterns, 2004/05 to 2006/07

Age group (years)	2004/05		2005/06		2006/07	
	Part-time %	Full-time %	Part-time %	Full-time %	Part-time %	Full-time %
Under 25	7.6	7.5	7.2	7.1	6.1	8.2
25-29	6.9	9.1	7.1	9.5	7.9	8.8
30-34	9.8	10.1	9.3	9.9	9.6	8.9
35-39	13.3	11.5	12.8	11.3	12.2	11.7
40-44	14.9	14.0	14.9	13.8	13.5	15.4
45-49	13.8	15.6	13.9	15.4	13.2	16.5
50-54	12.7	15.8	12.7	15.4	13.1	14.7
55-59	12.1	12.6	12.5	13.2	16.6	8.3
60 & over	8.9	3.9	9.5	4.4	7.8	7.5
Total	100.0	100.0	100.0	100.0	100.0	100.0

Source: LLUK Annual Workforce Diversity Profile

Permanent and temporary contracts

The age groups that represented the largest groups of staff in permanent positions were those aged 45–49 years, 50–54 years and 40–44 years (each with 15 percent). Of staff on fixed term contracts or temporary contracts, 13 percent were aged between 40–44 years. All other age groups represented between 8 percent and 13 percent of this contract type.

Trends in the further education workforce in England by age group and contract type - 2004/05 to 2006/07

Age group (years)	2004/05		2005/06		2006/07	
	Perma-nent %	Fixed term or tempo-rary %	Perma-nent %	Fixed term or tempo-rary %	Perma-nent %	Fixed term or tempo-rary %
Under 25	6.0	10.5	5.5	10.8	5.3	11.4
25–29	7.9	7.8	8.2	8.1	8.3	8.4
30–34	9.9	9.9	9.7	9.3	9.5	8.7
35–39	12.4	12.8	12.1	12.2	12.1	11.7
40–44	14.8	13.9	14.7	13.8	14.8	13.4
45–49	15.4	12.9	15.4	12.7	15.5	12.6
50–54	15.4	11.3	15.2	11.3	14.9	11.2
55–59	12.9	11.1	13.5	11.4	13.6	11.2
60 & over	5.2	9.8	5.7	10.5	6.1	11.5
Total	100.0	100.0	100.0	100.0	100.0	100.0

Source: LLUK Annual Workforce Diversity Profile

Over the years, the age profile of those working in permanent, fixed–term or temporary contracts has changed. While the proportion of staff on permanent contracts has increased slightly for staff aged 25–29 years, 55–59 years 60 years and over, staff aged 50–54 years experienced a drop of half a percent from the 2004/05 to 14.9 percent in 2006/07.[6]

Working patterns

The gender gap amongst part-time staff is much larger than that for staff working full time. In 2006/7, 71 percent of staff working part–time were female and 29 percent were male. In the case of full-time staff, 54 percent were female and 46 percent were male. The gender bias towards women of all ages in the staff profile makes them more likely than men to experience a detriment. This appears to be one of the reasons why women of all ages tend to be on part-time and casual working arrangements and disadvantaged in this respect in relation to men of all ages. However, in the 60 plus age group, the high level of temporary or fixed-term contracts could be due to sector employers negotiating different types of employment terms to retain older staff experience and expertise.

Trends in staff in the further education workforce by age groups and working patterns, 2004/05 to 2006/07

Working Pattern	2004/05		2005/06		2006/07	
	Part-time %	Full-time %	Part-time %	Full-time %	Part-time %	Full-time %
Female	70.8	54.0	71.2	54.1	71.1	54.1
Male	29.2	46.0	28.8	45.9	28.9	45.9
Total	100.0	100.0	100.0	100.0	100.0	100.0

Source: LLUK Annual Workforce Diversity Profile

This demonstrates that female staff are more likely to work part-time than males. Seventy one percent of female staff worked on a part-time basis compared to 29 percent of male staff in 2006/2007

Employment terms

Staff aged under 25 years and those 60 years and over are more likely to be employed on fixed-term or temporary contacts than staff in other age groups. In 2006/07, 47 percent of under 25 year old and 44 percent of staff aged 60 years and over were on fixed term or temporary contracts. That was significantly higher than the 24 percent to 29 percent of staff from the other age groups. The high level of those aged 60 or over working on temporary or fixed-term contracts could be due to sector employers negotiating different types of employment terms to retain older staff experience and expertise. It is important that consideration is given to this trend in light of the age regulations and the older age profile of the sector workforce; and in recruitment and in terms and conditions of new staff; particularly younger staff. Left unchecked, there is the danger that younger staff could be recruited on poorer terms and conditions compared with those of existing staff.

Overall, although staff aged between 40–54 years represented the largest age groups in full-time and part-time employment; the proportions of full-time and part-time staff within the age groups were very similar. Only for staff aged 60 years and over did the full-time and part-time breakdown differ. Over 70 percent of staff aged 60 and over worked part-time and 29 percent worked full-time.

6   Source: LLUK Annual Workforce Diversity Profile

Gender patterns

Female staff continue to represent the majority of the sector's workforce. Overall, the female to male ratio has remained the same at almost 2:1 over the years

Employees in the further education workforce in England by gender and occupational group 2004/05 to 2006/07

Gender	2004/05			2005/06			2006/07		
	Managers %	Teaching staff %	All other staff %	Managers %	Teaching staff %	All other staff %	Managers %	Teaching staff %	All other staff %
Female	58.1	59.2	70.0	59.0	59.3	69.0	60.1	58.7	69.4
Male	41.9	40.8	30.0	41.0	40.7	30.1	39.9	41.3	30.6
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Seventy percent (70%) of managers aged under 25 years were female. This was the largest gender gap noted within management roles across different age groups. The proportion of male manager in the older age group was significantly higher than the younger age groups. For managers aged 55-59 years, the gender split was equal and for management staff aged 60 years and over, 54 percent were male and 46 percent were female.

Staff in the further education workforce in England by age group contract type and gender, 2004/05 to 2006/07

Type of contract	2004/05		2005/06		2006/07	
	Permanent %	Fixed term or temporary %	Permanent %	Fixed term or temporary %	Permanent %	Fixed term or temporary %
Female	62.8	64.9	62.9	65.2	62.9	64.6
Male	37.2	35.1	37.1	34.8	37.1	35.4
Total	100.0	100.0	100.0	100.0	100.0	100.0

Source: LLUK Annual Workforce Diversity Profile

Within teaching roles, females generally represented the largest proportion of staff across all age groups except for those aged 60 years and over. For teaching staff within this group, there was a slightly higher proportion of male staff (57 percent) than female (43 percent). Across roles classified as all other staff, the female to male gender distribution within the younger age group (under 30 year olds) was approximately 2:1. However, this trend stopped for staff aged over 55 years, which is when the difference in proportions between male and female staff decreased. This suggests that a significantly greater proportion of female than male staff leave the workforce after age 55. Age retention strategies, therefore, need to take account of potential differential impact on male and female workers and remove any bias from the process.

Impact of joiners and leavers on workforce patterns

The number of staff recruited across all roles in 2004/05 was just over 49,800. In 2005/06, staff recruitment fell to 42,903 and in 2006/07 recruitment numbers fell again by 32, 301. Since 2004/05 the number of staff recruited has dropped by 36 percent, although while recruitment has been falling, the number of staff leaving has also dropped.

In 2006/07, 17 percent of all staff recruited to the workforce were aged under 25 years. A further 14 percent and 13 percent of recruited staff were aged 40–44 years and 35–39 years respectively. Recruitment was very low for staff aged 55 years and over with 55–59 year olds and staff aged 60 years and over representing eight percent and five percent of all staff recruited respectively.

Almost all age groups experienced reductions in the number of new staff recruited in 2006/07 when compared to the numbers reported in 2004/05. In particular, the age group of 30–34 years noted the largest reduction (12 percent in 2004/05 compared to 11 percent in 2006/07). Recruitment of staff aged under 25 years rose in proportion to the other age groups from 15 percent in 2004/05 to 17 percent in 2006/07.

Staff leaving the sector

The number of staff leaving the workforce since 2004/05 has reduced significantly over the three years. In 2004/05, the leaving rate was 18 percent (this rate is based on the total number of leavers divided by total number of staff in the sector for the year). The leaving rate increased to 19 percent in 2005/06, but by 2006/07 the rate reduced significantly to 14 percent.

In 2006/07, the age group with the largest proportion of leavers (13 percent) were those aged 40–44 years.. The second largest group of leavers (12 percent) were those aged under 25 years.

Overall, in 2006/07, 32,301 staff recruited to the workforce. It is important to monitor their age and other equality profiles and to ascertain where they are located in the sector and the kinds of jobs they are doing. There is also a need to consider the types of contracts they are recruited on, and whether they are replacing leavers from the sector or joining as part of a workforce planning initiative.

The latest staff profile shows:

- gender bias towards female staff

- an older age profile

- unequal gender patterns in employment terms (part-time, contract, hourly paid) that is likely to impact disproportionately on female staff in terms of pension, redundancy, retirement, dismissal and training and development.

The sector workforce profile shows a high proportion of teaching staff are employed at FE colleges as hourly casual staff, and these are mostly women, who are often poorly paid. Few in this category tend to join a trade union or benefit from informed advice about their rights. Any age discrimination they experience under such conditions might not be easily identified or addressed.

A high level of casualisation impacts adversely on age equality and, if not managed effectively, can have an adverse effect on recruitment and retention of staff in key roles. The likely impact is that casual staff who become an important part of the workforce might leave, taking valuable knowledge and experience with

them. The effect of casualisation with the associated lack of developmental opportunities of the younger and older workforce needs to be examined in succession planning processes. All staff, but younger staff early in their employment life in particular, need to be made aware of how they can benefit from the advice and support services of trade unions and know their rights as casual and part-time staff in the workforce. The induction process provides the ideal opportunity to inform all new staff of their rights and the kinds of support from trade unions and other stakeholders that would be available to them in their employment. The unions, staff support groups and the HR function have a key role in reinforcing the messages and updating this information to ensure staff is properly informed of their rights and entitlements.

Section 3: Workability

The workability model

Workability is the global concept that underpins a holistic approach to ensuring an appropriate match between individuals' functional capacities and competencies and the demands of their work and work environment. The Workability approach was developed by the Finnish Institute for Occupational Health (FIOH) and is now a major influence on approaches to workforce management in Europe. Twenty years of practice and evaluation suggests that a comprehensive programme of promoting Workability can improve both organisational productivity and individual workers' wellbeing. In Finland in particular it is considered to be an important contributor to the extension of individuals' working life by decreasing work-related disability and premature retirement.

Professor Juhani Ilmarinen developed a method of measuring a worker's effectiveness. The model was applied in Finland after his studies in the 1980s into the impact of an ageing workforce on the economy. Professor Ilmarinen's work was in relation to a trend especially relevant to Finland.[7] Using data drawn from municipal employees, he analysed 'Workability' and produced a quantitative measurement method.

Early retirements among Finland's ageing workforce was reported to be having a negative impact on the economy, and the key was to reverse the trend through Maintaining Workability, known as MWA. The study showed that Workability could be improved by a decrease in repetitive movements, moderating a supervisor's attitude, increasing physical exercise and by a string of other measures. MWA became widely adopted in Finland as a result of Professor Ilmarinen's work on this model.

Professor Ilmarinen listed several causes of poor Workability. These included low standards in health, competence, skill, working conditions and management. Personal circumstances, family and local community could be additional reasons. To this, he added aggravating factors such as poor posture, bad environment, poor physical conditions such as damp or coldness, tool failure, an increase in workload and boredom.

The model suggests that Workability may be understood as 'how good is the worker at present, in the near future, and how able is he/she to do his/her work with respect to the work demands, health and mental resources'[8]. This definition suggests that Workability is the result of the interaction of the worker and his or her work. Workability may also be described as the balance of the workers' resources and the work demands.

---

7   The Economist A Slow-Burning Fuse: A special report on ageing populations June 2009
8   Ilmarinen J. Preface. In: Ilmarinen J & Lehtinen S. Past, Present and Future of Work Ability. People and Work – Research Reports 65, Finnish Institute of Occupational Health, 2004; ISBN 951-802-581-9 [English]

The Workability approach suggests that the following would help individuals to achieve a better, positive future in their working life:

- attitudinal reform — a change in attitudes towards ageing and towards older people

- management reform — improving managers' and supervisors' awareness level of age-related issues and their management

- work life reform — better flexible working arrangements throughout working life.

The Workability model refers to a mixture of mental, personal, physical, attitudinal, environmental and management behaviours impacts on the individual staff member. The results (workability scores) are analysed and assigned a workability score, which can then be used to make judgments about the individual's ability to do the job. It is noted that WAI applies to older staff.

The indicators used in the calculation of the Work Ability Index, include notions of a worker's current ability compared to lifetime best, the number of diagnosed illnesses, estimate impairment through illness, amount of sick leave per year, the worker's own prognosis of Workability in two years' time and an estimate of mental resources.

The workability information states "It could be noted that advancing age might exacerbate several of these causes, but by no means all of them and not necessarily any. A low score on this Index could often be a predictor of early retirement unless changes could be made to avoid this."[9]

It is necessary to consider the following points in any assessment of the workability model and the WAI:

- is it a reliable model that will produce results that are justifiable under UK equality requirements?

- is what it requires of individual staff reasonable and justifiable information to ask for?

- are the processes, procedures and outcomes age-neutral?

- is the application of the model within the requirements of the Age (Employment) Regulations 2006 and the Equality Act 2010.

- can the model create indirect age discrimination – proportionately affecting older staff?

The Work Ability Index (WAI)[10]

The tool involves a questionnaire, which serves to conduct a self-assessment. The focus is on the employees and how they assess their Workability. Following the employee self-assessments, an examination is made to identify and potential restrictions on their Workability and what actions might be needed to prolong the health of those surveyed over their working lives. The employee can complete the questionnaire with or without the help of others, for example the works doctor. It is proposed that the WAI can be used for individual employees, groups of staff or the whole workforce of an organisation. The latter would require comparing individual or groups of employees or defined age groups of employees according to their WAI values. The system was developed for Occupational Medicine and suggests that this application will identify which employees, or groups of staff require occupational medicine care.

---

9   Ibid
10   Ilmarinen J. Preface. In: Ilmarinen J & Lehtinen S. Past, Present and Future of Work Ability. People and Work – Re
        search Reports 65, Finnish Institute of Occupational Health, 2004; ISBN 951-802-581-9 [English]

The seven dimensions of the Work Ability Index, WAI

1.   Current Workability compared with the lifetime best (score 0–10)
2.   Workability in relation to the demands of the job (score 2–10)
3.   Number of current diseases diagnosed by a doctor (score 1–7)
4.   Estimated work impairment due to illness (score 1–6)
5.   Sick leave during the past year (12 months) (score 1–5)
6.   Own prognosis of Workability two years from now (score 1, 4, 7)
7.   Mental resources (score 1–4)

WAI SUM SCORE = 7 – 49

The answers to the WAI questions result in a WAI score which ranges from 7 to 49. A score of 49 points indicates maximum Workability, whereas 7 points denote very poor Workability. It shall be noted that poor Workability means that the demands of the work and the resources of the worker do not fit together; this may be because of adverse working conditions, worker limitations, or both.

The WAI questionnaire includes 10 questions and a illness list, which comprises seven distinct dimensions as listed above. Two examples for a WAI question are:-

[Question] 'Assume that your Workability at its best has a value of 10 points. How many points would you give your current Workability?' (single question for dimension 1.)

[Question] 'Do you believe, according to your present state of health, that you will be able to do your current job two years from now?' (single question for dimension 6).

The Workability concept integrates four dimensions where interventions are possible at an organisation level:

i.   the workers' health
ii.   the workers' competence and motivation
iii.   the work content and
iv.   leadership and work organisation. It is important that intervention is ongoing and that it is not limited to one of the four target areas only. Special emphasis is usually put on leadership issues.[11]

Individual staff complete self-assessment questionnaires based on the above indicators. The responses are given numerical scores.

Examples of applying the WAI in work situations

The following examples are presented here to demonstrate the use of the WAI. The examples are technical in nature. They are presented in this report to highlight the complexity in applying the index, the analysis, use and interpretation of the scores and the decisions that might be made based on the index. It is noticeable that a dedicated resource might be required to implement and monitor through retesting of results on a regular basis. The second example includes a four-week retest.

Example 1

Changes in work ability and work interest (meaning) after the participation in a health-promotion program were analysed and evaluated. Drivers of the Munich Transport Authority (n=122) with an average age of

---

11   Ilmarinen J and Tuomi K. (2004) Past, present and future of work ability. People and Work Research ReportsFinnish Institute of Occupational Health, Helsinki.

50 years participated in 20 health days during work time over one year. The evaluation instruments of the health promotion program were the Work Ability Index (WAI) developed by the Finnish Institute of Occupational Health (FIOH) and the Effect Typology developed by the Institute of Occupational Health Promotion (IBG Austria). No changes were found in the WAI score. The Effect Typology evaluated the optimal effect 'evolution,' i.e., psychological and noetic (mental) changes, for 50 percent of the participants. A variance analysis of the WAI pre-post differences according to the effect classes of the Effect Typology showed significant differences, namely an increase in the WAI in the evolution group and a drop in the recovery group. The Effect Typology is suitable for the evaluation of occupational health promotion and for the further understanding and development of the WAI.[12]

Example 2

The following example demonstrates the complexity and resource-intensiveness of the model in practice.

The goal of the study was to assess the test–retest reliability of the Work Ability Index (WAI) questionnaire. Reliability was tested using a test–retest design with a four-week interval between measurements. Valid data were collected among 97 elderly [sic] construction workers aged 40 years and over. We analysed the test–retest reliability of the WAI score (range 7–49 points) and classified them in one of the four WAI categories based on this score: poor (7–27 points); moderate (28–36 points); good (37–43 points); and excellent Workability (44–49 points). Exactly the same WAI score on both measurements was reported by 25 percent of the subjects and 95 percent of the individual differences between measurements were found to be <6.86 points (two times standard deviation). Despite the individual changes between measurements, no significant difference was reported in the mean WAI score at group level between test and retest measurements (40.4 versus 39.9). The percentage of observed agreement for the classification of subjects in one of the four WAI categories on both measurements equalled 66 percent. The results of this study provided evidence of an acceptable test–retest reliability of the classification of subject's Workability by means of the WAI questionnaire. At group level, the mean WAI score and classification into WAI categories were found to be a stable measure over a four-week interval. These results provide further support that the questionnaire can be applied in occupational health research and the daily practice of occupational health care.[13]

The complexity of the analysis is not important in this case. It is provided in its original format to demonstrate how decisions that are based on the analysis can have a fundamental affect on the individual's or group's lives. If the results are used to determine who should continue working and who should retire, it would remove the decision from the individual worker and place it with the employer, or the person interpreting the information generated by the WAI.

Considerations for applying the Workability model in the further education sector in England

The equality requirements under the 2006 Regulations and the Equality Act 2010 and an assessment of potential adverse impact become an appropriate place to start looking at the applicability of the model in England.

Any consideration for applying the Workability Model in the FE sector in England needs to take into account the range of indicators in the index, human and financial resources, time demands on staff to complete the self-assessment questionnaire at regular intervals during the year and updating it when something changes their circumstances or outlook. Specialist dedicated analysis, reporting, and the flexibility to apply the results

12   Effect Typology and Work Ability Index: Evaluating the Success of Health Promotion in Elder Workforce. **Authors:** Rudolf Karazman; Irene Kloimuller; Heinrich Geissler; Inge Karazman-Morawetz

13   Test–retest reliability of the Work Ability Index questionnaire. **B. C. H. de Zwart, M. H. W. Frings-Dresen and J. C. van Duivenbooden** . Coronel Institute for Occupational and Environmental Health, Academic Medical Center, University of Amsterdam, Amsterdam; and Arbouw, Amsterdam, The Netherlands

at the individual and age group level would also be necessary. In addition, relating the WAI to other equality requirements/strands would need to be a key consideration. Given that there are many impact assessment models, Commission for Equality and Human Rights and other stakeholders are wnoucraging the use of a standardised approach across all equality strands, the workability requirements, applying only to age, would stand as a separate item outside of the equality impact assessment framework. While some elements might apply to the FE sector in England, they would need to be tested robustly for potential fit and application in the English FE context. The FE sector in England would require a different application of the model than demonstrated in the examples. Perhaps one of the most fundamental considerations is the resources, monetary and technical, that would be required to implement and sustain the model in sector organisations.

The appropriate framework for assessing the relevance of the model to the FE context would be the Equality Impact Assessment. The following equality screening framework takes account of current equality legislation and that which might be implemented under the Equality Act 2010. That is, the positive duty to promote equality of opportunity across equality strands.

Test of relevance

The test of relevance is important at the initial screening stage. It is applied to identify which policies or functions have the greatest or least chance of having an unequal or adverse impact on particular groups of people. For example, those polices or functions that involve personal contact and include making decisions that can be influenced by a person's age, appearance or perceived characteristics or circumstances, tend to have greatest relevance to the equality duties.

The items with high relevance include those for recruitment (including selection) retention and progression of staff.

Initial Impact Assessment (screening)

The screening procedure should lead to one of two following conclusions:

1. The policy/procedure/process being screened does not have the potential to have a significant impact on equality of opportunity and therefore does not require a full equality impact assessment

2. The policy being screened has (or is likely to have) a significant impact on equality of opportunity and should be subjected to a full equality impact assessment.

Example of an Equality Screening

Characteristic	Subset of staff	Impact High/Medium/Low
Age	(Specify age group for younger and older workers)	High/Medium/Low
Gender & gender identity	Women Female Men Male	High/Medium/Low

Race/ ethnic group
 	
(You should specify other ethnic group where possible (e.g. Turkish, Somali) where their repre-sentation is signifi-cant)
	a. **White**
	        British
	        Scottish
	        Welsh
	        Irish
	        Any other White background
	b. **Mixed**
	        White and Black Caribbean
	        White and Black African
	        White and Asian
	        Any other mixed background
	c. **Asian or Asian British**
	        Indian
	        Pakistani
	        Bangladeshi
	        Any other Asian background
	d. **Black or Black British**
	        Caribbean
	        African
	        Any other Black background
	e. **Chinese or Other ethnic group**
	        Chinese
	        Other ethnic group
		High/Medium/Low

Disability	(Specify the disability if possible)	High/Medium/Low
Religion/ belief	(please specify)	High/Medium/Low
Sexual orientation	Lesbian Gay males Bisexual men/women Heterosexual men/ women	High/Medium/Low
Marriage or civil Partnership	Married Civil partner	High/Medium/Low
Pregnancy and Maternity		High/Medium/Low
Gender reassign-ment	Male to female Female to male	High/Medium/Low

Note – this table set, as an example, is an approach to Screening (a precursor to a full equality impact assessment). Equality screening is used to prioritise policies, or particular aspects of a policy, for assessment. This form, therefore,   does not constitute an equality impact assessment. Such an assessment would involve all parties with an interest in the policy, and would explain why a high, medium or low' response applies in each case, have a formal sign-off process, a review date and assigned responsibility for ensuring progress to the next stage of the equality impact assessment process.

The definition of disability and workability implications

The Disability Discrimination Act 1995 defines a disabled person as a person with 'a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities'.

This means that, in general:

- the person must have an impairment that is either physical or mental

- the impairment must have adverse effects which are substantial

- the substantial adverse effects must be long term

- the long-term substantial adverse effects must be effects on normal day-to-day activities.

Care must be taken not to let the pursuit of age equality undermine equality in another area. The emphasis on illness and disease in the workability indicators has the potential to disadvantage disabled people. The definition of disability in the DDA is crucial here; in particular, how the model would apply equally to disabled people and those who are not disabled. It is likely that disabled people would receive lower scores on the health indicators and therefore, be disproportionately represented among those deemed unable to continue in their job role. Good age and disability management practice would be crucial in such circumstances to create supportive work environments and conditions where individuals could discuss sensitive issues in confidence. Making reasonable adjustments would be the more likely outcome than retirement in such circumstances.

From examining the workability model, and index, the following aspects create the potential to contribute positively to pursuing age equality:

- the model is shown to operate at individual, age group and organisation levels in identifying age-related factors and barriers/ challenges to work performance

- it is based on individual self-assessments of their workability according to the items in the questionnaire

- it takes a quantitative approach — it seeks to take an objective approach to recording scores according to each item in the workability index

- it includes scheduled re-assessment to test previous scores and record changes in workability

- it provides for comparative elements across individual and age group scores.

There are some concerns about the potential counterproductive impacts of the workability model. Looking closely its features, it is clear that the workability index:

- relies on an estimate of a person's ability to work in a particular role over their working life

- At least three of the seven indicators relate to health and illness

- is primarily based on past and future sickness and illness indicators- with possible implications for disability equality

- emphasises illnesses and diseases and the perceived barriers they create to work

- uses past absence due to illness as a means of estimating future leave because of illness

- uses an estimate of the mental resources required for the role and the extent to which the individual does or does not possess the mental resources required

- might be considered unnecessarily intrusive into the individual's personal life

- has implications for the protection of personal data

- raises questions about the reasonableness of requiring staff to provide information of this nature on a regular basis

- places emphasis on the health situation of the individual that might be considered intrusive and unreasonable.

There is also the need to question the model's compatibility with assessing workability across other equality strands and its relationship to overall equality principles. The test would be to consider whether such an approach to, for example, race, gender and disability in the context of UK legislation would be deemed acceptable or a reasonable means of achieving an organisational aim.

Given the nature of enquiry and analysis, there is potential to be incompatible with equality principles. For example, consider what would happen if the results suggest that people of a particular age, or in a particular age group, should not be considered for particular jobs in the sector? Putting such a recommendation into practice is unlikely to be considered justifiable age discrimination.

Another major consideration is that the Workability model and WAI take account of only those people in the current workforce. Therefore, in order to support workforce succession planning, it would need to be considered with other systems that take account of the potential workforce.

Key issues and recommendations relating to the Workability model

The model suggests that Workability may be understood as how good is the worker at present, in the near future, and how able is he/she to do his/her work with respect to the work demands, health and mental resources[14]. This definition suggests that Workability is the result of the interaction of the worker and his or her work. Workability may also be described as the balance of the worker's resources and the demands of the job. To be effective, it would need to be accompanied by good management practices that create a supportive environment for staff of all ages.

---

14   Ilmarinen J. Preface. In: Ilmarinen J & Lehtinen S. Past, Present and Future of Work Ability. People and Work – Research Reports 65, Finnish Institute of Occupational Health, 2004; ISBN 951-802-581-9 [English]

The indicators used in the calculation of the Work Ability Index include notions of a worker's current ability compared to lifetime best, the number of diagnosed illnesses, estimate impairment through illness, amount of sick leave per year, the worker's own prognosis of Workability in two years' time, and an estimate of mental resources. A low score on this Index could often be a predictor of early retirement unless changes could be made to avoid this."[15]

It is important to bear in mind the lessons learnt as a result of the Stephen Lawrence Enquiry, for example, UK equality law tends to be more robust than that of most other European nations. Therefore, findings emerging from the analysis of indicators in other countries are likely to result in different solutions in the UK context. For example, the low score in the index mentioned above would more likely result in reasonable adjustments being made to retain the staff member than retirement in the UK.

The principles of the Workability model, rather than the model and the Workability Index, along with the requirements of the regulations, have the potential to create a new era in age equality across the sector. While sector-wide workforce planning and age-profile issues continue to persist, there is little evidence of effective guidance, support or good practice to address these. There also seems to be widespread and consistent understanding of what the age regulations require of sector employers.

This potential will be mediated by the development of an appropriate set of age equality indicators that are compatible with UK legal requirements and congruence with other equality strands. Care also needs to be taken to ensure that progress on age equality does not undermine equality in relation to other strands.

The approach to the model is welcome. A sector-wide model would encourage consistency of approach across the sector, comparability and benchmarking across sector organisation, monitoring and assessing impacts and outcomes at various levels – organisation, sector, age groups and other factors such staff groups. It would also facilitate the sharing of effective practice.
The Workability principles need to be appropriate. For example, where the Workability model results are used to suggest staff should retire or not continue working, UK legislation and appropriate consideration of disability equality would encourage organisations to make reasonable adjustments to enable the individual to continue to contribute to the sector as a valued employee.

Given the current reluctance of individuals to indicate their disability, the indicators would need to be less intrusive than those featured in the Workability index.

An appropriate model would need to be less resource intensive than the Workability model and Index so that staff in human resources roles and the unions, with the support of other staff, can manage the process of gathering and analysing workforce information on an appropriate set of indicators, without the need for statistical or analytical expertise.

Staff would need to be willing to provide the information requested, particularly any information relating to sick leave. It would be important that they can see the relevance and have an idea of how it would be used to support them throughout their working life – regardless of personal and circumstantial changes during their working life.

It is crucial that the set of indicators of workability used in a similar model for the learning and skills sector in England is appropriate to the context, is understood by staff, can be applied consistently across all age groups, corresponds with equality on other grounds, is equitable and credible, and have the potential to benefit staff of all ages, the employer, the sector and good teaching and learning.

---

15 Test–retest reliability of the Work Ability Index questionnaire. B. C. H. de Zwart, M. H. W. Frings-Dresen and J. C. van Duivenbooden . Coronel Institute for Occupational and Environmental Health, Academic Medical Center, University of Amsterdam, Amsterdam; and Arbouw, Amsterdam, The Netherlands

The model is resource intensive, both in staff and financial terms, and there is potential for indirect disability discrimination (and also in relation to other strands) in using the current indicators in the WAI.

Workability recommendations

Following a review of the Workability model and its application in different settings, it is recommended that a model, based on similar principles to the Workability Model, is considered for the learning and skills sector. The model should feature an appropriate set of indicators for benchmarking and measuring progress towards age equality objectives. Crucially, it should be sector wide to allow aggregation at sector level and to enable the identification and sharing of good practice in age equality across the sector. In addition, the adopted model must pay due consideration to any requirements on staff to contribute information that is not already collected.

1. Equality screen the model according to Equality Impact Assessment principles

2. Test the Workability model in relating to age equality to see if it would work in the context of UK age legislation

3. If still considering adopting the Workability model, the following should be addressed beforehand.

4. The proposed indicators of workability in the sector (the Workability Index) and the appropriate scores that would be assigned to each indicator (e.g. and indicator with a score ranging from 4–8)

5. Equality screen and equality impact assessment of the model in relation to all equality strands

6. Conduct a test of the workability model and include the other equality strands to find out whether its use in pursuing age equality has the potential to undermine equality in other strands

7. Develop a set of indicators that are appropriate to the sector and UK legislative requirements

8. Involve the unions in the development and assessment of the age equality indicators

9. Consult stakeholders, including staff unions on any proposed indicators

10. Assess the level and cost of resources that would be required to implement and sustain the Workability model

11. Undertake focused Consultation with staff, sector bodies, stakeholders (including the Commission for Equality and Human Rights) on the proposed 'model' in addition to the general consultation that takes place on the indicators

12. Explore the sustainability of the Workability model, paying particular attention to the costs and other resources to sector organisations.

The assessment shows that the Workability model in its current form is not applicable to the further education system in England. However, the principles on which it is based provide a platform for similar work, with a set of indicators and processes that is consistent with current age and other employment equality requirements.

In seeking to embed principles that help to promote age equality, stakeholders in this research might consider seeking external funding to develop a workability model that is appropriate for the further education system in England. It is proposed that the work should draw on, and include, the experience and

expertise of the Finnish Institute for Occupational Health in a transnational approach to developing the model and indicators. The outcomes would need to be consulted on and impact assessed prior to piloting refinement and implementation.

Section- 4: The research findings

HR/CPD practitioners survey - main findings

- Staff from senior levels in the organisations feature strongly among those responding to the survey.

- More than 20 percent of the survey participants have been working in the sector for twenty years or more and 11 percent for 11–14 years, 21 percent for five years or less and 19 percent between 6 and 10 years. This suggests high retention rates.

- There is particularly strong agreement that workplaces should have a culture of diversity and aim to provide a positive working environment that is free from discrimination, harassment or victimisation.

- Not all leaders and senior managers agree on the promotion of age equality.

- There is less agreement about working in partnership with recognised unions to combat age discrimination and ensure equality irrespective of age - to the extent of some strong disagreement.

- 71 percent say their organisation has undertaken to fulfil its legal duties as set out in the regulations and directive. A significant proportion (23 percent) is not sure.

- 63 percent say the legal duties from the regulations and directives have been incorporated, 43 percent say they have not.

- Nearly one in four (39 percent) said the eligible staff are offered retirement planning and support. 31 percent said eligible staff are not offered retirement planning and support. 20 percent were not sure.

- The survey participants reported that a small number of staff left the organisation over the last 18 months on age related matters that resulted in dismissal.

- More than a third (36 percent) said their organisation works with union representatives on matters relating to retirement and pensions. 41 percent said their organisation does not and 10 percent are not sure.

- More than six in ten (61 percent) say their organisation gathers and analyses information on staff ages; 21 percent said their organisation does not.

- A small proportion (3 percent) of the HR/CPD Practitioners said they had heard of Workability and 68per cent said they had not; 17per cent did not respond. Just 1 percent said they have used it in their organisation.

- 77 percent of the HR/CPD Practitioners said their organisation has a pension scheme, 12 percent say theirs does not. For those with a pension scheme, 75 percent are open to new entrants and 5 percent are not. 39 percent offer staff training on pensions and 44 percent do not.

HR/CPD Practitioner survey results

General views about the organisation

When asked to what extent they agree with the following statements, the responses were as follows:

Statement	Strongly agree (%)	Agree (%)	Neither agree nor disagree (%)	Disagree (%)	Strongly disagree (%)
We have a culture of diversity committed to equality of treatment for all	63	26%	4%	2%	
We aim to provide a positive working environment free from discrimination, harassment or victimisation	67	25	2	1	
We have an age diverse workforce	49	31	10	5	
We work in partnership with recognised unions to combat age discrimination and ensure equality irrespective of age	19	24	21	9	9
Our equality policies are comprehensive and prohibit age discrimination	46	39	3	4	
We work towards the elimination of prejudice and discrimination, whether overt or covert	56	33	4	2	1
Our leaders and senior managers are signed up to promote age equality	42	34	16	2	1
Implementation of equal opportunities policies will make the organisation more successful	49	28	13	3	1

The results from the table above shows:

- particularly strong agreement that their organisation has a culture of diversity and aiming to provide a positive working environment that is free from discrimination, harassment or victimisation

- less strong agreement about the implementation of equal opportunities policies making the organisation more successful, the organisation having an age diverse workforce and working towards eliminating prejudice and discrimination, whether overt or covert and that their equality policies are comprehensive and prohibit age discrimination

- less agreement about working in partnership with recognised unions to combat age discrimination and ensure equality irrespective of age - to the extent of some strong disagreement

- inconsistency about leaders and senior managers signed up to promote age equality. Given the importance of people in leadership roles in promoting equality of opportunity, a significant proportion neither agree nor disagree on this point, along with others who disagree.

Staff with line management or supervisory responsibilities that received equalities training

More than 30 percent of the HR/VPD practitioners say that all of their staff with line management or supervisory responsibilities has received equalities training. Between 10 percent and 14 percent of the practitioners say that between 71 percent and 99 percent received this training. At the other end of the scale, 3 percent say this is the case in their organisation.

More than seven in ten (71 percent) say their organisation has undertaken to fulfil its legal duties as set out in the Age Regulations and Directive. A significant proportion (23 percent) is not sure. The examples of activities undertaken to fulfil the legal duties include having employees aged over 65, removing questions about age from job application forms prior to shortlisting, updating policies to consider age and removing the mandatory retirement age. A list of the examples provided is at Appendix 3)

The proportion of HR/CPD staff that have received training on the regulations and directive

More than one-third (35 percent) said all of their HR/CPD staff has received training on the Regulations and Directive. Others say none of their staff in this role receives this training. The results show wide variation in those receiving and not receiving this training.

63 per cent say the legal duties from the Regulations and Directives have been incorporated, 43 per cent say they have not; 8 per cent are not sure and another 8 per cent did not respond.

Retirement and redundancy in participants' organisations

- 41 per cent say their organisation has a mandatory retirement age.

- 43 per cent do not have a mandatory retirement age.

- 8 per cent not sure whether they have a mandatory retirement age and 8 per cent did not respond.

- Two-thirds (66 per cent) say their mandatory retirement age includes part-time staff, 6 per cent said it does not, and 11 per cent are not sure.

- More than half (53 per cent) said their organisation have a retirement policy;

- Just under a quarter (23 per cent) do not have a retirement policy;

- 15 per cent are not sure.

- More than half (56 per cent) would describe their retirement policy as flexible.

- 5 per cent would not describe their retirement policy as flexible.

- Nearly half (48 per cent) of the HR/CPD practitioners say their retirement policy is communicated to all staff; 13 per cent say it is not and 18 per cent are not sure.

- More than a quarter (28 per cent) says their organisation host retirement events.

- 53 per cent say their organisation does not; 9 per cent are not sure.

Staff who requested to work beyond organisation's retirement age over the past three years

The analysis suggests that a small number of staff requested to work beyond retirement age in the last three years. This might be a reflection of the small number of people of this age in the organisation. For example, the chart shows that in 5 per cent of organisations between 11 per cent and 30 per cent of staff requested to work beyond retirement age over the last three years. Another 5 per cent said this request was granted to all of their staff who made the request. Of those with 1–10 per cent, of staff making this request 28 per cent granted the request.
Nearly one in four (39 per cent) said the eligible staff are offered retirement planning and support. 31 per cent said eligible staff are not offered retirement planning and support. 20 per cent were not sure and 10 per cent did not respond.

There were few reported incidents of age-related claims in the last 18 months resulting in grievance proceedings reported in the survey. These small numbers are not quoted here This is to prevent the organisations being identified.

A substantial 97 per cent did not respond to the question of how many of the staff leaving the organisation in age-related matters resulted in retirement. Some commented that the voluntary severance scheme is typically more attractive to colleagues nearer to the planned retirement age.

A substantial 95 per cent did not respond to the question asking whether the age related incident resulting in redundancy. However, the survey participants reported that a small number of staff left the organisation over the last 18 months on age related matters that resulted in dismissal.

Staff left the organisation on age-related matters because of retirement

The responses to this question ranged up to 25 with some organisations having more than ten and others as little as one or two redundancies. Most of the organisations report having no redundancies. There are no clear patterns in the information.

Where the retirements occurred, they were explained in various ways as follows.

- All those who took normal or early retirement.

- All were on a voluntary basis.

- All were part-time tutors.

- Almost all who chose to retire were over 60.

- Already worked two years beyond retirement age.

- General manager retired eight years after government retirement age through choice.

- A number of staff has left the college because they chose to retire. Is this an age-related matter?

- Normal planned retirement.

- Of their choice.

- Own decision, after working two years past retirement age.

- The request to continue was not approved, but returned part-time.

- Taking voluntary retirement.

An HR manager commented:

"In the current economic climate it does put some organisations in a difficult position when they're restructuring to make sure they are not discriminating at any point during the process. To a certain point the whole process of treating people fairly is more complicated."
The sector needs to make sure that staff are not recruited on a part-time basis, or retired and re-employed on a part-time basis in order to provide unfair terms and conditions as a way of managing age-related policies, for example, in retiring part-time tutors as mentioned above.

Redundancy policy

63 per cent say their organisation has a redundancy policy, 16 per cent say they do not, 12 per cent are not sure and 9 per cent did not respond to the question.

The survey asked if the redundancy policy was last in first out, or some other mechanism. The comments provided are as follows:

- in some cases, it is last in first out. However, other criteria are also used

- last in first out is used as a tie breaker

- last in first out could be one of many other factors, but it would not be used on its own

- a selection process which mirrors the standard recruitment process i.e. selection interviews
- skills based

- the policy insists on a criteria based analysis of all relevant post holders in the area

- we look at job skills required for the organisation and would make decisions based on positions available and job skills, which best match those positions.

Training, development and pensions in sector organisations

Nearly one in eight (77 per cent) of the HR/CPD Practitioners said their organisation has a pension scheme, 12 per cent say theirs do not. For those with a pension scheme, 75 per cent are open to new entrants and 5 per cent are not. 39 per cent offer staff training on pensions and 44 per cent do not.

More than a third (36 per cent) said their organisation works with union representatives on matters relating to retirement and pensions. 41 per cent do not and 10 per cent are not sure.

See list of unions the organisations in this research worked with at Appendix 4.

The HR/CPD practitioners provide the following views on recruitment and selection in their organis

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
Everyone has the same chances of being appointed irrespective of age	50	33	2	3	1
Older and younger workers are encouraged to apply for all positions	46	31	6	3	
Our job descriptions and personnel specifications are age neutral	52	34	2	6	
All members of short listing and interviewing panels and all those involved in other selection processes have been trained in equality principles	38	29	4	5	
We have a reputation as an equal opportunities employer	41	29	9	3	
Dates of birth and dates of school attendance are only used for monitoring purposes and are not requested on the main application form	33	23	6	14	3

All numbers in the above table are percentages – non responses are not included

More than 80 per cent of the survey participants agree or strongly agree that everyone in their organisation has the same chances of being appointed irrespective of age. A similar proportion agrees that their organisation's job descriptions and personnel specifications are age neutral.

HR/CPD practitioners, views on training and development

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
We operate a talent management programme for employees of all ages	11	18	38	16	2
Our succession management initiatives include staff from all age groups	22	31	23	9	1
Older and younger employees have the same chance for promotion	38	42	5	1	-
In order not to discriminate against young workers, our organisation recognises skills and potential as well as experience	36	44	5	3	-
Staff who work part time or job share have good opportunities for promotion	33	39	12	3	1
Our selection polices apply to promotion as well as initial appointment	39	35	11	2	-

All numbers in the above table are percentages – non responses are not included

The HR/CPD practitioners tend to agree and strongly agree with all of the statements in the table above. However, they agree to a lesser degree that the organisation operates a talent-management programme for employees of all ages.

Work life balance

The HR/CPD Practitioners tend to support the above statements on work/life balance. In particular, the statement that suggests flexible work options are available equitably across all levels of the organisation and to all employees irrespective of age. However, they seem to agree less with the suggestion that their policy on work life balance is working.

Accounting for age in monitoring and reporting

- More than six in ten (61 per cent) say their organisation gathers and analyses information on staff ages; 21 per cent said their organisation does not.

- We have a broad age range 16–60+

- We have the information, but do not analyse it as such.

Items included in the age profile

	Yes	No	Did not say
Age	60%	8%	33%
Job application and selection success rates	44%	22%	33%
Type of contract (temporary, permanent, agency)	46%	28%	34%
Training and staff development	38%	28%	34%
Staff recruitment, development and promotion	50%	14%	35%
Grievances, disciplinary and capability proceedings	42%	24%	34%
Satisfaction surveys and exit interviews	41%	25%	33%

Those who responded to this question suggest that the monitoring and reporting profile includes age to a greater extent than the other factors listed in the table. While all of the factors feature highly, the validity of the finding is limited as around two-thirds did not respond to each of the items in the table.

In addition, 39 per cent said their organisation carried our age equality impact assessments; 39 per cent said their organisation did not, 38 per cent did not say and 23 per cent did not respond.

The results in the above table suggests that organisation are more likely to gather and analyse information on age, staff recruitment, development and promotion and type of contract (whether temporary, permanent or agency). The relatively high proportions of No responses and those not responding also suggest they are almost equally unlikely to collect and analyse information on any of these indicators. The clear message is that, based on the Yes and No responses, organisations need to collect, analyse and use this information more than they do currently.

Ensuring professional practice remains in line with best practice, specifically with regard to age equality

It is important that sector organisations keep staff, particularly in human resources and management roles, updated on the age equality requirements in order to reduce the potential for discriminatory behaviour in these key roles. The participants in this survey comment as follows on what is in place to keep their professional practice up-to-date.

- Age would be considered as part of all equality impact assessments, but not consistently.

- Equality Impact Assessments cover all equality strands, not just age.

- The model for EIAs is being finalised, although screenings are being completed and they include all equality strands.

- Not to date as [age] is not identified as an issue.

- The first Equality Impact Assessment focused on aspects other than age. However, subsequent assessments will be able to focus on age.

- This is a new initiative for us, and is being undertaken as part of a wider Impact Assessment programme covering all the College's policies

- We started impact assessments in 2008 and included age from the start in anticipation of the new Equality Bill.

- This will soon be completed following training currently being undertaken.

CPD and HR managers' views on age equality in their organisations

The HR/CPD Practitioners recognise age equality as an important factor throughout their organisation. A participant in the CPD and HR practitioners' research highlighted an age issue in college governance. The concern was that FE College governors tended to be senior business leaders, either middle-aged or older. They suggested that young people are not often identified as potential governors. There was further suggestion that vacancies for governors were advertised, the wording and the peer network of existing governors in the older age bracket made the position totally inaccessible to young people. "It was like exclusion" was the comment.

A senior equality and diversity manager confirmed experiencing situations where some institutions are biased towards the top end of the age range among front-line staff. There was the suggestion that some older staff prefer to retire at the earliest opportunity – at the default retirement age. The suggestion on this particular issue is that "It's not a question of making moves to stay on; it's a question of making sure more young people coming through into the sector's workforce".

There is a particular view about the role of the unions in ensuring age equality across the further education sector. There is some agreement that age-equality awareness through the workforce must be the key, but that the responsibility for age equality within the sector can no longer be left to the unions, because their influence fluctuates greatly from place to place.

Several ways were suggested for managing staff near the end of their careers. Fractional working was suggested as a way to retain experienced staff who did not want to remain working full-time, and the arrangement helped transition to full retirement. Career breaks worked well, and most were taken by staff whose children had left home. 'Re-skilling' would equip staff to move into new job roles as required. There was not overwhelming agreement with this view as some people felt that flexible working can be introduced for staff seeking reduced hours, though this would not suit all levels. "Management roles can be difficult to reduce the hours on, especially where they need to be available for full-time staff."

Union representatives survey results — main findings:

- sixty survey responses represents sixty sector organisations covering a significant number of staff and learners and highlights the potential influence unions can have in promoting age diversity across the sector – particularly relating to advice and support on terms and conditions and culture change within the sector.

- the survey captures a diversity that is representative of the sector profile, particularly in terms of age, but also shows significant diversity across gender, disability, location and job titles of the participants. There is also representation in terms of ethnicity and religion or belief in small numbers

- work-based learning and local adult learning providers feature along with FE colleges.

The union representatives in the survey are more likely to agree that the workforce in their organisation is age diverse and that their organisation shows a commitment to age equality.

The union representatives tend to disagree with the following statements:

- there is a positive working environment, free from discrimination, harassment or victimisation

- the organisation works in partnership with a recognised union to combat age discrimination and ensure age equality

- leaders and senior managers are signed up to promote age equality

- equal opportunity policies have been implemented and are working

- equality policies are comprehensive and prohibit age discrimination.

There is less union representative support for the view that the implementation of equal opportunities policies has made the organisation more successful.

The survey participants report a small number of age related incidents or cases over the last two years. The findings, however, provide an insight into how age diversity is being considered because of the 2003 Regulations and the Directive.

The above highlights that the unions have an awareness of the shortcomings regarding age equality within sector organisations. The findings suggest that the unions are therefore well placed and willing to work with relevant functions and personnel to help promote age equality and support staff and learners for whom age is an issue that affects them as staff and learners. It is likely that better promotion of age equality requirements and the associated support and advice required by various categories of staff across sector organisations will draw further on union resources.

The evidence suggests that unions are prepared and willing to help sector organisations to take the age equality agenda forward. The unions appear to be an underused resource that engages at individual level, when they could be far more effective at the policy stage of sector organisations' work on age equality.

Union representatives' views about the organisation

The survey participants were asked to say how far they agree or disagree with the following statements

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
The organisation shows a commitment to age equality	3	27	32	15	5
There is a positive working environment free from discrimination, harassment or victimisation	3	15	17	30	22
The workforce is age diverse	7	31	22	15	8
The organisation works in partnership with a recognised union to combat age discrimination and ensure equality irrespective of age	2	20	32	20	13

Equality policies are comprehensive and prohibit age discrimination	3	35	23	20	3
Leaders and senior managers are signed up to promote age equality		15	32	30	9
Equal opportunity policies have been implemented and are working	8	20	37	20	5
Implementation of equal opportunities policies has made the organisation more successful		16	48	13	5

All numbers in the above table are percentages – non responses are not included

The results show that there is no strong agreement or disagreement about the statements in the table above. This is because participants tend to opt for the middle ground and give a neutral response.

They are more likely to agree that:

- the workforce is age diverse

- the organisation shows a commitment to age equality

- they are less likely to disagree that:

- there is a positive working environment free from discrimination, harassment or victimisation

The union representatives and HR/CPD Practitioners disagree strongly on the following statements about their organisation:

- leaders and senior managers are signed up to promote age equality

- the organisation works in partnership with a recognised union to combat age discrimination and ensure equality irrespective of age

- equality policies are comprehensive and prohibit age discrimination

- implementation of equal opportunities policies has made the organisation more successful

The HP/CPD Practitioners tend to agree strongly with all of the above statements while the union representatives tend not to have these views. In contrast, the union representatives who give a view are more likely to disagree, or strongly disagree with these statements.

The statements made throughout the survey responses suggest that age-related policies are at an early stage across the sector and therefore their effects are yet to manifest. At the individual level, there appears to be a lack of knowledge or information relating to how these would apply in the organisation. This is compounded by the finding that individual staff also tend not to be aware of their rights under age equality law.

Meeting the legal duties

Fifteen percent (15 per cent) of the union representatives in the survey said their organisation conducted an age audit of policies and practices before or shortly after the legislation came force; 48 per cent said their organisation did not and 31 per cent did not say. Those whose organisation conducted an age audit cite yearly surveys that include age and policies with obvious age implications. They report that policies which may have had an indirect age implication are not usually audited. One participant reported that the management of age seems to have faded away after initial interest.

This is a consistent finding within the analysis, which suggests that the age regulations have yet to be followed through in a meaningful way within organisations. They suggest that initially, policies that had obvious age implications – redundancy and retirement for example – received some attention, while the wider age equality-implications are not yet worked through. This suggests that age equality is not given the prominence of other equality strands and areas that can have an age-equality impact are not being examined and scrutinised with the rigour that was accorded race, disability and gender equality. Importantly, age equality is a significant factor within other equality strands in terms of the incidence and patterns in relation to ethnicity and disability. For example, incidence of disability increases as individuals grow older and the Census shows that age profiles tend to differ across ethnic groups in particular localities across England.

One in ten said as a result of the audit, they discovered policies and practices that needed changing. They took actions such as making changes to policy on retirement age and rewriting policies as a result of the audit. Given that the audits were neither comprehensive nor specifically focused on age-related equality, it is likely that significant gaps remain unnoticed and unaddressed.
Nearly one third said there were policies or practices that, on the face of it, might have been considered discriminatory, but which they were keen to retain and felt they could be justified under the terms of the legislation. These related to compulsory retirement age and other issues that survey participants did not mention specifically.

A quarter (25 per cent) say the legal duties from the age regulations and directive have been incorporated into wider single equality policies. Others report no recent revision of equality policy. However, there is suggestion that unions have been working to initiate policy reviews with management.

Age impact assessments appear to be rare with 17 per cent saying the employer age impact assessed all their policies and 36 per cent saying the employer had not. There is a note of caution in that half of the union representatives (50 per cent) did not answer the question.
A small proportion (7 per cent) said they noticed some changes/ differences/ improvements in terms and conditions of their members. This is a significant proportion given the coverage of organisations that can be effected. It is also important when considering that some reported that the employer consistently fails to provide equality data in relation to staff that would enable some of these issues to be investigated.

Dealing with age-related incidents

None of the union representatives said they dealt with cases in respect of refusal of employment during the last two years. A small number of them reported that during the last two years they dealt with age-related cases in respect of dismissal and individuals being turned down for promotion.

During the last two years there were some cases reported in respect of lesser terms and conditions, but not specifically on grounds of age. There were no cases mentioned in respect of unlawful age discriminatory terms in collective agreements. Overall, the results suggest that a small number of age cases emerged that were serious enough to warrant significant union involvement or union action. However, this would have

been significant for the small number of individuals who required and received union support with their cases.

There have been some cases dealt with in respect of retirement age. One participant commented that "No one has availed themselves of the option of staying beyond 65 for man or 60 for women".

No cases reported in respect of pay linked to the national minimum wage, redundancy schemes, service-related benefits or pension scheme rules.

The survey responses to the question on the many cases they dealt with over the past two years in respect of following topics were too few to be reported on with any validity:

- the use of age bands or cut-offs to assess contributions

- early receipt of pensions without actuarial reduction

- closing schemes to new members

- compulsory retirements under 65 years of age

A small proportion of the union representative in the survey (5 per cent) said they had heard of the Workability model. None of them has ever recommended its use.

Line managers' age equality survey results – main findings

- Diversity in the profile of survey participants.

- General further education colleges and work-based Learning providers dominate in the survey responses.

- A high level of staff retention, particularly with a high proportion of staff who have been employed in the sector for 20 years; this is greater than the proportions working in the sector between 11 and 19 years.

- The clearly identified need for age-related policies to be promoted more strongly in sector employer organisations.

- Greater age diversity in talent management and succession-planning initiatives.

- The need for older and younger staff to have similar chances of promotion.

- Selection policies should apply to promotions, as well as initial appointment.

- There is disagreement that talent management and succession planning initiatives are age diverse and that older and younger employees have the same chance of promotion.

The line managers responding to the survey were a diverse group in terms of gender, age, ethnicity, sexual orientation and religion or belief. However, on each characteristic, there were numerical differences to reflect, for example, that white British, heterosexual Christians are present in greater numbers, as they are in British society generally.

While females are represented in a greater proportion than males, the age profile of the group ranges between 25 and 64. The minority (9 per cent) were disabled, 80 per cent indicated they were White British, 46 per cent were Christian and 30 per cent had no particular religion or belief

Fifty seven line mangers participated in the survey. The small number of responses means that caution must be exercised in using the findings and in generalising to or about the whole or part of the sector. However, the findings give valuable insight into the age-related challenges posed to sector organisations by the age regulations and directive, and mechanisms and resources they are drawing on to respond to these challenges.

Staff with line management responsibilities who received equality training

The survey results show that 37 per cent of the participating line managers said between 91 per cent and 100 per cent of their staff with line management or supervisory responsibilities received equalities training. Furthermore, they identify the following as training and development initiatives on age equality that have been available to them within their organisations over the past three years:

- coordinators and managers had to complete Level 2 Equality and Diversity Certificate. Age discrimination was one of the areas covered in this. This is the only age equality training that I have encountered within the organisation.

- equality and diversity online course and in-house workshops

- induction includes large equality section. Staff development days have been dedicated to equality, including age equality

- it was part of the equality of opportunity half-day training for managers, outreach workers and admin staff last year.

- part of the accredited equality and diversity unit for the Level 4 teaching qualification offered to teaching staff in-house for the past two years.

- a full training programme on equality and diversity, which includes age awareness.

General views about the organisation they work for

When asked to what extent they agree with the following statements, the responses are as follows:

Statement	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
We have a culture of diversity committed to equality of treatment for all	36	37	-	8	-
We aim to provide a positive working environment free from discrimination, harassment or victimisation	33	42	-	-	-
We have an age diverse workforce	18	53	-	-	-
We work in partnership with recognised unions to combat age discrimination and ensure equality irrespective of age	19	28	28	-	-
Our equality policies are comprehensive and prohibit age discrimination	24	45	12	-	-
We work towards the elimination of prejudice and discrimination, whether overt or covert	25	44	11	-	-
Our leaders and senior managers are signed up to promote age equality	21	25	33	-	-
Implementation of equal opportunities policies will make the organisation more successful	26	35	18	-	-

All numbers in the above table are percentages – non responses are not included

There is strong agreement that the organisation is working to achieve age diversity and equality. There is a strong view that leaders and managers are committed to promoting age diversity.

The little information provided on work life balance and training and development suggests that there are no particularly strong views on the policies mentioned in the statements in the following table. There is a clear message that age-related policies need to be promoted more strongly in the organisation.

Training and development

Statement b	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
We operate a talent-management programme	14	17	-	28	-
Our succession-management initiatives include staff from all age groups	-	23	-	30	-
Older and younger employees have the same chance of promotion	-	30	-	11	-
In order not to discriminate against young workers, our organisation recognises skills and potential, as well as experience	-	47	-	-	-
Staff who work part time or job share have good opportunities for promotion	-	30	-	2	-
Our selection policies apply to promotions, as well as initial appointment	10	39	-	-	-

All numbers in the above table are percentages – non responses are not included

The participating line managers show strong support for the most of the above statements. However, there is strong disagreement that talent management and succession planning initiatives are age diverse, and that older and younger employees have the same chance of promotion.

Age equality monitoring and reporting

Less than half of the participants said their organisation gathers and analyses information on staff ages. A small proportion said the profile includes age. Less than half (45 per cent) said the profile includes type of contract (permanent, temporary, agency etc.), 35 per cent said the profile includes training and staff development, and just over a quarter said the profile include grievances, disciplinary and capability proceedings. A quarter said the profile includes satisfaction surveys and exit interviews.

A small proportion (10 per cent) said if monitoring revealed evidence of age discrimination, remedial action was taken to redress it. A similar proportion said their organisation undertook age equality impact assessments, and that the equality impact assessments include the impact on workers of different ages. 63 per cent said their organisation has a reputation as an equal-opportunity employer

Line managers' views on age equality in their organisations

The overall finding from the research is that line managers believe that age discrimination is not understood as well as other equality strands. This is largely attributed to the age regulations being relatively new compared with other equality legislation. However, others suggest that treatment on grounds of age have been long established and become the accepted practice, even when it might be discriminatory.

Line managers tend to think that rather than focus on experience, which can disadvantage younger people, an individual's skills and potential should also be considered when recruiting. They also tend to agree that

there is a high level of agreement that training and awareness courses should continue to be encouraged, as long as they are seen to be meaningful. One large institution offered various training and awareness courses on equality issues, including age, but this service was all in house. As the courses were not run by specialists, staff felt that the gesture lacked credibility.

Line managers felt that age equality could be addressed by extending the retirement age, giving equality and diversity training to all staff, introducing flexible working and recruiting school leavers. They also thought that older staff members should not be seen as resistant to change, and age diversity would probably benefit quite a few governing boards by giving younger people a say in how FE organisations are managed.

Despite having a high proportion of staff in the FE workforce aged over 50, there is a perception among line managers that the sector is often promoted using images of young people. This is perceived by some older staff to undervalue them and exclude them from the organisation's future. One discussion group agreed that positive role models should be used in advertising for staff and learners. They agreed that too many glossy FE prospectuses seemed slanted towards young people. The statement "some institutions have too many bright young things in the picture" was one comment that summed up the views of the group.

Staff survey - main findings

The vast majority of participants are academic staff from various different areas and levels.

- Most staff that responded to the survey worked in general further education colleges , although a wide range of sector provider types are represented.

- A substantial 70 per cent of staff participating in the survey is employed full time, 15 per cent fractional, 6 per cent term time only 4 per cent other; 6 per cent did not say and others indicate they are temporary and seconded.

- A high proportion of staff are unsure whether their organisation has a mandatory retirement age.

- The need to communicate the retirement policy to staff of all ages and reinforce this regularly so that it remains current. More than half the staff completing the questionnaire are not sure if their organisation has a retirement policy.

- Make training and awareness events on pension, retirement and redundancy available to staff of all ages.

- 15 per cent say their organisation offers training for staff on pensions; 34 per cent said their organisation does not.

- Of those whose organisation has a mandatory retirement age, a small proportion indicate that staff can work beyond that age with the agreement of the organisation and subject to an annual review.

- Of those who said their organisation has a mandatory retirement age, the most popular response is 65 (14 per cent) which in some cases is extended with an annual review.

- Greater clarity about whether the mandatory retirement age, where applicable, includes part-time staff, and reasons why it does or does not.

- Flexible -retirement policies. More than a quarter (28 per cent) said their organisation has a retirement policy and 5 per cent said theirs does not.

- 12 per cent said they would describe their retirement policy as flexible and 9 per cent said they would not. More than two-thirds (67 per cent) are not sure.

- 16 per cent say their organisation host retirement events and 43 per cent said theirs does not; 30 per cent are not sure.

- 81 per cent said their organisation has a pension scheme; 3 per cent said theirs have not. 63 per cent said it is open to new entrants.

- 80 per cent said they have not experienced discrimination because of their age in their current role; 9 per cent said they have.

- Nearly three quarters (74 per cent) of staff surveyed have not been offered retirement planning and support; this was offered to 7 per cent.

Reasons for leave taken in the last three years

The survey asked sector staff how much leave they had in the last three years for reasons of caring, parenting, surrogacy, adoption, sickness or other reasons. Largely, there was a high level of non-responses to the different sections of this question. For example, 78 per cent did not reply to main question asking whether they took leave in the last three years. The level of non-responses was 62 per cent, 76 per cent and 81 per cent respectively.

Of those that answered the question about leave and took less than five days, 27 per cent took less than 5 days due to sickness, 5 per cent for caring and 4 per cent for parenting.

Of those who took 5–10 leave in the last three years, 21 per cent was due to sickness and 1 per cent for parenting.

Of those who took 10–15 days leave in the last three years, 16 per cent was due to sickness and 1 per cent was due to parenting.

General views about the organisation:

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
I am satisfied in my current job	15	41	17	16	4
I am consistently treated with respect	12	42	19	14	6
I feel I am valued as an employee	13	36	20	18	1
We have an age diverse workforce	15	55	11	10	2
Our leaders are signed up to age equality	7	33	36	8	3
Flexible working is available to me	5	26	21	25	15
My career prospects are good	4	20	27	26	16
My job is secure	4	27	30	19	12
I am aware of my organisa-tion's retirement policy	6	33	26	22	5
I have planned my retire-ment	6	13	33	28	12
I am in the organisation's pension scheme	34	38	3	11	7
My line manage is aware of my retirement plan	3	5	21	37	27
Our unions brief us on our pension rights	6	18	28	23	15
On retirement, my projected pension will fully meet my needs	2	2	28	29	31

All numbers in the above table are percentages – non responses are not included

The survey participants agree with the majority of the statement in the table above. However, the concentration of responses in the neutral category suggest that staff are generally unsure about the issues raised in the statements. They are generally satisfied in their job and feel valued as employees. They also generally agree that the workforce in their organisation is age diverse. However, there are areas that require some attention. For example, there seems to be concerns about job security and retirement planning and provision. Regarding retirement, this relates to the situation where a large proportion of the staff surveyed have not planned their retirement. For those who have, the line manager tends not to be aware of the plan. In addition, staff tend not to expect their projected pension to meet their needs when they retire. There appears to be room for unions and others to brief, inform and support staff regarding their pension rights.

Extent to which staff agree with the following statements: -

Statement	Strongly agree	Agree	Neither agree nor disagree	Dis- agree	Strongly disagree
People are chosen for jobs based on their skills and competencies	8	37	17	21	10
Everyone has the same chance of being appointed regardless of age	8	32	26	19	8
Older and younger workers are encouraged to apply for all positions	8	37	31	12	4
When I applied for my current position the interview panel was age diverse	6	31	29	23	4
I was attracted to working for this organisation because of its reputation as an Equal Opportunity employer	2	14	41	24	9
At some time in the future I would like to be promoted to another job within the organisation	17	28	22	18	9
Older and younger employees have the same chance for promotion	5	32	28	20	6
People who work part time or job share have good opportunities for promotion	3	16	34	27	15

All numbers in the above table are percentages – non responses are not included

Overall, there is a small difference between those who agree and disagree on the statements. However, the number of people who either disagree or strongly disagree suggests that there are significant concerns about these areas of their employment.

The analysis suggests that staff are not attracted to working for the organisation because of its reputation as an equal opportunity employer.

There is strong agreement that staff are looking to be promoted in the future and that older and younger staff are encouraged to apply for all positions in their organisation. However, there is concern that part-time and job-share staff are less likely to be promoted than other staff. significant concerns about these areas of their employment.

Training and development

Staff respond positively to the statements indicating that they have equal access to training, they received training and are aware of the organisation's age equality policy. However, a high proportion indicate that career breaks and sabbaticals are not available to them. This might be due to the nature of their work.

Staff tend to disagree to a significant extent with the statement that suggests they discussed their career development needs with their line managers over the last year. The responses also suggest that staff who take sick leave are concerned it may affect their job security.

Retirement and redundancy

A relatively small proportion of staff say they received a copy of the organisation's policy on redundancy and retirement. As more than a quarter neither agree nor disagree with this statement, this suggests that the policy might either need to be better promoted within the organisation or that staff should be encouraged to pay greater attention to it.

More than half of the staff surveyed (54 per cent) are not sure if their organisation has a mandatory retirement age. 19 per cent said their organisation has a mandatory retirement age and 17 per cent said they have not. Of those who said their organisation has a mandatory retirement age, the most popular response is 65 (14 per cent) which in some cases is extended with an annual review.

- More than two-thirds (67 per cent) are not sure if the mandatory retirement age includes part-time staff. 17 per cent said it does and 3 per cent said it does not

- More than a quarter (28 per cent) said their organisation has a retirement policy and 5 per cent said theirs does not. A substantial 56 per cent are not sure if their organisation has a retirement policy

- 12 per cent said they would describe their retirement policy as flexible and 9 per cent said they would not. More than two-thirds (67 per cent) are not sure

- 16 per cent say their organisation hosts retirement events and 43 per cent said theirs does not; 30 per cent are not sure.

The retirement events attended by staff include a wide range of activities such as:

- insight presentation

- in-service training

- retirement planning courses

- seminars run by pension companies

- two-day courses on planning for retirement

Nearly three-quarters (74 per cent) of staff surveyed have not been offered retirement planning and support; this was offered to 7 per cent.

The survey asked staff whether, over the last 18 months they made age-related claims on a number of topics and whether the claims resulted in action. A substantial 89 per cent said they had disciplinary proceedings; 10 per cent did not respond. 87 per cent said they had no grievances claims; 12 per cent did not respond.

The survey asked whether over the last 18 months, staff left an FE organisation on an age-related matter because of redundancy or dismissal. A significant 89 per cent said they had no such matters relating to redundancy; 88 per cent said not such matters on redundancy emerged. In addition, just over a quarter (26 per cent) said they do not have a retirement policy. More than half (51 per cent) were not sure. Some indicate that the policy is based on 'last in first out'.

More than 80 per cent in each case said their organisation has a pension scheme and that they have not experienced discrimination because of their age in their current role. Just under two thirds (63 per cent) said the pension scheme is open to new entrants. 15 per cent say their organisation offers training for staff on pensions; 34 per cent said their organisation does not.

Staff experiencing age discrimination in their role

Those who said they experienced age discrimination in their current role explain as follows:

- [I] applied for Senior Management positions in the area I am experienced in, but was unsuccessful on several occasions; felt my age was a factor

- as I look younger than I am (which in some respects is wonderful!), I find that a few people don't realise I have quite a number of years experience - people can be patronising and make me feel as though they think that I don't know anything or am a 'bit wet behind the ears!' This can be quite insulting, especially as I am actually quite knowledgeable! I do find that some people can unfortunately be quite rude/patronising towards younger staff. I think it's mostly because 'older' people are just jealous of our youth!

- I feel that younger, less-experienced people are coming in to teach my subject because they are cheaper due to their inexperience

- many of my colleagues are older and managers have used phrases such as "you are too young to know" to dismiss my suggestions

- I'm fit and healthier than other younger colleagues, but this doesn't stop people keep asking me when I'm going to retire. Also, I don't feel that it's worth me trying for higher jobs as the perception is that I'll be going soon!

- to get a full time job or promotion I have to speak and write fluent Welsh to A level standard. There is no understanding at all that this is more difficult for older workers for a variety of reasons: social contacts, intellectual ability (learning a language is harder as you get older), and a lack of training opportunities. My organisation offers very little language training for staff and part-time staff do not get paid for training

More than a quarter said they did not know who to talk to about the situation. A small proportion said they complained about the discrimination. Their comments are as follows:

- HR told me to go and talk to the manager, who was the bully

- I could not be open about this with HR as they would not accept it

- just heartbroken and still working with commitment

- my manager is not bothered, happy to use me as a cheap teacher as I am very experienced; [They are] not bothered about training me as I am too near retirement age.

Ten percent said they were not satisfied with the way the matter was dealt with; 72 per cent did not respond as the question was not applicable to a high proportion of the surveyed staff as they had not reported the incident. 5 per cent said a support network was available to them; 13 per cent said it was not.

Staff views on age equality in their organisations

The staff interviewed agreed that ageism can impact significantly on front-line staff, especially those in large institutions with a poor grasp of age equality. They report cases of very able older workers being written off, while young staff and staff who look younger than their years are sometimes patronised as lacking knowledge and experience.

There is evidence of age tensions being magnified by the climate of uncertain employment and by mandatory retirements that existed within a sector organisation. One employee suspected that because no alternative was offered on redundancy, it meant that redundancy decisions were made based on the person's age. Some staff felt that their failure to gain positions was because they were older.

Health and capability are the key factors that influence the decision whether to retire. There was a strong view that many lecturers will still want to retire at 65 or earlier. The point was frequently made that a combination of the stresses of FE teaching and the tough working conditions can affect career longevity. There was also strong agreement that illness increases in such an environment, and it is the older workers who are more likely to experience unwarranted severance.

Older staff reported that they often feel discriminated against. They cite occasions such as being told after returning from certificated sick leave, that the period of absence was unacceptable and they would be monitored for three months. "Younger members of staff who had equal or longer periods of sick leave, were not given this warning, nor told they would be monitored."

An employee approaching 65 becomes vulnerable and all too aware of a career cul-de-sac. "I don't feel that it's worth me trying for higher jobs as the perception is that I'll be going soon."

An administrator commented:

> "People would accept retirement more readily if it were phased in by reducing commitment gradually. Many workers do not want to stop work altogether. It's a very big step; too much of a shock to the system. From five days to nothing is really hard."

It has been suggested that the combination of age and disability, and often assumptions about the effect of this combination, mean that some older staff fear age discrimination, or false assumptions about their capability caused by the onset of disability. One college administrator refused to admit to having a back problem for three years. The suggestion that an older staff member's age, combined with some sort of disability makes them vulnerable to severance at a disproportionate rate was supported by an equality officer in an interview. The officer suggested that attitudes might need to change as any member of staff could become disabled. When coupled with age, a person's disability can leave a person vulnerable to false assumptions about their capability in the workplace.

Re-training is often considered to be a way of extending older people's careers and helping with staff succession planning in employing organisations. However, sector staff commented that even in re-training there can be prejudiced attitudes, though not necessarily in age. One FE staff member recalled that in a previous primary school sector job, teachers would be sent on courses while admin staff would not be included. This person added that it was a shock to be encouraged and treated as an equal to younger staff.

Things the survey results suggest needs to change in the FE sector

The results of the surveys, focus groups and interviews suggest that the following are some of the things that need to change in order to manage age equality effectively in the learning and skills sector.

- Recognition of the contribution age regulation can make to helping with the succession crisis

- The active pursuit of age equality through consistent promotion and application of the regulations in sector organisations

- Designated role and responsibility of sector support organisations in leading and supporting organisation on age equality

- An explicit commitment and willingness to collaborate effectively with organisations that have the expertise in age equality

- Putting age equality on a par with other equality strands such as race, gender and disability

- Using the resources that are available via stakeholders, such as the unions, to give credibility and demonstrate commitment to making a positive difference to staff of all ages and to demonstrate that the sector values all staff equally, regardless of age.

- Achieving a balance in the importance given to age equality. Such a balance should support older staff to contribute further to the organisation as the younger workforce becomes established so that vital skills, knowledge and experience are not traded for youth.

- Informing staff of their rights and making sources of information and support available to provide clarification and explanation.

The sector needs to recognise the benefits of an older workforce and to both support older workers and make the most of their knowledge, skills and experience. It should also encourage them to take opportunities to develop and stay employable by updating their skills set and future-proofing their skills.

Despite the diverse range of sector stakeholders charged with promoting and supporting equality of opportunity and diversity, research suggest that there has not been significant progress to date on age equality when compared with progress with other equality strands. The sector has been focused on devising policies and procedures with little monitoring, consultation or assessment of the impact on age equality. As a result, it has been very difficult to ascertain the level of progress that sector organisations have made in pursuing age equality.

The framework for action in pursuing age equality is already provided in the Workforce Strategy for the Further Education Sector in England. In this strategy, LLUK, the employer-led sector skills council has identified the following four priorities:

- understanding the nature of the workforce

- attracting and recruiting the best people – regardless of age

- retaining and developing a modern, professional workforce

- ensuring equality of strategy, policy making, planning and training

While these priorities are recognised as important by sector organisations, the research suggests that age tends not to be a specific focus within sector employer organisations.

Section 5: Research findings and key issues

This section highlights the main research findings. It considers and pulls together the areas of agreement and difference across the different research methods and across the different groups researched. This section does not deal with Workability as that is dealt with separately above.

The research highlights the need for, for example, opportunities for career breaks, flexible working and career development to be available to staff of all ages, thus creating a culture of sector organisations supporting staff and staff in turn thriving in a workplace culture that values them throughout their working lives. For example, in practice, career breaks tend to be available only to older staff when younger staff might also benefit equally from such opportunities.

The research suggests there is a lack of clarity within sector organisations about the legal position about retirement, pensions, redundancy and other age-related policies.

The research found particular concerns in relation to the following:

- while there is broad agreement that staff of all ages have an equal chance of promotion:

- age equality tends not to be given the status or importance as other equality strands with sector organisations

- leadership on equality of opportunity and diversity is lacking an age equality focus.

The findings suggest that the sector would benefit from visible and communicative leadership on age equality at sector and organisational levels. Further, the research findings suggest that age equality and age equality requirements, are not well understood and therefore not well practised across the sector.

There is a recognised need for specific activity to inform leaders and staff of age-equality requirements; staff in particular tend not to be aware of what the age-equality requirements mean for them or what it requires from employers.

The following issues and supporting research findings highlight where greater attention is required to help promote and embed age equality in the workplace.

Key issue - Training older staff in particular

Staff nearing the minimum retirement age tend not to be developed or supported for a future in the organisation as there is a tendency to perceive that they will soon retire and leave the organisation. The research findings also suggest that older staff do not expect the organisation to train and develop them beyond a certain age.

Key issue - Multiple discrimination, in particular, age and disability

The evidence identifies a need to consider disability in relation to age, particularly as it applies to older people who are reluctant to inform their organisation of a disability because any possible implications.

Key issue - Reviewing and amending organisational policies to incorporate age

A very small proportion of sector organisations assess their policies in relation to the age equality requirements. Those who do this tend to update relevant policies because of the review.

Key issue - Age equality impact assessment of policies and practices

Few sector organisations conduct age equality impact assessments. Age equality tends to be considered in the conduct of wider impact assessments.

Key issue - The absence of effective age equality practice

The research failed to gather examples of good age equality practice from the sector. This does not mean that good practice does not exist in sector organisations.

Key issue - Incorporating age in equality monitoring and impact assessment

Sector organisations collect age monitoring information and use it routinely used to establish retirement date, but not as a way of informing the organisation about developing staff approaching the minimum retirement age. There is opportunity to apply monitoring information to identify when and how to support older and younger staff by identifying when and how to provide opportunities to enhance their effectiveness throughout their working lives.

Key issue – Use of trade union resources

The expertise and resources that reside in trade unions in respect of age equality seem to be underused in sector organisations. This is partly due to age equality not being tackled sufficiently at the strategic level where unions can contribute to help reduce the potential for discrimination. It is also partly due to staff not knowing whether their treatment warrants union involvement. .

The age equality challenges facing sector agencies and partners

In light of the research findings, the main challenge for sector agencies and partners will be leading and supporting institution to address the research findings by developing an approach, supported by appropriate indicators, to address the research findings. Despite that age equality is likely to impact on all staff, it is not given the same prominence as other equality strands.

A major challenge for sector organisations and partners is likely to be persuading sector employers of the proposed way forward, with the associated consultation and involvement, support and endorsement by unions and stakeholders promoting equality in general and age equality in particular, and building it into quality processes and procedures.

Although it has been six years since the age equality regulations came into effect, levels of staff awareness of age-equality issues tends to be low. This means that some policies or procedures that can have potentially discriminatory or detrimental impacts on individuals and people in older and younger age groups go unchallenged.

This work might be best supported by stakeholder liaison and support via workshops and events, and facilitating and brokering relationships with appropriate stakeholders and partners who have a particular interest in promoting the age-equality agenda.

Recommendations

The majority of the following recommendations suggest that organisations take non-legislative action to advance age equality in employment and prepare for the introduction of the proposed public sector equality duty in 2010. The recommendations do not address legal exceptions and exemptions as these relate to specific circumstances.

Recommendations for sector agencies and partners

1. Sector agencies and partners to demonstrate explicit sector leadership on age with credibility and strategic support on age policies and action plans

2. Sector agencies and partners to consider issuing sector-specific guidance on promoting age equality in the workforce, outlining systematically the stages from the workforce planning through to impact assessment and policy review.

3. Sector agencies and partners to develop an age-equality framework based on the principles of the Workability model and Workability Index for consultation. This should include a set of sector-relevant age equality indicators and the process for taking this forward might include:

- demonstrating the need for such a model for the sector and sector organisations

- setting out the age equality aims and objectives and links to overall vision and mission

- highlighting the benefits to sector organisations

- outlining the proposed model and application of the indicators

- defining the role and responsibility of specific sector organisations and other parties in implementing the age equality model

- communicating how progress with the indicators would be measured

- identifying the additional information (if any) staff need to provide (the approach would use existing data as far as possible)

- the types of analysis to be undertaken and reporting timescales

- the mechanisms for embedding, monitoring, assessing and reporting consistently on age equality over time

- undertaking age equality impact assessments using the information collected as the basis for analysing impact

- action planning that leads to identifiable outcomes

- the process for identifying and promoting best practice across the sector.

Sector organisations to:

1. Be explicit in references to age equality in setting out terms and conditions, particularly in relation to new and younger staff, to ensure their terms and conditions do not disadvantage them in relation to existing staff

2. Address the potential for young people to feel marginalised and insecure in their employment when employed on fractional arrangements. For example, employing younger people on contracts with less-favourable terms and conditions than older people who have been working in the sector for a number of years

3. Monitor and publish age profiles of staff category and seniority, supported by indications of the desirable profile and how the institution is working to achieve it

4. Keep staff informed of the institutions progress toward its age-equality aspirations through briefings, publications and staff communications

5. Ensure staff are a aware of the implications of the age equality policy for them

6. Not allow age to be used as an excuse to reduce staff numbers, working hours or other terms and/or conditions

7. Re-examine and review employment contracts to remove any potential bias on grounds of age and gender in particular; and to consider succession planning and unlawful discrimination implications

8. To find new ways of engaging with the workforce on the issue of age, based on mutual respect

9. Apply equality impact assessment principles consistently to improve outcomes for older and younger staff

10. Make training and development programmes available to develop older non-managerial staff and remove any sense they might have of being marginalised and that they are being prepared for retirement

11. Sector organisations to publicise retirement, pensions and redundancy policies so that staff are constantly aware of how these policies are likely to affect them and what changes they need to make to ensure they would be covered in the future.

General Recommendations for the sector

1. Identify and promote the cultural change that is required in the sector and institutions

2. Communicate the understanding that age is not about older or younger people exclusively

3. Build on the culture of diversity that staff, managers, human resources staff and union representatives say exists in their sector organisations

4. Strengthen leadership on equality using designated leaders on age that promote it visibly and reinforce it in communications to the sector

5. Undertake specific and detailed monitoring and management on age-related matters, for example, those resulting in recruitment, dismissal and redundancy

6. Make greater and more effective use of resources that reside in unions and age equality stakeholders to add credibility to approaches to and show commitment to age equality and to the existing and potential workforce

7. Support staff with retirement planning by informing younger staff to enable them to consider their retirement planning throughout their working life, and by supporting those nearing retirement to prepare for life beyond employment

8. The sector to demonstrate that it values the contribution older workers make; and to highlight further its plans to prolong this valuable resource by offering appropriate development opportunities to encourage and enable older staff to remain in the work place

9. Sector unions to play the key role in championing employment rights generally so that age is not perceived to be a special issue for older or younger staff exclusively.

10. To sign up to an effective and inclusive age equality programme that is supported across the sector in all its constituent parts – including work-based learning and adult and community learning providers.

Appendix 1- Survey participants' profiles

This section provides the profiles of the participants contributing to the research by completing the survey questionnaires. It provides the profiles for the HR/CPD Practitioners' survey, the union representatives' survey, the line managers' survey and the sector staff survey.

HR / CPD Practitioners survey participants' profile

One hundred and sixty HR/CPD Practitioners completed the survey questionnaire. The profile shows the majority are female with 78 per cent female and 21 per cent male. There is greater representation in older age groups with 29 per cent aged 45-54, 28 per cent aged 35-44, 26 per cent aged 55-64 and 15 per cent aged 25-34. Just over one in ten (11 per cent) are disabled and 87 per cent are not disabled, with a small proportion of participants preferring not to say.

Type of organisation participants work for

HR/CPD Practitioners from general FE colleges (39 per cent) dominate. A significant 20 per cent represent the work-based learning providers subsector. There is also good representation from independent training providers (13 per cent) and sixth form colleges (6 per cent). 10 percent of the respondents were from adult and community learning providers, and specialist colleges. Other organisations represented were land based and residential colleges.

Nearly a quarter of the organisations (24 per cent) have less than 50 employees, 13 per cent have 500-999 employees and 12 per cent have 51–249 employees. Varying organisation sizes up to 4,999 employees are well represented. The HR/CPD practitioners provide representation in the survey from across all regions in England. Wales is also represented with 3 per cent of the participants.

Work profile

The participants have a wide range of job titles. Staff from senior levels in the organisations feature strongly. Nearly one in four is management staff (39 per cent), a quarter (25 per cent) senior management team members, 11 per cent executive and principal and chief executive 6 per cent, academic staff represent 7 per cent, head of service 6 per cent admin and computing and a small proportion of other categories make up the remainder.

How long have HR/CPD Practitioners been employed by the organisation?
The responding HR/CPD practitioners have worked in their current organisation for a significant amount of

time. Nearly a third have been in the organisation for more than 15 years, another third for between 6 and 14 years and nearly half (49 per cent) for up to 5 years.

Working in the sector

More than 20 per cent of the survey participants have been working in the sector for 20 years or more and 11 per cent for 11–14 years, 21 per cent for five years or less and 19 per cent between 6 and 10 years.

The employment status analysis shows that 91 per cent are permanent and 4 per cent temporary. The remainder did not say. More than three-quarters (78 per cent) are employed full time, 14 per cent fractional and 1 per cent term time only.

When asked to indicate the reasons for taking leave over the last three years, 81 per cent did not respond to the question and another 10 per cent said they did not take leave for any of the reasons given during the period. A few said they took leave for parenting, sickness and caring. A small number took leave because of bereavement, compassionate leave, or for an operation.

More than 80 per cent did not respond to the supplementary question asking if they took less than 5 days, 5–10 days or 15 days leave over the period.

HR/CPD Practitioner survey results

Heterosexual participants represent the greatest proportion with 93 per cent while 4 per cent prefer not to identify their sexual orientation. Very small numbers of participants identify themselves as lesbian and gay. The vast majority (90 per cent) are white British with small proportions from across other ethnic groups. Asian black and mixed groups make up 6 per cent of the participants.

The religion or belief profile shows that 38 per cent are Christian and 14 per cent have no religion or belief. A small 4 per cent prefer not to say and more then two-thirds (39 per cent) did not state their religion of belief. Hindu, Jewish and Muslim people make up 3 per cent of the participants.

Union Representatives' Survey participants' profile

Of the 60 union representatives that responded to the survey, 53 per cent were female and 43 per cent were male. Some people did not identify their gender. The age profile shows a concentration of those between 35 and 64; with 40 per cent in the 45–54 age group. This age group represents a significant contingent as those union representatives who have been at the forefront of their service for some time and those dealing with complex cases involving such issues as terms and conditions, redundancy and organisational culture change would be in this age bracket. It would be expected that the additional 30 per cent in the 55-64 age group and 20 per cent in the 35–44 age group would also have significant knowledge and experience from their time in the role. There is also small representation from the 25–34 age group.

Age and gender profile

Females tend to have a younger age profile with the reverse picture for males as the above chart shows.

The vast majority of union representatives work for general FE Colleges. A quarter of the organisations represented have between 250 and 499 employees, 20 per cent have 50-999 and 10 per cent have 250–499; 15 per cent have more than 1,000 employees.

All of the English regions are represented and some of the representatives are from organisations in Wales. The greatest proportion comes from the East Midlands 20 per cent.

The staff category of the union representatives include, academic, library, manager and members of the SMT. The majority are lecturers although a wide range of other job titles are cited. The survey participants also had a wide range of different roles in addition to their main job.

- One third of the group have been employed by the organisation for 6–10 years, 18 per cent for 20 years or more and 13 per cent for 15–19 years.

- A quarter have been working in the sector for 2 years or more and a slightly larger proportion (28 per cent) for 6–10 years. The others have been in the sector for between 11 and 14 years.

- Just over two thirds are working full-time and 12 per cent fractional; 80 per cent are employed on a permanent basis.

Therefore, there is potential for them to cover a high proportion of the sector's staff at various levels and geographical locations.

There has been a relatively low response to the question trying to identify how much leave over the last three years the union representatives had taken and the reasons for taking leave. The indications are that over the last three years, 30 per cent took leave due to sickness. Of this group, 30 per cent were absent for less than 5 days, 17 per cent for 5–10 days and 10 per cent for over 15 days. The latter statistics represent small numbers of people.

Line managers' survey participants' profile

Sixty-eight percent of the group were female and 30 per cent were male. The females were in the 45–54 age group there was a more even distribution of men across the age groups. A significant 89 per cent identify themselves as heterosexual. Of the remaining 11 per cent, the majority preferred not to state their sexual orientation.

Age and gender profile

Sector representation

The sector representation shows that 61 per cent work in general further education colleges and 11 per cent are employed in work-based learning providers.

The presence of further education colleges in the profile is reflected in the sizes of the organisations taking part in the survey. On third employ between 250 and 499 employees and a further 23 per cent employ between 1,000 and 4,999 employees. A smaller 12 per cent employ between 51 and 249 people.

Responses were received from all regions in England with the greatest number coming from London (44 percent) and the East Midlands (10 percent).

Work profile

The line mangers taking part in the survey have a wide range of job titles. They currently occupy a variety of job roles at various levels in the organisation ranging from chief executive through to executive director, directors and curriculum managers.

The main staff groups were data and performance manager, divisional manager, head of department contracts/quality, head of learning resources, head of marketing, head of procurement, lead programmer, learner Information manager, work-based learning manager, workforce manager, operations manager service delivery manager, learning resource manager and education and employment manager.

The staff categories include academic, administration/computing, governing body, manager, principal/ chief executive/ head of service and technical. The participants hold additional roles such as health and safety representative, quality assurance coordinator, UCU branch chair and union representative.
Length of time employed by the organisation

Just over a quarter (26 per cent) have been employed by their organisation for between 6 and 10 years and 19 per cent between 3 and 5 years; 11 per cent have been in their organisation for twenty years or more and 10 per cent for between 1 and 2 years.

Length of time working in further education

The majority of line managers that responded have worked in the further education sector for more than three years. A larger proportion of staff have worked in the sector for 20 years or more compared to those who have worked between 11 and 19 years, which suggests the sector has a high staff retention rate.

A substantial 81 per cent are employed full time; 90 per cent are employed on a permanent basis.

Of those that have taken leave over the last three years, the reasons and durations given are:

- oarenting – took leave for under 5 days

- sickness – took leave for 5–10 days

- sickness – took leave for over 15 days

A small proportion of line managers in the survey took leave of various durations, including leave for bereavement, maternity, hospital treatment, stress and general illness. However, overall, the majority of responding line managers indicated that they have not taken any leave in the last three years.

Staff survey participants' profile

Two hundred and twenty two sector staff participated in the staff survey. They represent a diverse group.

Age and gender profile of staff taking part in the survey:

- 67 per cent are female and 3 per cent are male

- 64 per cent are aged between 45 and 64 years old

- 96 per cent confirm that they are the gender they were assigned at birth

- 90 per cent are heterosexual and 7 per cent prefer not to say

- 12 per cent disabled and 85 per cent not disabled

- three-quarters (75 per cent) are white British; overall 85 per cent are white and small proportions are from black and Asian backgrounds

- 45 per cent are Christian; 37 per cent have no religion or belief; the other participants are from Buddhist, Hindu, Jewish, Muslim and other faith or belief. Those who said other identify that they are Spiritualist, Roman Catholic, Pagan and Humanist.

Type of organisation participants work for

The majority of survey participant s work for general further education colleges, although a wide range of sector provider types are represented. The organisation size analysis demonstrates the further education college presence in the survey.

Organisation size (number of employees)

Of the organisations represent

Number of employees	% of staff
Less than 50	5
51–249	19
250–499	22
500–999	23
1,000–4,999	21
5,000+	4

- 0 employees.

All English regions are represented by staff participating, along with 9 per cent of survey participants from Wales.
Regions represented

The vast majority of participants are academic staff, with representation from various staff categories. A list of the jobs titles and job roles of staff completing the survey are at the end of this report.

There is a wide distribution in the length of time staff have been employed in the organisation. The number of staff within the 6–10 years, 11–14 years and 20 years groups suggests there is good retention in addition to the employment of new staff of under one year and those working between 1 and 5 years. The retention pattern is reflected in the gradient shape in the chart.

Length of time working in the learning and skills sector

Working hours

A substantial 70 per cent of staff participating in the survey is employed full time, 15 per cent fractional, 6 per cent term time only 4 per cent other; 6 per cent did not say and others indicate they are temporary or seconded.

Appendix 2 - Age (Employment) Regulations 2006

What the regulations say – in summary[16]

From 1 October 2006, the Age Equality (Employment) Regulations make it unlawful to discriminate against workers, employees, job seekers and trainees because of their age.

---

16   Taken from ACAS guidance on the Age (Employment) Regulations 2006

What the regulations say –

In summary: These regulations apply to all employers, private and public sector vocational training providers, trade unions, professional organisations, employer organisations and trustees, and managers of occupational pension schemes. In this context, an employer is anyone who has employees or who enters into a contract with a person for them to do work. The regulations cover recruitment, terms and conditions, promotions, transfers, dismissals and training. They do not cover the provision of goods and services.

The regulations make it unlawful on the grounds of age to:

- discriminate directly against anyone – that is, to treat them less favourably than others because of their age – unless objectively justified

- discriminate indirectly against anyone – that is, to apply a criterion, provision or practice which disadvantages people of a particular age unless it can be objectively justified

- subject someone to harassment. Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them having regard to all the circumstances including the perception of the victim

- victimise someone because they have made or intend to make a complaint or allegation or have given or intend to give evidence in relation to a complaint of discrimination on grounds of age

- discriminate against someone, in certain circumstances, after the working relationship has ended.

Employers could be responsible for the acts of employees who discriminate on grounds of age. This makes it important to train staff about the regulations.

Upper age limits on unfair dismissal and redundancy will be removed.
There is a national default retirement age of 65, making compulsory retirement below 65 unlawful unless objectively justified.

Employees will have the right to request to work beyond 65 or any other retirement age set by the company. The employer has a duty to consider such requests.

There are limited circumstances when discrimination may be lawful (see section on genuine occupational requirements, objective justifications, exceptions and exemptions).

This guide does not use the precise legal terms contained within the regulations – reference needs to be made to the regulations.

Fairness at work and good job performance go hand in hand. Tackling discrimination helps to attract, motivate and retain staff and enhances your reputation as an employer. Eliminating discrimination helps everyone to have an equal opportunity to work and to develop their skills.

A brief explanation of the regulations

Direct discrimination
Direct discrimination is less favourable treatment because of someone's age.
For example, it is unlawful on the grounds of age to:

- decide not to employ someone

- dismiss them

- refuse to provide them with training

- deny them promotion

- give them adverse terms and conditions

- retire an employee before the employer's usual retirement age (if there is one) or retire an employee before the default retirement age of 65 without an objective justification (see page 30).

Lawful discrimination

There are limited circumstances when it is lawful to treat people differently because of their age.

It s not unlawful to discriminate on the grounds of age if:

- there is an objective justification for treating people differently – for example, it might be necessary to fix a maximum age for the recruitment or promotion of employees (this maximum age might reflect the training requirements of the post or the need for a reasonable period of employment before retirement)

- where a person is older than, or within six months of, the employer's normal retirement age, or 65 if the employer doesn't have one, there is a specific exemption allowing employers to refuse to recruit that person.

- the discrimination is covered by one of the exceptions or exemptions given in the regulations – for example pay related to the National Minimum Wage

- there is a genuine occupational requirement (GOR) that a person must be of a certain age – for example, if you are producing a play which has parts for older or younger characters.

Harassment

Harassment includes behaviour that is offensive, frightening or in any way distressing. It may be intentional bullying which is obvious or violent, but it can also be unintentional, subtle and insidious. It may involve nicknames, teasing, name-calling or other behaviour that is not with malicious intent but which is upsetting. It may be about the individual's age or it may be about the age of those with whom the individual associates. It may not be targeted at an individual(s) but consist of a general culture which, for instance, appears to tolerate the telling of ageist jokes.

Indirect discrimination

Indirect discrimination means selection criteria, policies, benefits, employment rules or any other practices which, although they are applied to all employees, have the effect of disadvantaging people of a particular age unless the practice can be justified. Indirect discrimination is unlawful whether it is intentional or not.

Objective justifications, exceptions, exemptions and genuine occupational requirements

Treating people differently because of their age will only be justifiable in the following exceptional circumstances.

Objective Justification

You may treat people differently on the grounds of their age if you have an objective justification.

An objective justification allows employers to set requirements that are directly age discriminatory. Remember that different treatment on grounds of age will only be possible in exceptional circumstances (see below).

You will need to provide real evidence to support any claim of objective justification. Assertion alone will not be sufficient and each case must be considered on its individual merits.

Both direct and indirect discrimination will be justified if it is:

- a proportionate means (of)

- achieving a legitimate aim.

What is proportionate?

This means:

- what you are doing must actually contribute to a legitimate aim, e.g. if your aim is to encourage loyalty then you ought to have evidence that the provision or criterion you introduce is actually doing so

- the discriminatory effect should be significantly outweighed by the importance and benefits of the legitimate aim

- you should have no reasonable alternative to the action you are taking.

If the legitimate aim can be achieved by less or non-discriminatory means then these must take precedence.

What is a legitimate aim?

A legitimate aim might include:

- economic factors such as business needs and efficiency

- the health, welfare and safety of the individual (including protection of young people or older workers)

- the particular training requirements of the job.

A legitimate aim must correspond with a real need of the employer – economic efficiency may be a real aim but saving money because discrimination is cheaper than non-discrimination is not legitimate.

The legitimate aim cannot be related to age discrimination itself. The test of objective justification is not an easy one and it will be necessary to provide evidence if challenged; assertions alone will not be enough.

Appendix 3 - Activities undertaken to support implementation of the age equality requirements

Activities undertaken to support implementation of the age equality requirements:

- applying recommended practices and procedures, for example when recruiting and taking age off the application form
- continued to support employment beyond retirement age e.g. member of staff who is 76
- setting out duties and incorporating them into policies and procedures.
- extended the age of retirement on request
- implementing a fully operational retirement policy and recruitment procedures
- invite those reaching 65 to request to continue in employment and consider the request seriously. We have never refused a request yet
- ongoing review of recruitment documentation including objectively justifiable person specifications and appropriate raining/guidance to recruiters
- phased retirement scheme, extending retirement over 65
- positive work and seeking to employ older staff. Flexible view of retirement age
- recruitment policies, training of staff, harassment policy, monitoring
- recruitment process; access to training
- remove date of birth from application forms; ensured person specs do not have any age-biased requirement
- remove date of birth from annual review reports
- retirement policy, clarifying age 65 as retirement age, implementing as practice
- thorough policies, promoting awareness and practice
- we have never discriminated on the basis of age resulting in a diverse age group of staff 20s to 60s (15 staff)
- reviewed policies, HR procedures and conducted impact assessments.

Appendix 4 - HR/CPD Practitioners' suggestions for main priorities for age equality within their organisations

HR/CPD Practitioners' suggestions for main priorities for age equality within their organisations:

- ability to perform the role – age is irrelevant
- all staff employed and offered opportunities irrespective of age
- ensure equality of treatment, irrespective of age
- addressing the age imbalance in the workforce
- neutral rundown/succession planning/mentoring/Development, progression, opportunity to change role, opportunity to change hours
- changing perceptions of some staff as to the right age for particular jobs
- to provide opportunity for a diverse work force and encourage potential
- training in age equality for senior staff
- attracting younger workers and making the sector and its work more relevant to young people
- allowing staff to benefit from experience of the more mature employee and the new skills and ideas

from younger ones
- improving performance management mechanisms across all ages
- positive action strategies to increase the numbers of applicants for jobs in underrepresented age ranges
- succession planning strategies
- effective management of retirement processes
- discussing age equality with staff and helping them plan their individual retirements to ensure we do not lose their valuable skills and experiences
- encouraging younger applicants to apply for jobs in the sector
- to look into retirement planning and being more open to flexibility of retirement age

Other factors the HR/CPD Practitioners suggest the organisation should consider:

- information and data gathering should include age
- technology and age – people who have problems with technology due to their age
- some organisations feel age equality is not a huge issue for their organisation

Appendix 5 - list of unions the organisations represented in the research worked with

- ACM
- University & Colleges Union
- Unison
- ATL
- Amie
- NASUWT
- NLT
- NUT

- ACL
- EMB
- APEX
- GMB
- TGWU
- ACM
- Teachers Union
- UNITE

Appendix 6 - the training and development initiatives that have been undertaken on age equality with the HR/CPD practitioners' organisations over the past three years include the initiatives outlined in this appendix

The training and development initiatives that have been undertaken on age equality with the HR/CPD practitioners' organisations over the past three years include the following:

- ACAS supported short training courses
- age equality is included in a suite of courses related to equality and diversity
- all staff have equal opportunities training as part of induction
- annually in equality and diversity training (staff refreshed every 3 years)
- around membership/recruitment/fees, concessions etc
- as an age positive employee we have ongoing training and development in all areas regarding age
- briefings on the legislation and its operation including attendance at legislation training courses
- college-wide diversity programme inclusive of age
- CPD days in equality
- discrete training on equality and diversity overall, not just age
- diversity training, impact assessment, ACAS workshops etc
- drama-based training
- equality and diversity general training, equality and diversity induction training
- equality and diversity training; pension updating
- equal opportunity is always on the monthly meeting for discussion
- equality and diversity half day and basic employment law for managers

- equality and diversity rolling training delivered by equality and diversity manager. Impact assessment training
- equality and diversity training for employees
- equality training to all staff which is mandatory, briefings to managers
- external seminars
- general equality training for all staff, which includes age. Briefings for managers when equality regulations came in
- general training on equal opportunities policy and requirements
- HR training general equality and diversity training
- recruitment and selection awareness training
- in-house training to all staff by equality and diversity coordinator
- in-house workshops on diversity training
- incorporated into induction and ongoing equality and diversity training
- internal management. Tag-legal aspects, college policies all middle and senior managers
- mandatory refresher sessions for all staff on legislative changes, induction training on college ethos and expectations
- management development/employment law updates
- manager and selection panel members - selection process
- mandatory equality and diversity for all new staff which includes all strands. Embedded in other training e.g. appraisal training, recruitment and selection
- mandatory two yearly training for all staff Recruitment and selection training including equality and diversity featured weeks
- no age specific training only equalities training
- none at this stage, however plans are in hand to include age equality training and policy as part of our planned CPD programme
- nothing within the past six months — cannot comment what happened before that
- online equality and diversity training programme includes age. Training on equality and diversity impact assessments include age
- online package for all staff to complete
- presentation to all staff covering employment of over 45s, the plans to raise the retirement age to 68, abolishing the retirement age and interviews of 64 year olds to find out if they want to continue working
- recruitment and selection training safeguarding training family friendly policies — awareness training
- regular short courses are provided to staff and managers on equality, alongside newsletters and questionnaires
- staff briefings –inclusion in general equality and diversity training
- staff training days/team sessions/practical presentations
- team leaders have undertaken in house training delivery by myself following my attendance at an ACAS event
- training with managers on equality and diversity in recruitment and selection training on completion of equality schemes
- updating of equal opportunities
- used the documents produced by Be Ready for staff (including the A3 glossy) issued copies of the organiser to the managing director and HR manager
- we have a rolling programme for equality and diversity which all staff must attend every 18 months and this includes age discrimination.

Appendix 7 - Comments on positive or successful initiatives the organisation has already put in place regarding age equality

Comments on positive or successful initiatives the organisation has already put in place regarding age equality:

- recruitment – no personal details seen once application received allocated number, no indication to whoever checking
- accommodate requests to work past 65 where possible
- adverts: national press, plus graduate websites
- introduced Apprenticeships to address the college to help with age profile balance and success planning
- as an organisation with equal opportunities embedded into everything we do, I do not see any age barriers in place for any of our staff especially now the retirement age can be extended
- recruitment selection structure/development sessions/rewards and benefits
- writing to employees six months prior to retirement age to ask their intentions
- we have an equality and diversity working group and have signed up to become a dignity champion
- all staff have undergone initial training in equality and diversity and gained certificates. The company has enrolled to achieve the North East Equality Standards through Equality NE
- positive consideration of request to consider working age beyond 65
- manageress/Principle over 60 years
- retirement policy – flexible to meet needs. Update equality and diversity policy/training to staff
- reviewed publicity to ensure age neutral, reviewed retirement policy with staff successfully continuing beyond 65 years
- working beyond age retirement of 65
- encouragement to work beyond retirement age
- EDIM targets for staff are monitored
- our problem is attracting young workers not older workers or older learner. LEA has an aging profile for all staff and learners
- ages are not explicit on any documentation from recruitment to exit.
- ee have always employed staff over 65
- opportunity to work part time has been arrange for staff approaching and past retirement age. One member of staff has worked up to the age of 74
- full policy reviews. Impact assessment procedure. We have not targeted age equality in its own right but as part of total equality and diversity approach
- employ apprentices, employ older workers 65 years and above following the duty to consider procedures
- positive consideration of requests to consider working beyond age 65
- using older people for training and mentoring. Using retired staff part time as associates
- work-life balance priority, stress management and prevention days. Ability to step down flexible working for all staff. Early release of pension for staff who wish to retire
- because of the size of the organisation we have no specific initiatives in place but over recent years, several staff who have reached normal retirement age have successfully applied to work beyond this date, however all three did so for less than a year
- training, change in advertising layout
- flexible working for all staff. [Positive communication?] to all requests to work beyond normal retirement. Positive [communication?] for new entrants to teaching for all ages
- we have successfully employed staff over 65, reducing hours where appropriate
- we do not have a policy for people finishing at retirement, we are happy to reduce hours of work in order to maintain experienced staff.