

Statement on Age Equality For Applicants applying for posts, and Staff

1. Introduction

The draft Employment Equality (Age) Regulations 2006 outlawing age discrimination in the workplace, have now been published. The Regulations are due to come into force on 1st October 2006, subject to final parliamentary approval. The new legislation will affect the entire employment relationship, from recruitment to retirement, and these guidelines should be read in conjunction with the University's equal opportunities policies.

2. Recruitment, selection and promotion of staff

The University of Chichester encourages age diversity within its staff and student population. The age profile of staff is regularly monitored, with recruitment practices, procedures, and processes regularly reviewed. The aim of recruitment, selection and promotion at the University is to find the right employee for the job, regardless of one's age. Allowing age discrimination to creep in at any stage of the recruitment process can restrict access to good candidates.

The criteria used in staff recruitment are solely job-related, and job profiles or person specifications do not identify a particular age for a post. Advertisements do not include age, age-related criteria or age ranges, and they are placed in different media to ensure that they reach a wide audience of different age groups. The use of words such as 'senior' relate to specific job requirements described in terms of required skills and competencies, rather than to age or length of service.

The application process ensures that date of birth is removed from the job application, but to ensure that the University is able to monitor receipt of applications from different age ranges, an equal opportunities monitoring form asks for date of birth. This form is not included at shortlisting stage.

Candidates are assessed against agreed selection criteria and interviewers are aware of the need to ask only job-related questions. Where possible, an interview panel will consist of a mixed age range of interviewers who will ensure that an individual's age is not used to make judgements about abilities or fitness.

Like other equality legislation, the age regulations will include the specific exception that allows direct discrimination on the grounds of genuine occupational requirements ('GOR'), but it is anticipated that there will be very few examples of this kind within the University.

Many of the principles of effective promotion strategies are the same as those of effective recruitment and selection processes. Promotion strategies do not use age as a factor, and candidates are assessed against transparent criteria, judged in terms of measurable performance, demonstrated potential, and the ability to achieve the aims of the post.

3. Pay structures and length of service-related benefits

Pay structures used at the University are not age-related, with starting salaries relating to criteria that can be identified through the selection process, such as demonstrated competence or skill level.

Under the new regulations, pay structures that are based on automatic length of service entitlements up to five years are exempt from the legislation. Beyond five years' service, additional annual increments are justifiable where the test of rewarding experience or encouraging loyalty and motivation is met.

Examples of benefits that include service-related eligibility criteria include sick pay, annual leave, maternity, paternity or parental leave. Length of service benefits for the first five years of service are lawful under the regulations.

4. Training and Development

Managers and supervisors are provided with appropriate training on age discrimination legislation.

The Staff Development Programme is made available to staff through the University's internal intranet and in published format. There are no age restrictions on any training opportunities (with the exception of pre-retirement courses) and all staff can gain access to internal and external staff development opportunities identified through, for example, probationary periods, or the Performance Review and Individual Development Plan process.

The University monitors any significant age-related patterns in the take up of staff development and training courses. Managers and supervisors are provided with appropriate training on age discrimination legislation and other equal opportunities policies.

5. Retirement

The default retirement age at the University of Chichester is 65. There are no plans to change this at the present time although the University will closely monitor retirement age provisions so that evidence is available for a formal review of age discrimination. The Government has already made clear its long-term aim to remove the default retirement age, reviewing the current position formally in 2011.

Staff at the University who are eligible are encouraged to attend a 'Positive Retirement' one-day course. The course includes information on financial planning and investments, superannuation schemes, state benefits, themes of retirement and good health.

5.1 Planned retirement date

Retirement due dates are monitored through the Human Resources Department and the Staffing Appointments Group. The University notifies the employee in writing of the intention to retire them at least six months, but not more than twelve months, in advance of the due date.

At the same time as the University notifies employees of the intention to retire them, the University will notify employees of their right to request to carry on working beyond the retirement age, including an appropriate timescale.

5.2 Requests to work beyond retirement age

A request to work beyond retirement age should be made in writing within the appropriate timescale. The University will consider each request individually and each case will be assessed on its individual merits referring to guidance contained in the University's Flexible Working Policy, for example, the University or the employee may wish to explore whether they could undertake a different working pattern to balance working and their personal lives. Neither side will be obliged to accept proposals for change, but an employee does have the opportunity to appeal against the decision in the same way as an appeal under the Flexible Working Policy is heard.

6. Statutory Redundancy Payments

The new legislation brings changes to the provisions of statutory redundancy payments. The lower age limit of 18 on entitlement to a redundancy payment is removed along with the upper age limit. A two year qualifying period will remain, as does length of service as a calculation factor, but the multiplier currently used to calculate redundancy payments, based on wide age brackets, is to be removed under the new Regulations; further details will be confirmed when the proposals are finalised. The Regulations will allow the University to provide benefits that are calculated by reference to length of service where the benefit is more generous than a statutory benefit (e.g. voluntary redundancy schemes).

7. **Further information**

Staff in Human Resources will be able to provide you with further guidelines as required. Further reading is available from:

The Chartered Institute of Personnel and Development (CIPD) which is a professional body for those involved in the management and development of people. Its website has a useful equality and diversity section: www.cipd.co.uk/subjects/dvsequ/ or

The Equality Challenge Unit: www.ecu.ac.uk or www.agepositive.gov.uk.

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