

# Age Equality Policy



## **Appendix D**

### **Age Equality Policy**

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## **Introduction**

Nelson and Colne College is fully committed to promoting equality of opportunity for older and younger people.

The College recognises that society has negative attitudes, myths and stereotypes about ageing, youth, older and younger persons. These negative attitudes and beliefs can lead to both younger and older people being economically and socially disadvantaged, marginalised and excluded.

Age related discrimination generally consists of unequal treatment against people based on their chronological age. This can include unfair treatment linked to a specific age or within an age range. It can also include categories such as 'old', 'young' or the perceived age of a person that someone may be associated with, for example, the carer of an older person.

This college believes that older and younger people have the right to equality of opportunity and we acknowledge that all people, irrespective of age, make a significant and valuable contribution to the community that we strive to serve.

Age equality means securing equality of participation in our society for people of every age. We need to ensure the correct balance between equal citizenship, equality of outcome, equality of opportunity and respect for difference.

## **Purpose of this Policy**

This policy will set out how Nelson and Colne College will work towards the promotion of age equality in all of its employment and service delivery activities. It outlines how the College will ensure that age discrimination is challenged and eliminated through legislation and positive action.

## **Legal Responsibilities**

The Employment Equality (Age) Regulations came into force on 1st October 2006. This new Regulation makes it unlawful to discriminate against workers, employees, job seekers and trainees because of their age. The Regulations protect everyone from direct and indirect discrimination, victimisation and harassment in employment and vocational training on the grounds of age.

The Regulations cover recruitment, terms and conditions, promotions, transfers, dismissal and training. They do not, however, currently cover the provision of goods and services. However, Nelson and Colne College is committed to going beyond legal compliance and we will endeavour to ensure that age discrimination is challenged and eliminated in our delivery of services.

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

- Discriminate directly against anyone or treat them less favourably because of their age, unless this treatment can be 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 because of their age. 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 the grounds of age.
- Discriminate against someone, in certain circumstances, after the contractual working relationship has ended.

Employers could be responsible for their employees who discriminate on the grounds of age. Upper age limits on unfair dismissal and redundancy will be removed. There will be 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 College. The College has a duty to consider all such requests. (see Retirement Procedure)

To make sure age discrimination is eliminated from the College workforce we will review all existing policies to ensure that no age discrimination takes place in the following areas:

- Recruitment, selection and promotion.
- Training.
- Pay, benefits and other conditions.
- Bullying and harassment.
- Retirement

The College will consider the make-up of our workforce and whether positive action is required to tackle any age imbalance.

## **Age Equality Monitoring and Impact Assessments in Employment**

The purpose of an Equality Impact Assessment (EqIA) in employment is to improve the work of the College by making sure it does not discriminate in its recruitment and selection practices or policies and that, where possible, it promotes equality. It is a means of making sure individuals and teams think carefully about recruitment and staff development practices and take action to improve these employment policies and procedures. It involves anticipating the consequences of employment

policies and practices which may discriminate on grounds of age and ensure that, as far as possible, any negative consequences are eliminated or minimised.

The Equality Impact Assessment consists of two parts:

1. The initial screening process.
2. The more thorough full assessment if the initial screening has identified an adverse/negative impact

## **Initial Screening**

This part of the Equality Impact Assessment form should be completed during the development or review stage of any policy that relates to recruitment and employment practices. Once initial screening has been completed, a full assessment will only be required if:

- Any policy is identified as having a major disadvantage or negatively impacts on older or younger persons in employment practices.
- The impact was assessed as being of high significance.
- The impact was not intentional and/or illegal, i.e. discriminatory under age discrimination in employment legislation

Completing an EqIA is similar to a risk assessment as it involves predicting and assessing the implications of a policy or procedure on age equality in employment. This should not be carried out in isolation, but with the support and advice of others.

Effective consultation with stakeholders is a key ingredient in conducting Equality Impact Assessments for age discrimination in employment. At the preliminary screening stage, it should become obvious whether there is a negative or positive impact or gaps in knowledge about likely impacts. It should be a relatively short process which makes use of previous consultation results, personal knowledge and experience, research and reports, internet searches, internal and external specialist advice, staff with previous experience of similar strategies or procedures. If there is a lack of data or information concerning a particular area, this should not be a reason to stop the process. If the likely impact on age equality is unknown, then action needs to be taken to acquire this information.

## **Full Impact Assessment**

This part provides an opportunity to assess the evidence for a possible negative impact. It ensures that research and consultation on age discrimination has been carried out and leads to an improvement plan aiming to minimise the negative impact and, where possible, maximise the positive impact.

Consultation involves engaging with representatives covering employment policy and practice. This could include engaging with staff and members, staff networks or trade unions, other public bodies or voluntary and community groups. It is important to ensure sufficient time and resources are dedicated to the consultation process.

The public will be able to examine completed EqlAs if they request to see them and summary information about EqlAs should be available on the College's website.

Publishing the results of EqlAs is key to establishing accountability and maintaining public confidence. It will demonstrate that the College is committed to promoting age equality, monitoring, assessing and consulting on the effects of its employment policies. All employment procedures will be assessed as being of high, medium or low priority.

### **Monitoring, Reviewing and Reporting**

The Nelson and Colne College senior management team is ultimately responsible for ensuring that the planning and provision of our services meet the needs of all our learners and employees. The Equality & Diversity working group is responsible for monitoring the progress we make on promoting age equality in employment. Additionally, all staff and College Governors have a duty to promote age equality and diversity in everything they do, and collectively they are responsible for realising the commitments outlined in this Policy.

### **Review and Annual Reporting**

We will report annually on the progress we have made towards promoting age equality. To help us do this effectively, we will ask all members of staff and relevant stakeholders for their feedback. As part of these reviews, we will consider the information we collect on how older and younger people are accessing employment opportunities to ensure that we are making progress.

The Nelson and Colne College Equality & Diversity working group will meet termly to review the College's progress on promoting age equality. Progress will also be monitored and managed across the organisation through our performance management framework.

This Age Equality Policy will be subject to on-going review.

## Age Equality Action Plan

No.	Objective	Action	Responsibility	Measuring Success	Timescale	Link to other policies
1	The College meets, in full, legislative requirements and actively promotes equality and diversity in relation to age equality amongst staff, students, employers, parents and other partners as a requirement of legislation					
2	The College ensures that all equality and diversity staff development initiatives include age equality					
3	The College manages incidents and complaints specifically about age equality					
4	The College actively celebrates contributions from all student groups and cultures specifically in relation to age equality					

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