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Acas is the employment relations service for England, Scotland and Wales offering practical, independent and impartial advice to employers, employees and their representatives. Acas encourages people to work together effectively, and aims to promote good practice in the workplace as well as helping to resolve disputes.

For more information go to: www.acas.org.uk

Introduction

Employees rightly expect to be treated fairly and considerately and this expectation is generally supported by the law. For instance, it is illegal to discriminate against people on grounds of sex, race, disability, sexual orientation, religion or belief and age.

The workforce and working patterns are changing. The working population is getting older and there are more women and people from ethnic minorities at work. Working arrangements are becoming more varied as customers demand goods and services up to seven days a week and twenty-four hours a day. At the same time people have rights at work and interests, duties and responsibilities outside the workplace which they must balance with the needs of their job.

Fair treatment is a moral and legal duty and it is also a business imperative. Employers who treat employees fairly and flexibly will be best placed to recruit and retain staff in an increasingly diverse and competitive labour market.

The Equality Policy and Action Plan

Although not required by law, it is recommended that the starting point for any programme to address fairness at work should be an equality policy with an action plan to back it up. An equality policy:

- States your values on equality and diversity (fairness) and how they will be put into practice.
- Shows your staff, potential recruits and customers that you are serious about fairness and helps them understand.

What behaviour you expect and what is not acceptable; what they can expect of you:

- Helps win business. Public sector and other large organisations may take equality policies into account when awarding contracts.
- Underpins your action plan.
- Helps you comply with the law.

How should the policy be developed?

For an equality policy to be effective, it must have the support of everyone in the organisation and be an integral part of the business strategy. Involve managers at all levels to gain their commitment and develop the policy in consultation with employees and their representatives.

What should be included in your policy?

All equality policies have many things in common and you will find a sample policy later in this booklet, however, your policy should relate to your organisation's size and make-up and the nature of your business.

The opening section of your policy should contain:

- a statement of your aim to encourage, value and manage diversity;
- your commitment to providing equality for all;
- your wish to attain a workforce that is representative of the communities from which it is drawn.

You should then identify the areas of discrimination that you will counter, usually:

- gender (including sex, marriage, gender re-assignment)
- race (including ethnic origin, colour, nationality and national origin)
- disability
- sexual orientation
- disability
- religion or belief
- age

All of these are covered by law or will be by the end of 2006. There may be other categories that are relevant to your organisation or local circumstances.

You can then go on to state that you will ensure a working environment in which all people are able to give of their best, that is free from harassment and bullying and that all decisions will be based on merit. (Many companies choose to have a separate policy concerning harassment and bullying.)

The policy should then contain more specific actions such as:

- setting an action plan with clear measurable objectives and targets;
- a strategy for making the policy known to all workers, including all management levels;
- providing training and guidance for all staff;
- dealing with harassment and bullying;
- monitoring the workforce;
- reviewing all personnel procedures including recruitment, selection, promotion, training, discipline and grievance;
- how you will regularly review and update the policy.

What about the action plan?

The action plan that backs up your policy should go into detail about what will be done, by when and by whom. You should:

- set dates on when you will do the things such as monitoring, reviewing procedures, training and guidance mentioned above;
- expand on how these will be done and by whom;
- say how you will tackle harassment and bullying (both preventing and dealing with it) or where this has been covered in a separate policy make clear reference to it;
- consider targets that result from what you find from monitoring, such as increasing the number of management jobs open to job sharing to allow more women to do them, interviewing more disabled people, changing the way you advertise to attract more people from minority ethnic groups;
- consider whether Positive Action measures are appropriate;
- consider targets that specifically refer to the percentage of people from particular under-represented groups that you will aim to have in your workforce after a defined time period. If you adopt this approach you must be careful that such targets do not become misunderstood and seen as quotas that have to be achieved by any means. Quotas are unlawful;
- consider in setting your plan what will be your measures of success and how you will evaluate these and how and when you will review the overall working of your policy.

A good action plan therefore:

- focuses attention on the key tasks to be tackled;
- enables equality to be tackled like any other management task;
- gives an impetus to your policy;
- shows that the implementation of your policy will be monitored and reviewed and is not just a piece of window dressing
- becomes part of the objectives and responsibilities of named individuals within management.

What do the policy and action plan need to support them?

Consultation with workforce representatives in drawing-up your policy and ownership and commitment from the very top of your organisation are key to the success of your policy and action plan. Ultimate responsibility must rest with the most senior person in the organisation who should ensure that there is a strategy in place for disseminating the policy to everyone in the company. This may mean consultation and involvement at all levels and training for existing and new staff on what it means in practice.

Promoting your policy publicly is also very important so make sure all employees get a copy, you use the policy statement in advertising and other literature and give a copy to all job applicants.

Sample equality policy

(Company name) is committed to eliminating discrimination and encouraging diversity amongst our workforce. Our aim is that our workforce will be truly representative of all sections of society and each employee feels respected and able to give of their best.

To that end the purpose of this policy is to provide equality and fairness for all in our employment and not to discriminate on grounds of gender, marital status, race, ethnic origin, colour, nationality, national origin, disability, sexual orientation, religion or age. We oppose all forms of unlawful and unfair discrimination.

All employees, whether part-time, full-time or temporary, will be treated fairly and with respect. Selection for employment, promotion, training or any other benefit will be on the basis of aptitude and ability. All employees will be helped and encouraged to develop their full potential and the talents and resources of the workforce will be fully utilised to maximise the efficiency of the organisation.

Our commitment:

- Create an environment in which individual differences and the contributions of all our staff are recognised and valued.
- Every employee is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated.
- Training, development and progression opportunities are available to all staff;it;
- Equality in the workplace is good management practice and makes sound business sense.
- We will review all our employment practices and procedures to ensure fairness. Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.
- This policy is fully supported by senior management and has been agreed with trade unions and/or employee representatives. (Insert details if appropriate).
- The policy will be monitored and reviewed annually.
- Implementation

Equal Pay

Equality legislation covers terms and conditions of employment and all employees are entitled to fair pay. Carry out a pay audit to make sure that men and women are getting equal pay and you are not breaking the Equal Pay Act. Providing equal pay means that you provide the same pay and conditions for men and women doing work that is:

- the same or broadly similar;
- has been rated as equivalent under a job evaluation scheme; *or*
- is of equal value in terms of the effort, skills, knowledge and responsibility required.

Providing equal pay also means that employees should know how their pay is made up. So, for example, if you pay bonuses your employees should know what they have to do to earn a bonus, and how the bonus is calculated.

The Equal Pay Act applies to both full-time and part-time employees. If a female part-time employee is doing equal work to a male full-time employee she should get equal pay on a pro rata basis. This means that they should be on the same hourly rate.

Legal information is provided for guidance only and should not be regarded as an authoritative statement of the law, which can only be made by reference to the particular circumstances which apply. It may, therefore, be wise to seek legal advice.

Equality Direct

Equality Direct is a confidential telephone advice service, specially designed for small businesses, providing help on managing issues such as disability, race, sex, age and other equality issues.

It was set up by Acas in partnership with the three equality commissions.

Calls are charged at local rate and the service is open:

Telephone **08456 00 34 44** - Monday to Friday 9am-4.30pm