

EQUALITY AND DIVERSITY

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RATIONALE

Many organisations adopt equal opportunities policies based on external pressures, such as legislative requirements. A diversity approach is internally driven and based on the 'business case' – that a diverse workforce will result in more focused marketing, function effectively, offer greater creativity whilst enabling the staff to operate in a motivational and happy environment.

The aims of this policy are to:

- Reflect and document an equal and diverse approach within the business and the wider community
- Where needed, to widen the labour pool
- Create and uphold a positive working environment
- Create a community that represents the diversity of the business

1.0 INTRODUCTION

The Association of International Accountants (AIA) is working to achieve equal opportunities in service provision and employment. It is the policy of the AIA that all conditions of service and job requirements should fit with the needs of the AIA and those who work in it, regardless of: age, gender, race, gender reassignment, religion, colour, HIV status, sexual orientation, disability, marital status, social and employment status, domestic circumstances, nationality, trade union membership, ethnic or national origin, political affiliation.

The policy works to ensure that no present or future employee, applicant or Member is disadvantaged by any conditions or requirements that cannot be justified and that the needs of particular groups are identified and addressed within legal parameters.

AIA recognises the effects of institutional discrimination and seeks to guarantee equality of opportunity for all.

This policy will be implemented in accordance with the statutory requirements as laid down in relevant legislation. In addition, full account will be taken of all available guidance, in particular, codes of practice issued by the Commission for Equality and Human Rights (CEHR).

The success of this policy depends upon the commitment, compliance and goodwill of all staff.

This policy is not accompanied by a procedure as it is implemented through other AIA policies including (but not limited to):

- Recruitment and Selection Policy
- Disciplinary Policy
- Grievance Policy
- Racial and Sexual Harassment Policy
- Job security, alternative employment and redundancy
- Maternity, special leave and flexible working

2.0 AIA RESPONSIBILITIES

AIA has the primary legal and moral responsibility for ensuring that discrimination does not occur and is met by an effective policy that is continually monitored.

The Senior Operations Team and Compliance Executive have joint overall responsibility for co-ordinating implementation, monitoring and review of this policy.

All managers (Senior Officers) must ensure that this policy is communicated to all staff, is applied within their department, and to ensure that all recruitment and employment practices are dealt with in a consistent manner and in accordance with AIA's procedures.

Individual employees at all levels have a duty to ensure that they do not unlawfully discriminate, harass or victimise another employee or service user. In particular individuals are expected to:

- Value and respect their colleagues on the basis of their behaviour, skills and performance in their day-to-day duties.
- Co-operate with measures introduced by the AIA to ensure equality of opportunity and non-discrimination.
- Not to discriminate, for example, during recruitment selection decisions, promotions, transfers and training.
- Not to induce, or attempt to induce other employees or management to practice unlawful discrimination.
- Not to victimise or attempt to victimise individuals on the grounds that they have made complaints or provided information on discrimination.
- Not to harass, abuse or intimidate other employees, potential employees and service users.

AIA employees must not support any acts of unlawful discrimination even when such acts are carried out without the AIA's knowledge or approval.

3.0 AIA SERVICES

AIA will take positive action to communicate its work to all sections of the wider community and specifically undertake to fulfil its commitments.

4.0 EMPLOYMENT

AIA has a range of employment policies that are in line with current legislation. AIA's workforce is diverse and every effort is made to retain and/or widen diversity. Where permissible under statutory regulations, under-represented groups will be positively encouraged to apply for jobs, promotion and training. Where appropriate, AIA will practice lawful positive discrimination (6.11) in favour of disabled applicants as set out in the Equality Act 2010.

4.1 RECRUITMENT, PROMOTION AND STAFF DEVELOPMENT

4.1.1 RECRUITMENT

AIA has a recruitment and selection procedure that is in accordance with current legislation and this policy. The recruitment and selection policy aims to ensure:

- The recruitment of the most suitable person for the job based on their skills, qualifications and capabilities.
- That no job applicant or employee receives less favourable treatment than another on any grounds covered by this policy, or is disadvantaged by any conditions or requirements which cannot be shown to be justified.

All job descriptions will be reviewed by the Corporate Services Manager prior to advertisements being placed, to ensure they are relevant, non-discriminatory and accurately reflect the requirements of the post. Any genuine occupational qualification, special or unusual demands that are a requirement of the post holder will be clearly stated.

A person specification will be drawn up for each job prior to advertisement. This must reflect the requirements contained in the job description and should clearly indicate the essential and desirable qualifications, knowledge and skills, experience and abilities of a successful candidate.

Job descriptions and person specifications should be flexible and take into account the need to make reasonable adjustments should people with disabilities apply.

ADVERTISEMENTS

Advertisements must be clear and unambiguous and must not discriminate either directly or indirectly.

All posts will be advertised internally and/or externally. This clause will not apply where appointment without advertisement or competition is necessary to avoid potential redundancy, or where a post has been established as a position for a government trainee programme or placement programme organised by the AIA.

Advertisements should be designed and placed to attract as wide a group of suitably qualified applicants as possible. Where recruitment agencies are involved they should be made aware of the requirements of this policy.

All external advertisements and recruitment literature shall include a statement expressing the AIA's commitment to equality and diversity and promoting our range of flexible working options.

SELECTION

All candidates will be considered solely on their ability to do the job both at the short listing and interview stage. Selection should always be competitive except where a member of staff is being redeployed to accommodate their disability, health needs, maternity or other similar situation.

More than one person must carry out the selection process and they must be fully aware of and adhere to this policy.

All applicants are entitled to be informed of the reasons for their non-selection, when requested.

Interviews will be carried out as objectively as possible using a set of 'core questions' that cover the main aspects of the job, although it is accepted that every interview will differ to some extent. Information necessary for personal records will be collected only after a job offer has been made and accepted. Interview questions must be related only to the requirements and circumstances of the job and must not be of a discriminatory nature. A note of reasons for selection and non-selection must be made at the time of interview and will be kept on the job file for a minimum of one year.

Disabled applicants and candidates will be selected for interviews if they demonstrate that they fulfil the essential requirements of the post, with the need for any reasonable adjustments taken into account.

MONITORING

All job applicants will be requested to complete an Equal Opportunities Monitoring Form on their application for a post within AIA. The information given will remain confidential and will be used solely for monitoring purposes and will not form part of the selection process.

A summary of the information provided by the monitoring forms will be held by the Corporate Services Manager for use in reviewing the Recruitment & Selection Policy and Procedures and will be available in report form, if required and with prior notice.

4.1.2 PROMOTION

Promotion is a competitive selection process for internal candidates. Internal candidates may be required to compete against external candidates. Opportunities for promotion shall be publicised to all staff and open to anyone with the qualifications, knowledge and skills, experience and abilities to meet the requirements of the job description. The selection policy will be as outlined in section 4.1.1.2.

Where promotion is as a result of an extension of an employee's existing duties, but the post remains substantially unchanged, selection would not follow the process outlined in 4.1.1.2 in order to avoid potential redundancy.

4.1.3 TRAINING AND DEVELOPMENT

AIA is committed to providing training around issues of equality. All staff will be required to attend and all new members of staff will receive details of the Equal Opportunities Policy and will receive training as soon as possible after commencing employment with AIA. Information on training and development opportunities will be publicised to relevant staff and the take up of training will be monitored. The results of this monitoring may be published on an annual basis and will be available in report form, if required and with prior notice.

4.2 DIGNITY AT WORK

AIA aims to create and maintain a culture in which all employees are treated with dignity and respect. This means that AIA will put actions in place to remove the causes of harassment or bullying at work. There are specific policies and procedures in place that employees can use if they feel they have been bullied, harassed or victimised at work and AIA will adopt a 'zero-tolerance' approach to any acts of bullying, harassment and/or victimisation.

Managers/Senior Officers have a responsibility to set the standards of acceptable behaviour expected of employees and should ensure that their own behaviour cannot be construed as personal harassment by acting with fairness and equity. This includes using one's judgement to correct

standards of conduct or behaviour that could be seen as harassment and to remind staff of these standards.

Each member of staff carries responsibility for their own behaviour.

Acts of bullying, harassment and victimisation may constitute gross misconduct, resulting in instant dismissal.

4.3 DISABILITY AND EMPLOYMENT

AIA aims to make the employment and retention of people with disabilities an integral part of its equal opportunities policies and practices. It will take specific actions to raise the awareness of people in the organisation about disability and make sure key staff are informed and know about their personal role and responsibilities in making sure unfair discrimination does not occur. AIA endeavours to ensure that the working environment does not prevent people with disabilities from taking up positions for which they are qualified and that they have fair chances to develop their potential and compete.

All managers/ Senior Officers should ensure that job advertisements and job descriptions are not unfairly discriminatory. AIA will ensure (as far as is reasonably practicable) that application forms are easy to use if a person with a disability has a particular need.

AIA will support employees who become disabled by offering leave for adjustment to the disability and consult them and other relevant specialists to identify their needs in the workplace.

4.4 BALANCING WORK AND PERSONAL LIFE

4.4.1 CARING FOR CHILDREN AND ADULTS

AIA acknowledges that some employees have carer responsibilities that may require flexibility and time-off to be dealt with. We have procedures in place that assist to enable staff to fulfil their carer obligations. AIA will continue to develop these procedures.

All managers are expected to be reasonable and fair in granting any discretionary leave, taking into account the employee's circumstances when provided.

AIA will aim to provide a range of childcare options that attempt to address the needs of its employees.

4.4.2 FLEXIBLE WORKING

AIA is committed to offering a range of flexible working arrangements that allow employees to balance work responsibilities with other aspects of their life.

All employees are entitled to apply for flexible working arrangements. Every application will be considered and only refused where there are reasonable business grounds for doing so or if a conflict of rights should ensue.

AIA will specifically consider flexible working as part of our duty to make reasonable adjustments for disabled staff and job applicants under the Equality Act 2010, for staff returning from maternity leave and for staff with young and/or disabled children.

Any employee with flexible working arrangements will not have less favourable terms and conditions of employment (however salary will be paid on a proportion of the full time salary, depending on hours worked).

4.5 USES OF THE DISCIPLINARY GRIEVANCE AND REDEPLOYMENT PROCEDURES

4.5.1 DISCIPLINARY PROCEDURE

Discrimination, harassment and instances of abuse against sectors of the workforce or service users outlined in Section 1 will be treated as disciplinary offences. In applying the disciplinary procedures, care must be taken that members of particular groups are not disciplined or dismissed for performance or conduct that would be overlooked or condoned in other groups.

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4.5.2 GRIEVANCE POLICY

Particular care must be taken to deal effectively with all complaints of discrimination, harassment or victimisation. All complaints must be processed in line with AIA's Grievance Policy or Racial and Sexual Harassment Policy.

Any employee who has, in good faith, complained and/or taken action under the Equality Act 2010 and/or other aspects of this policy shall not receive less favourable treatment than any other employee.

4.5.3 JOB SECURITY, REDEPLOYMENT AND REDUNDANCY PROCEDURE

Managers/Senior Officers shall not discriminate against particular staff groups in selection for redeployment, compulsory or voluntary redundancy.

Selection criteria shall be examined to ensure that they are not discriminatory.

All redeployments and redundancies shall be carried out in a fair and consistent manner.

5.0 COMPLAINTS

Any person who believes that this policy has not been adhered to is entitled to make an informal or formal complaint under the relevant procedure (for example, the disciplinary appeals procedure or the Grievance procedure, and the Complaints procedure for service users and members of the public). Any complaints received will be taken seriously and dealt with accordingly. The fact that a complaint has been made shall not be disclosed without appropriate permission, or where it is felt that there may be a risk posed to other staff or service users.

6.0 DEFINITIONS

EQUALITY

Equality relates to ensuring people are treated fairly and given fair chances. Equality recognises that the needs of individuals are met in different ways. Equality focuses on those areas covered by the law, namely the key areas of race, gender, disability, age, religion or belief and sexual orientation.

DIVERSITY

Diversity is based on the concept of recognition of differences. Diversity is also based upon positive attitude towards difference, but with limits. Diversity, therefore, is not limitless tolerance yet a proactive process involving change.

EQUAL OPPORTUNITY

Equal Opportunity is a reactive driven process driven by legislation. Whilst it may initially focus on underrepresented groups the aim is to remove barriers, improve numbers and ensure that all are given the opportunity in order to improve life chances.

DIRECT DISCRIMINATION

This takes place when a person or group of people are treated less favourably than other people in the same or similar circumstances. For example, refusing to employ people who meet the requirements of the job because they are black, homosexual, disabled or have children, would all constitute direct discrimination.

DISABILITY DISCRIMINATION

This occurs if, for a reason which relates to the disabled person's disability, s/he is treated less favourably than others to whom that disability does not apply, and the employer cannot show that the treatment is justified. OR an employer discriminates against a disabled person if it fails to comply with its duty to make reasonable adjustments in relation to the disabled person, and the employer cannot show that this failure is justified.

GENUINE OCCUPATIONAL QUALIFICATION (GOQ)

There is a situation where it is possible to limit candidates for a post to one race or sex only. This is where the person's race or sex is a GOQ for the job. However, this is an extremely limited exception and it should be used with care. It is meant to cover things such as authenticity and the provision of social services (e.g., a social worker to work with members of a particular ethnic community).

HARASSMENT

Harassment is defined as being unwanted conduct which is intended to, or which creates the effect of violating a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person.

BULLYING

Bullying is the unwanted behaviour from one person to another, which is based on the unwarranted use of authority or power.

INDIRECT DISCRIMINATION

This takes place when a requirement or condition has the effect of discriminating unfairly and unjustifiably between one group or one individual and another. This can happen quite unintentionally, for example, standard entry qualifications applied automatically across a wide range of jobs, may lead to a position where applicants are asked to meet requirements which are not relevant to the needs of the job.

INSTITUTIONAL DISCRIMINATION

This takes place when established policies, practices and procedures within an organisation have discriminatory effects whether intentional or not.

LAWFUL POSITIVE DISCRIMINATION

The Equality Act 2010 does not prevent employers from treating disabled people more favourably because of their disability than those without a disability. For example, an employer can appoint a disabled candidate to a post if they fulfil their essential job requirements, over a non-disabled person who fulfils the essential and desirable job requirements. Under all other equalities legislation positive discrimination is unlawful.

POSITIVE ACTION

Employers can take positive action to prevent discrimination, or to overcome past discrimination. Where over the previous twelve months no-one from a particular group, or only very few persons from that group, have been doing a certain type of work then it is lawful under race, sex and disability laws to offer training only for people from that group or to encourage people from that group to apply. The aim of positive action is to ensure that people from previously excluded minority groups can compete on equal terms with other applicants. It is intended to make up for the accumulated effects of past discrimination. Selection itself must be based on merit and treat all applicants equally. The law does not compel employers to take positive action, but it allows them to do so.

VICTIMISATION

Discrimination by victimisation is unlawful. A person is victimised, for example, if she or he is given less favourable treatment than others in the same circumstances, because it is suspected or known that they have brought proceedings under the act, given evidence or information relating to such proceedings or alleged that discrimination has occurred. Discrimination against an individual, who has brought, contemplated bringing action, made a complaint, given information alleging discrimination or has appeared as a witness is also forbidden.

7.0 ADDITIONAL DOCUMENTATION

- Employee Handbook
- Membership Services Equality and Diversity Policy for Students
- Membership Services Cultural Guidance Document
- Membership Services Guide to Question Paper Standard and Content