



Introduction

This document aims to provide a helpful checklist for employers wishing to 'equality proof' their approach to employee development to ensure that the provision treats all employees fairly.

Employers who regularly review the development opportunities offered to staff to ensure that they are sufficiently flexible and sensitive to the needs of a diverse workforce not only improve productivity but also commitment and motivation.

Enabling individuals to reach their full potential in the workplace, irrespective of who they are, sends a powerful message that all employees are valued. Such action has been shown to increase confidence, aid retention and enhance the employer's reputation in the job market as an employer of choice. Even in times of economic slowdown, employers continue to recognise that developing staff has benefits to the business.

This guidance focuses on mainstream development activities rather than programmes designed to address under representation of a specific group. Such activities (often labelled as Positive Action) are considered elsewhere in the Gold Standard toolkit.

In pulling together the guidance the aim has been to identify some common learning points from real life experiences which organisations, irrespective of whichever sector they belong to, can consider within the context of their particular circumstances.

What is meant by 'employee development'?

It is important to first distinguish between the terms 'Training' and 'Development' as whilst there is clearly overlap, there are also distinctions. 'Training' is a term typically used to describe acquiring specific or generic skills directly associated with a particular job. Training may be to correct or enhance performance or to help career progression, often through gaining vocational qualifications such as NVQ's.

'Development' can mean both personal and career development and the focus is often on acquiring interpersonal rather than specific job-related skills. Employee development may not necessarily be always tied to career advancement but can also be about horizontal or outward moves.

There are a wide range of activities which can fall under the term 'employee development'. Often development will be unstructured and will result from the daily experience of simply doing the job and interacting with work colleagues. Alongside this will be more formal arrangements for development such as management development programmes, coaching, mentoring and inward and outward secondments.

Ultimately, the aim of training and development activities is to make the most of the people you have and ensure that talent is recognised and nurtured, at all levels. Some organisations refer to this as talent management.

Talent Management has many definitions but one certainty is that talent comes in many forms and employers who do not recognise this will ultimately lose out. Limiting opportunities to a particular group of employees because that is what is familiar (or 'Cloning' in the image of existing managers) runs the risk of drawing from an ever diminishing talent pool as demographic changes impact on the composition of the working population.

Employers who wish to see their commitment to diversity deliver real and lasting organisational change recognise the importance of embedding diversity into everything they do. Attracting a more diverse workforce is the just first step – managing that diversity and ensuring that all staff have the opportunity to contribute and develop is equally important. Without this wider focus, employers can experience the 'revolving door scenario' where most recent entrants quickly leave as they feel their talent is not valued and that opportunities to progress are stifled by an organisational culture that does not support diversity.

Providing development opportunities need not require significant investment of time and resources. For example, encouraging employees to volunteer can be a valuable way of enhancing interpersonal skills and acquiring a deeper understanding of different communities. This can have a useful spin off in terms of service delivery. Taking up a public appointment can also provide experience of leadership and a perspective on the challenges faced by another organisation. Some organisations have encouraged talented individuals from groups who are under represented at senior levels to take on a trustee role to help build the confidence to apply for promotion.

Employee development and the law

This guidance is informed by the legislative framework but it is not intended to be a definitive legal statement. Employers should seek independent legal advice on specific issues.

Whilst employers who wish to make real progress in equality and diversity will seek to embrace the spirit as well as the letter of the law it is important to note that training and development activities are within the scope of anti-discrimination legislation and therefore minimum standards of good practice apply to all employers.

It is unlawful for an employer to treat employees less favourably in the arrangements they make for training and development because of their age, disability, gender, race, religion, belief or sexual orientation.

Training and development policies and practices should be fair, transparent and inclusive. Recognising, respecting and valuing a diverse workforce means adopting an approach which can accommodate difference whilst still meeting the needs of the business. Public bodies and organisations under contract to public bodies to deliver services of a public nature, also have a positive duty to promote equality of opportunity in terms of disability, gender and race. Current and proposed employee development policies and practices need to be assessed for impact on promoting equality and where negative

impact is identified, steps taken to justify or mitigate this. In addition, for those public bodies subject to the race duty, arrangements must be in place to monitor and publish by reference to racial group, those staff who apply for training and promotion opportunities and those who receive training. The disability and gender duties also require public bodies to have systems in place to gather employment information and regularly review it.

Key issues to consider

The starting point for employers wanting to ensure that their development activities are fair is recognising and understanding that employees are individuals with different needs, motivations and lifestyles. This guidance provides a checklist of best practice in employee development policy and practice from three perspectives; Access, Design and Delivery, and Evaluation.

Access – how do you ensure that all employees can access development opportunities?

- What steps do you take to ensure that all staff are made aware of the training and development open to them? Do you use a variety of communication methods (electronic, paper and face to face) to reach employees?
- Do you know what sort of training and development your employees want? This may sound obvious but knowing what motivates different employees and what their career aspirations are can help target provision and assist inclusion. Employee networks can be a useful source of information on the barriers (perceived or actual) under represented groups can face in accessing development opportunities.
- What action is taken to ensure that line managers understand their responsibilities to develop a diverse workforce and do not make assumptions about potential based on outdated stereotypes? For example, is guidance on positively engaging and managing a diverse workforce part of your standard management development programmes? A recent study emphasises the importance of developing managers' capability to take account of the different needs and values of a diverse workforce .
- Do you use employee surveys to obtain both quantitative and qualitative information on workforce demographic impact and individual experiences of development opportunities? Do you analyse the responses by equality groups?
- How do you ensure that employees who are temporarily out of the workplace, for example on maternity or disability leave, or who may work remotely, are kept aware of opportunities for development? Do 'keep in touch' arrangements include information on career and personal development?
- Do employees who work on a flexible arrangement such as job-share or part-time have access to development opportunities? It can not be assumed that staff who work flexibly do not want to progress within their careers and line managers need to understand how best to manage the development of such employees, both in terms of practical arrangements and personal support.
- Does your appraisal training draw attention to how unconscious (and conscious) bias can influence evaluation of capabilities? As appraisals are usually the time when development needs are discussed, and recommendations made, line managers play a crucial role in enabling employees to access development opportunities. Do management objectives relating to the performance and development of their staff include references to valuing and managing diversity? Some organisations have

introduced specific diversity targets for staff development as a way of helping to address under representation.

- Do you use inclusive terminology and images when promoting training and development opportunities? For example, do management development programmes use diverse role models or do you promote an image of successful senior management based on the characteristics of one group?
- How do you ensure that your talent pool is inclusive? The very existence of a talent pool can appear contrary to a diversity policy of open access and opportunities for all. It is therefore important to scrutinise the selection criteria. For example, to check that qualifying career pathways are not based on the typical male employee with an unbroken career history.
- Where the talent pool is drawn from levels of the workforce where there is under representation of particular groups, what steps are you taking to tackle this? For example, women can sometimes de-select themselves for senior development opportunities due to lack of confidence and role models. However, targeted and peer group mentoring, buddying and coaching can help address this. Targeted development is considered in more detail elsewhere in this toolkit.
- Are the selection criteria for development opportunities regularly reviewed to ensure that there are no unlawful requirements, for example arbitrary age limits for access to development programmes? If there are restrictions can these be objectively justified? Focus on the critical skills required.
- When offering informal development opportunities such as volunteering, specialist projects or job shadowing do ensure that these are made available to all staff. If access is restricted to a pool of employees which is currently not diverse this runs the risk of perpetuating the existing workforce profile.

How do you ensure that the design and delivery of your employee development activities take account of difference?

Carrying out an Equality impact assessment at the planning stage of a development activity can help ensure that the design and delivery will not have an adverse impact on a particular group of employees. Although only public sector employers are required to undertake equality impact assessments of current or proposed policies the discipline of assessing the actions you plan to take and why and gathering evidence of potential impact on your employees is good practice for all employers. An impact assessment would cover many of the following points:

- Ensure that those who are responsible for designing, administering and delivering development opportunities are trained on issues of discrimination and promoting equality. Regularly review the training to take account of legislative changes.
- When using assessment centres as part of a management development programme make sure that the proposed exercises have been equality proofed.
- Ensure that course materials can be provided in alternative formats (large print, audio etc) and that the content, images and terminology used reflects a diverse workforce. If using group exercises that involve physical contact be mindful that these may exclude some employees on religious grounds or because of particular impairments. Seek alternative solutions where possible.
- When choosing venues for training and development make sure that all of the areas to be used (including recreational spaces) have been audited for access and can accommodate requests for reasonable adjustments. Where the venue is off-site, check

that reception and catering staff have received disability awareness training and that parking is available if required by a disabled employee. It is also good practice to check if there is a space available for prayer, should your employees require this.

- Do ask potential providers of development activities how they ensure that their service is fair and accessible to all. For example, when going out to tender for the provision of a development programme include a question to find out how potential providers promote equality and diversity. It is also useful to check if a potential service provider demonstrates a commitment to equality and diversity in their marketing material and information brochures.
- If you have employee diversity networks do approach them to test out development proposals as they will have a wealth of experience of the sort of barriers their members experience and suggestions of how to address them.

Evaluation – how do you know that your development opportunities are fair and unbiased and are helping to deliver progress on equality and diversity?

Whilst many employers recognise the importance of embedding equality and diversity into training and development activities there is limited evidence of how such efforts are improving diversity performance in the long-term. However, measuring the impact of diversity investment is becoming increasingly important as resources tighten and retention of key skills becomes a major strategic driver. In addition, the recent White Paper for the Equality Bill proposes the development of a kite-mark scheme for employers who are transparent about reporting their progress on equality.

Here are some questions to consider regarding evaluation and impact of development activities:

- Can you break down your training and development applications and take up by gender, disability, ethnicity, age etc and do you routinely review it?
- Can the monitoring data be cross-referenced, (for example, by gender and age), to enable you to get a more detailed understanding of impact?
- Where there are trade unions or staff associations in the workplace do you ask representatives for feedback on staff experiences of development opportunities?
- Do you analyse the feedback received on specific development provision (content and delivery) by equality groups? Where feedback is normally anonymous such monitoring may not be possible if low representation means that individuals could be identified.
- Where particular trends and differences in take up and satisfaction levels are identified, can these be explained objectively?
- Is there a process for taking action to investigate discrepancies, such as consistently low take up of training by a particular group of employees?

Summary points for employers

- Do ask all employees about their career aspirations, the development opportunities on offer and their experiences of delivery.
- Do use a range of communication methods in order to reach out to all your employees (taking into account those working remotely/disabled employees etc).
- Do ensure that line managers are trained in managing a diverse workforce and are aware of the need to be fair and inclusive when offering access to development opportunities.

- Do consult employee diversity networks to identify actual and perceived barriers to development
- Do ensure that the design and delivery of development opportunities takes account of workforce diversity?
- Do regularly review training and development activities to ensure that they do not disadvantage particular groups of employees?
- Do take action to reduce any negative impact?
- Be proactive!