



Diversity Matters

# Gender

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**Writer:** Jo Wolff  
**Editor:** Francesca Bauer  
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## Finding Positive Employers

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Since the Equal Pay Act 1970 and the Sex Discrimination Acts of 1975 and 1986 discrimination on the grounds of gender has decreased enormously but unfortunately there are still gaps between men and women in terms of pay, seniority and representation in certain industries. For example, the average pay gap between men's and women's wages was 12.8% in the latest figures from the Office for National Statistics (ONS - [www.statistics.gov.uk](http://www.statistics.gov.uk)) which is an improvement on the 17.4% reported in 1997.

According to the Chartered Management Institute ([www.managers.org.uk](http://www.managers.org.uk)), only 36% of managers and directors are women (data collected October 09). The General Teaching Council for England (GTCE - [www.gtce.org.uk](http://www.gtce.org.uk)) has found that men currently account for only 13% of registered primary school teachers and the Higher Education Statistics Agency (HESA [www.hesa.ac.uk](http://www.hesa.ac.uk)) has found that only 24% of those qualifying to become teachers in 2007 were men. This shows that there is still a way to go.

- Many employers, particularly larger organisations, have equal opportunities policies that state their commitment to equality. Increasingly, employers realise that recruiting appropriately to gain a diverse workforce is essential for commercial, as well as ethical reasons. Identifying organisations with equal opportunities policies and those who take active steps to promote equal pay and opportunities in the workplace can minimise the chances of discrimination.
- An increasing number of graduate recruiters are taking active steps to positively attract and develop under-represented sections of the workforce. For example, some banks, law firms and engineering organisations hold open days for women to gain a realistic insight into the career opportunities available and the steps they are taking to develop the full potential of their female graduates. W-tech ([www.wtech-event.co.uk](http://www.wtech-event.co.uk)) is an event organised by the British Computer Society (BCS - [www.bcs.org](http://www.bcs.org)) and sponsored by Microsoft to promote opportunities for women in IT.
- Some organisations promoting equal opportunities provide listings or reviews of employers who are positive about gender balance. For example Opportunity Now ([www.opportunitynow.org.uk](http://www.opportunitynow.org.uk)) has a list of members on their website who are committed to creating an inclusive workplace for women.
- The Times produces a list of Top 50 Organisations Where Women Want to Work ([http://www.wherewomenwanttowork.com/top50/top50\\_2007.asp](http://www.wherewomenwanttowork.com/top50/top50_2007.asp)). This provides information on the top 50 progressive organisations and their commitment to equal opportunities.
- When assessing a potential employer look for those who have women in senior management roles as this may suggest a positive attitude towards women's training and development and promotion activities. Also look for employers who have 'family friendly' policies such as access to childcare or flexible working arrangements, as this indicates an understanding of issues that can potentially prevent women from meeting their potential.
- An equal opportunities form as part of their standard recruitment process suggests a commitment to equality and diversity, as these employers will usually be monitoring who applies to their positions in order to ensure their marketing and recruitment practices are open and fair.
- Springboard Consultancy ([www.springboardconsultancy.com](http://www.springboardconsultancy.com)) offers development programmes for both women (Springboard) and men (Navigator) and has a list of employers who have run these courses on their website.

- Due to the Gender Equality Duty 2007 public sector employers are required to promote gender equality and eliminate sex discrimination. They are now required to actively demonstrate they are treating men and women fairly. For this reason it is worth considering this sector of the market when looking at potential employers.
- An organisation's representation of the workforce in their advertising material and on their website may provide clues about diversity in the organisation. Research into the proportion of male/female workers in all positions within the organisation can provide a valuable insight.

Further examples of diversity initiatives and activities can be found by checking out Industry Insights ([www.prospects.ac.uk/links/industries](http://www.prospects.ac.uk/links/industries)).

## Marketing Yourself and Disclosure

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Fortunately disclosure is not usually an issue in terms of your gender; your name is often enough to inform a potential employer whether you're male or female. Many application forms ask for a title; 'Mr', 'Miss', 'Mrs' for example, although those who use Dr or another title may not be disclosing their gender at this stage. You do not generally put 'male' or 'female' on your CV and there is no need to disclose your gender at any stage of the process unless you are applying for certain positions that require a certain gender for a genuine occupational requirement.

Discrimination can be both positive and negative and some employers have misconceptions that men and women have particular strengths as well as particular weaknesses. Whatever your gender, it is important to market yourself effectively when looking to get in or get on in your career. Use your experiences in a positive way to demonstrate your strengths and skills. If you have been managing a family or are returning from a career break you may need to translate this into terminology that the employer is looking for. For example, can these experiences be used as examples of managing your time effectively?

A positive and focused approach to providing evidence of your relevant skills and experiences, matched to those sought by the employer, is an effective strategy for reducing the chances of facing unfair discrimination based on factors such as your gender. Providing evidence of how you as an individual meet their specific needs will make it harder for the employer to reject your application. There is a wide range of information on how to do this on the Prospects website ([www.prospects.ac.uk](http://www.prospects.ac.uk)) and in Prospects publications.

At interview, be confident in your approach and be prepared to demonstrate evidence of your abilities with examples from your previous experiences. Although you should not have to answer questions on, or provide justifications for, circumstances that are not related to your ability to do a job, preparing a positive response to such questions can be useful. Similarly, thinking ahead about how you would answer an inappropriate question in a positive way can also give you confidence when facing a tricky situation.

Seek support with, and feedback from, applications and selection processes wherever possible. For example, a careers adviser can provide tips on how to market your experiences effectively on a job application, including experience gained outside of paid employment. Professional bodies or women's networks can also provide advice, strategies and access to female mentors in a career area you are looking to break into. Mentors can often provide useful tips on how to combat negative perceptions, maximise your progression or provide a positive angle on any of your previous experiences.

## Your Rights

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There are a number of laws that aim to make sure that men and women are treated equally:

### **Equal Pay Act 1970 and 1984**

The Equal Pay Act 1970 makes it unlawful for employers to discriminate between men and women in terms of their pay and conditions where they are doing the same or similar work. This covers most terms of employment including working hours, holiday, sick pay, performance related pay and pensions.

The law states that you can lodge a claim at a tribunal whilst you are in post or up to six months after leaving.

### **Sex Discrimination Act 1975 and 1986 (SDA)**

The Sex Discrimination Act 1975 and Sex Discrimination Act 1986 make it unlawful for an employer to discriminate because of a person's gender. This relates to recruitment (to a new position or promotion with an existing employer), treatment at work and redundancy and dismissal.

It also outlaws marriage discrimination where a person is treated less favourably on the grounds of marital status than a person of different marital status would be treated in similar circumstances; for example not hiring or promoting a newly married woman because it is assumed that she is more likely to get pregnant and take maternity leave. The Sex Discrimination Act includes discrimination or less favourable treatment owing to pregnancy.

The Sex Discrimination Act aims to protect against both direct and indirect discrimination. Direct sexual discrimination happens when a person is treated less favourably than another because of their gender. An example of this would be a woman being told that she has not been appointed to an engineering job because it's a 'man's job'. Indirect sexual discrimination applies if a practice adversely affects a considerably larger proportion of one sex than the other; for example saying without good reason, that everyone applying for a job must be six feet tall; because fewer women than men are six feet tall a woman would be less likely to get the job.

In some cases, a job can be offered to someone of a particular sex because of what is called a 'genuine occupational qualification'; this includes some jobs in single sex schools, some jobs in welfare services or acting jobs that need a man or a woman.

The Sex Discrimination Act also aims to protect against sexual harassment in the work place. In 2005 this was updated to cover two types of sexual harassment; unwanted conduct on the grounds of your sex (for example being bullied at work on the grounds of your gender) and unwanted physical, verbal or non verbal conduct of a sexual nature (comments about how you look that are demeaning, questions about your sex life or sexual demands by a colleague). Incidents involving touching or physical threats are criminal offences and should be reported to the police.

If you feel you have been treated unfairly, you can complain to a tribunal based on the Sex Discrimination Act within three months of the incident.

## **Employment Rights Act 1996**

The Employment Rights Act 1996 was introduced to protect women during pregnancy and maternity leave and to ensure that they maintain the same employment rights and protection from discrimination.

## **Employment Act 2002**

The Employment Act 2002 was introduced to help parents balance their working and family lives. It covers parents' rights to request flexible working. Parents of children under the age of six have the right to apply to work flexibly and employers will have a duty to consider these requests seriously. It also provides protection to pregnant employees and new or nursing mothers in the workplace.

## **Gender Equality Duty 2007**

The Gender Equality Duty applies to all public services, requiring them to promote gender equality and eliminate sex discrimination. It should impact on services such as child-care, transport, healthcare, etc. All organisations serving the public must show that they have assessed their own policies and procedures for compliance with gender discrimination legislation.

If you feel that you are being/have been discriminated against then your first action should be to discuss this with your employer. If this fails then you can make a claim of discrimination. There is usually no age or length of service requirement to present a claim and you do not have to work any specified hours, although there are strict time limits within which you must make your claim. The Advisory, Conciliation and Arbitration Service (ACAS - [www.acas.gov.uk](http://www.acas.gov.uk)) offers free, confidential and impartial advice on employment rights issues. If you are a member of a trade union, you can get help, support and advice from them. The Citizens Advice Bureau ([www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)) can also provide help and advice on what to do.

## Top Tips

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- Make sure you know your rights in terms of equal opportunities and fair practice in the workplace and don't be afraid to ask questions and speak out if you think you are being treated unfairly. Your first port of call should be your manager but if you can't do this then there are organisations such as The Advisory, Conciliation and Arbitration Service (ACAS - [www.acas.gov.uk](http://www.acas.gov.uk)) who can help.
- Do not be afraid to ask potential employers about their approach to female employees (or to male employees if you are a man entering a traditionally female profession). In addition to investigating salaries, statistics on their female workforce and promotion prospects, you may want to investigate their approaches to: flexible working opportunities; networks for female employees and female role models; how they ensure fair and accessible processes for pay, or deal with any pay-related disputes; and any initiatives or awards that the organisation has achieved.
- Check the average salaries on the relevant occupational profile ([www.prospects.ac.uk/links/occupations](http://www.prospects.ac.uk/links/occupations)) to ensure you are well informed when making the initial salary negotiations as to what is appropriate for that role. Some of the large recruitment websites have salary checkers that you can also use.
- Take advantage of any female-specific recruitment campaigns and events when looking at career areas. TARGETChances ([www.targetchances.com](http://www.targetchances.com)) run specific recruitment events. These include Technology for Women in the City and IT and Consulting for Women which aim to give you an insight into the industry and introduce you to successful women and equal opportunities friendly employers.
- Look out for organisations and support networks for women. Many professional bodies have specialist networks like the Women into Management network which can be found on the Chartered Management Institute ([www.managers.org.uk](http://www.managers.org.uk)) website. There are also independent organisations such as The Association of Women Barristers ([www.womenbarristers.co.uk](http://www.womenbarristers.co.uk)) or the British Federation of Women Graduates ([www.bfwg.org.uk](http://www.bfwg.org.uk)). Many of these offer mentoring, discussion boards or scholarships for women.
- Think about joining a trade union. Collective bargaining for equal pay is the most effective method to promote equality. A union will also support you and offer advice should you feel you are being unfairly treated by your employer.

## Case Studies

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**Gary Simpson is the Head of Children's Services for Westminster Children's Society (WCS) a charitable social enterprise that runs 18 childcare settings in greater London.**

I hold a National Nursery Education Board (NNEB) diploma in childcare and education, which I studied for at Croydon College and I am currently completing a BA Hons in Early Years with the Open University.

I found that my initial experience studying for my NNEB strange as my course was predominantly female; I was one of only two male students on my course. I remember being encouraged to take up teaching rather than childcare as it was 'better for males' but I stuck to my guns and attended the course. I got strange looks from other students but did not really have any adverse comments from anyone. I heard that some of the male students from other courses thought that I was strange for wanting to work with young children and that I must be gay.

When initially applying for jobs I was asked questions like 'did I realise the job was working with children?' and 'why would you want to work in childcare?' I have found that you do have to explain yourself and your career choice much more than your female peers. I found myself constantly explaining to people why I chose to work with young children.

It is still very unusual to find male childcare workers as it is still perceived as very much a female role. People joke about what it's like being surrounded by women; I have to say that I find that being in a predominantly female workforce to be supportive and inclusive and have suffered very little prejudice.

There have been times in the past that I have encountered some wariness by parents faced with a male worker looking after their child, but my organisation is very supportive and has been very active in trying to ensure that the workforce is as diverse as the children. Sometimes I think that people forget that fathers are parents too, so why not have a man looking after children? I remember one case of a parent requesting that I did not have any contact with a child as they were concerned that I would behave in an untoward way, but my manager explained the concept of diversity and equal opportunities and that there were safeguarding procedures that are strictly adhered to by every member of staff regardless of their gender.

My advice to anyone who is considering undertaking training in a role that is culturally considered to be gender specific is to be strong and persevere. We need pioneers in order to change some of the perceived cultural expectations that will never change until a few brave women and men break the mould and say 'why not me?'

**Laura Simpson is a recently chartered quantity surveyor at a London-based construction consultant.**

I have worked mostly on residential and commercial projects in the pre- and post-contract phases. I have been working for the firm for three and a half years, both in the UK and for international teams. Prior to this I had no experience in the construction industry so, on joining the firm, they enrolled me on a part-time quantity surveying MSc course at London South Bank University which lasted two years. It was a day-release course so I worked four days per week and spent one day at university. Before this I studied international relations and Italian at Reading University.

I don't recall ever having any problems in relation to gender at university and in terms of other colleagues in the office, there is no real reaction to my gender as I am one of a growing number of female surveyors; my employer is very supportive of female employees.

In the construction industry, there is a notion that gender discrimination exists. However, I have never felt it in my employment, be it in the office or when I am on-site. If anything, being a female in a (mostly) male-dominated industry is a bonus as you can stand out from the crowd a bit more and use it to your advantage. I have been in situations where I have felt slightly out of my depth but I think that that is more due to lack of hands-on experience than anything else. I have found that most people are prepared to take the time and explain anything that you don't fully understand. Whether this is because I am female or because I am still relatively new to the industry I couldn't say; I would imagine it is a bit of both.

I don't think anyone should be put off from a career in a certain area because of their gender. While you may have to explain your choices a little more often, the opportunities are there if you want to pursue them.

**Phillip Dean has a PGCE from London South Bank University and teaches Year 1 at a primary school in Colindale, London.**

When I was at university I was one of only five male students of a group of approximately 60 on my course. I don't feel that my gender had an effect on the enjoyment of my course, but the majority of my mentors and tutors were female and sometimes I felt that they couldn't relate to my problems. However, during teaching placements I worked alongside predominantly female teachers and it was not an issue; they welcomed me warmly and were interested in my point of view and my experiences.

In terms of my gender, I am currently in the minority at my place of employment. I do not feel that I have encountered direct discrimination in my work but reactions to me by parents have sometimes been different to the reactions received by my female colleagues. I have also found that there are jobs and responsibilities that have been offered to me almost automatically such as taking PE lessons, doing after-school clubs and running the school football team, possibly because of my gender. I have found that being the only male makes a difference in terms of socialising with my peers, but with time this has become less of a problem as I have built relationships with my colleagues.

What advice would I have for other students and graduates in a similar situation? I say go for it. Teaching is a great job and if anything, being male is advantageous in many ways. There are more and more men entering the primary school teaching profession.

## Contacts and Resources

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### Jobs and Work

Advisory, Conciliation and Arbitration Service (ACAS) - [www.acas.gov.uk](http://www.acas.gov.uk)

British Computer Society (BCS) - [www.bcs.org](http://www.bcs.org)

British Federation of Women Graduates - [www.bfwg.org.uk](http://www.bfwg.org.uk)

Chartered Management Institute - [www.managers.org.uk](http://www.managers.org.uk)

Citizens Advice Bureau - [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

City Women's Network - [www.citywomen.org](http://www.citywomen.org)

Directgov - [www.direct.gov.uk](http://www.direct.gov.uk)

Equal Opportunities Commission (EOC) - [www.eoc.org.uk](http://www.eoc.org.uk)

Equality and Human Rights Commission - [www.equalityhumanrights.com](http://www.equalityhumanrights.com)

Fawcett Society - [www.fawcettsociety.org.uk](http://www.fawcettsociety.org.uk)

General Teaching Council for England - [www.gtce.org.uk](http://www.gtce.org.uk)

Government Equality Office - [www.equalities.gov.uk](http://www.equalities.gov.uk)

Is That Discrimination? - [www.advicenow.org.uk/is-that-discrimination](http://www.advicenow.org.uk/is-that-discrimination)

National Association of Schoolmasters Union of Women Teachers - [www.naswut.org.uk](http://www.naswut.org.uk)

Office for National Statistics (ONS) - [www.statistics.gov.uk](http://www.statistics.gov.uk)

Opportunity Now - [www.opportunitynow.org.uk](http://www.opportunitynow.org.uk)

The Association of Women Barristers - [www.womenbarristers.co.uk](http://www.womenbarristers.co.uk)

The Association of Women Solicitors - [www.womensolicitors.co.uk](http://www.womensolicitors.co.uk)

The Times Where Women Want to Work - [www.wheretowork.com/women](http://www.wheretowork.com/women)

W-Tech - [www.wtech-event.co.uk](http://www.wtech-event.co.uk)

Women in Banking and Finance - [www.wibf.org.uk](http://www.wibf.org.uk)

Women in Technology - [www.womenintechnology.co.uk](http://www.womenintechnology.co.uk)

Women into Management Network - [www.managers.org.uk](http://www.managers.org.uk) – Specialist member group of the Chartered Management Institute

Women in Publishing - [www.wipub.org.uk](http://www.wipub.org.uk)

Women into Science, Engineering and Construction (WISE) - [www.wisecampaign.org.uk](http://www.wisecampaign.org.uk)

Women's Engineering Society - [www.wes.org.uk](http://www.wes.org.uk)

Women's National Commission - [www.thewnc.org.uk](http://www.thewnc.org.uk)

Women's Resource Centre - [www.wrc.org.uk](http://www.wrc.org.uk)

## Study

MentorSET - [www.mentorset.org.uk](http://www.mentorset.org.uk) - UK mentoring scheme for women in Science, Technology, Engineering and Mathematics

Springboard Consultancy - [www.springboardconsultancy.com](http://www.springboardconsultancy.com)

TARGETChances Events - [www.targetchances.com](http://www.targetchances.com)

## News

Equal Opportunities Review - [www.eordirect.co.uk](http://www.eordirect.co.uk)

## Reference

Employment Rights Act 1996 - [www.opsi.gov.uk/acts/acts1996/plain/ukpga\\_19960018\\_en](http://www.opsi.gov.uk/acts/acts1996/plain/ukpga_19960018_en)

Employment Act 2002 - [www.opsi.gov.uk/acts/acts2002/20020022.htm](http://www.opsi.gov.uk/acts/acts2002/20020022.htm)

Equal Pay Act 1970 - [www.opsi.gov.uk/si/si2003/20031656.htm](http://www.opsi.gov.uk/si/si2003/20031656.htm)

Higher Education Statistics Agency (HESA) - [www.hesa.ac.uk](http://www.hesa.ac.uk)

Sex Discrimination Act 1975 - [www.opsi.gov.uk/si/si2008/uksi\\_20080656\\_en\\_1](http://www.opsi.gov.uk/si/si2008/uksi_20080656_en_1)

Sex Discrimination Act 1986 - [www.opsi.gov.uk/si/si1988/Uksi\\_19880099\\_en\\_1.htm](http://www.opsi.gov.uk/si/si1988/Uksi_19880099_en_1.htm)

The Gender Equality Duty - [www.opsi.gov.uk/si/si2007/uksi\\_20070741\\_en\\_1](http://www.opsi.gov.uk/si/si2007/uksi_20070741_en_1)