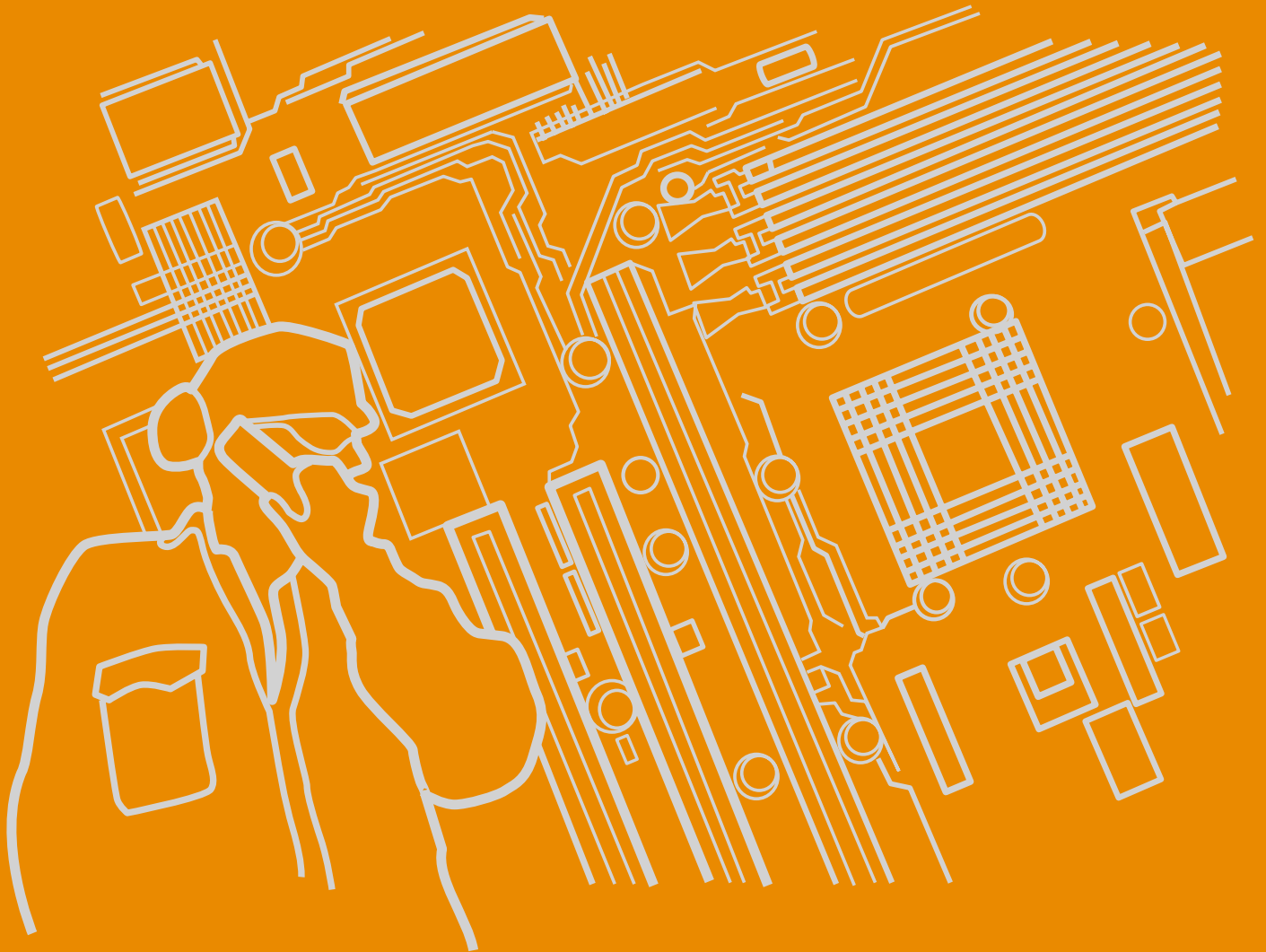


Age isn't an issue

Science, engineering and manufacturing technologies
employers' guide to a 21st Century workforce



AGE POSITIVE

semta

The Sector Skills Council
for Science, Engineering and
Manufacturing Technologies

Supporting statement from Semta



Every business depends on the skills of its workforce to drive productivity and success which is why utilising the skills of your older workers and investing in training and development is important even during tough economic times.

More than 40% of the engineering workforce is aged over 45. To maintain competitiveness, companies need to continue to develop and invest in these valuable people and prepare a talent pipeline for the future.

Semta is pleased to have worked with Age Positive in producing this step-by-step guide to a 21st Century workforce. This guide will take you through the parameters that surround age discrimination and the issues concerning age legislation, challenges in the sector, retirement, your actions as an employer and how to tackle age discrimination in your workplace. We hope that it will help you to deal with the practicalities of age at work.

Remember, age isn't an issue!



A handwritten signature in blue ink, which appears to read "P. Whiteman".

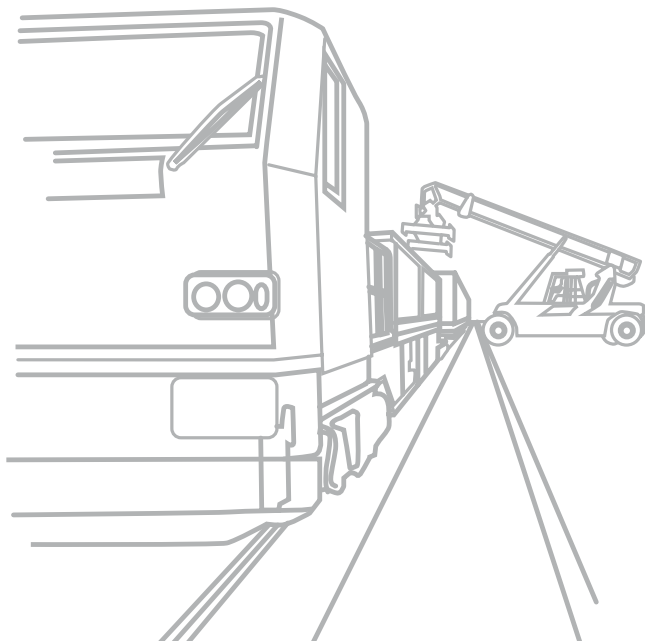
Philip Whiteman
Chief Executive, Semta

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Please note this is for help and information only. It is not meant as an authoritative statement of law, and future changes of law will make it less accurate. Members of the Department for Work and Pensions and SEMTA take no responsibility for your use of the information. You should always take professional advice on any specific legal or financial matter.

Introduction

We are an ageing society and this is likely to have a dramatic impact on your workforce. By 2020, almost a third of the workforce will be over the age of 50. Now is the time to review workplace practices and decide what changes or improvements can be introduced.

A workforce that is age diverse has real benefits for any organisation. Harnessing the skills, experience and enthusiasm of people of all ages creates a working environment that encourages cooperation and has the potential to contribute to business at every level.

Businesses are increasingly recognising the value of older workers as they bring valuable skills, ideas and experience with them. This may benefit younger workers who can also attain skills by working in an age diverse environment where all members have something to offer.

With many businesses facing skills shortages and tight labour markets it makes sense to encourage older workers to stay within the business.

This guide covers all areas of employment – from recruitment and retention, to flexible working and retirement – helping everyone involved in employment get the best out of people of all ages.



Age legislation facts

- It is unlawful to discriminate against employees, job seekers and trainees on the grounds of age.
- The Employment Equality (Age) Regulations 2006 cover workers of all ages and all employment and vocational training.
- The regulations include access to help and guidance, recruitment, promotion, development, redundancy, perks and pay.

Employers need to be aware of their duties and review how they recruit and retain staff. They should check that current policies, practices and routines are compliant with the age regulations. Information to help employers understand good practice and age regulations is contained in this guide.

ACAS is the Advisory, Conciliation and Arbitration Service and is nominated by Government to provide advice to employers and individuals about the age regulations. ACAS contact details are at the end of this guide.

There is no official retirement age in the UK.

Age regulations introduced a default retirement age of 65 but this is not mandatory. Employers do not need to set a retirement age at all.

Recruitment

Recruitment is expensive, both in terms of time and money. It makes sense to get it right first time so it is important to make sure that applicants of all ages are included in the recruitment process.

Broadening the search

Employers are increasingly looking outside traditional recruitment processes to attract a broader range of employees. To avoid age discrimination it is important to look carefully at the wording of job descriptions. Words that suggest a preferred age are not acceptable.

There are several recruitment methods that help attract age diverse applicants. Some newspapers and other media might only reach a limited age group. By using a wider range of publications you will reach a broader spectrum of people and give opportunities to a diverse age group.

There are many ways to recruit people and it makes sense to spread the word through a number of channels including:

- > local newspapers
- > community newsletters
- > Jobcentre Plus
- > recruitment agencies
- > in-house advertising
- > staff referrals

"Employers can benefit enormously from having older people in their workforce, bringing with them skills learnt during their working life coupled with a willingness to continue to learn. If someone is capable of doing whatever job function is required, then age doesn't come into it."

Recruitment agencies

To get the best out of your recruitment agency or advisers it is important to be clear about your commitment to creating an age diverse workforce.

Ensure that your agencies are up to date with your policies and practices and that they are complying with current legislation. Remember, if they discriminate, you may be liable.

Job descriptions

It is important to spend time and effort in creating an accurate description of the job that will attract the right applicants. This should focus on the job and its requirements and must avoid any words or phrases that could suggest an age preference.

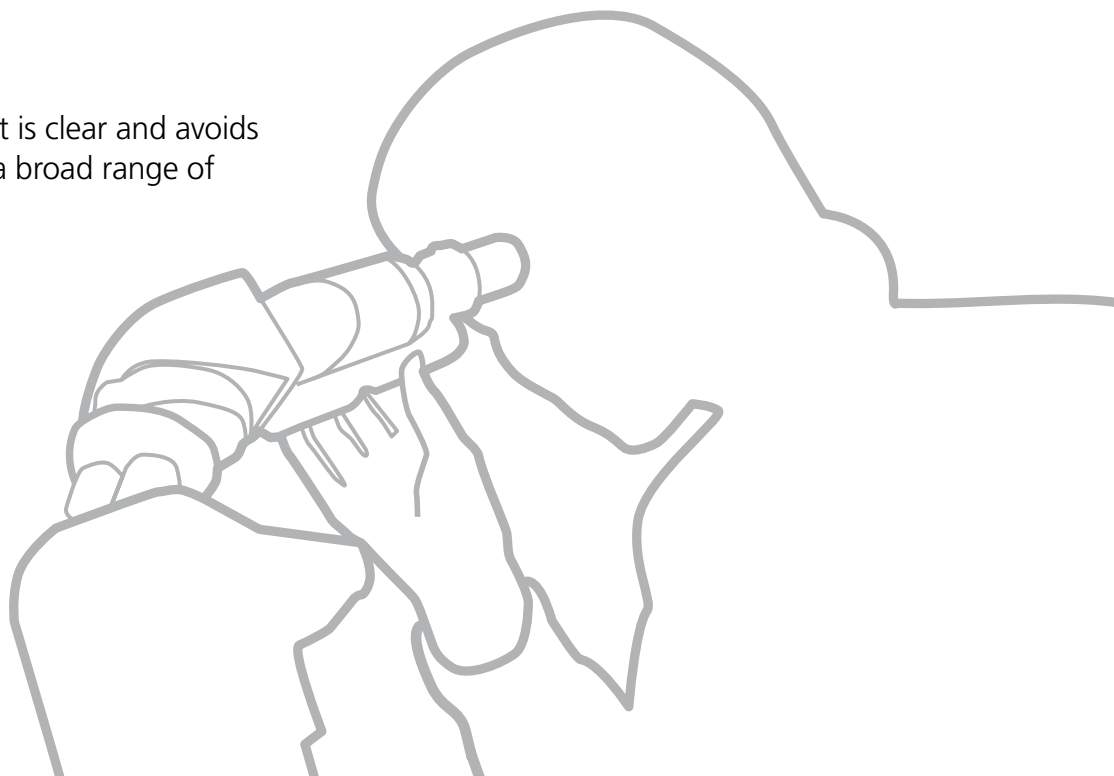
Some examples of descriptions that would suggest age include:

- > mature person
- > school leaver
- > first job
- > energetic graduate

Recruitment advertising that is clear and avoids age discrimination attracts a broad range of applicants and skills.

Some suggestions for creating effective recruitment advertisements:

- > Create a clear job description that focuses on the skills, experience and abilities of the applicant.
- > Ask for relevant and proven experience and avoid stating a set or minimum number of years experience.
- > Make sure that you are asking for education and vocational qualifications or equivalents that apply to applicants of all ages.
- > Take professional advice if you are unsure about any aspect of your recruitment advertising or procedures – remember your business is responsible for complying with the legislation.



A positive approach

To create a truly age diverse workforce you can take positive action to encourage people of a particular age to apply for employment and training opportunities.

This may include placing recruitment adverts in publications that appeal to the targeted age group, or contacting colleges of further education, community centres or other places which that age group might access.

It is also acceptable to include a statement saying that applications are welcome from everyone 'irrespective of age, but especially from people in the [under-represented] age group'.

By making it clear that any appointment is based on merit alone you will be encouraging applications from people who might previously have felt excluded from applying.



"As manufacturing is very process driven, many older workers have often faced and solved a range of job related challenges before. Stanair makes the fact that it welcomes older recruits visible in all recruitment and publicity materials."

Application forms

It is advisable to separate the applicant's personal details, including their age and date of birth, from the rest of the application form. This will ensure that those involved in the recruitment process are not influenced by age and judge on merit alone.

Consider whether a complete work history is relevant or necessary for the particular job.

Reassess application forms. Asking for a full work history may suggest a certain age bracket. Consider whether the questions you are asking are really relevant to the job.

Focus on skills – don't rely on qualifications unnecessarily.

Interviews

Interviews differ between businesses and job requirements. They may involve one person and a single interview, or several people and a series of interviews.

Whatever the selection process, it is important to make sure that staff are up to date with current requirements.

If possible, provide regular training and remind staff from time to time of their responsibilities regarding age discrimination.

Applicants will be aware of a positive attitude towards age if interviews are conducted by more than one person and represent different age groups.

Conducting an interview

A professional interview allows both parties to explore the job and the individual's ability to do the work.

There are a number of ways to set up an interview so that applicants of all ages will be given equal opportunity.

These include:

- Agreeing on questions to be asked to all applicants before the interview and making sure that these relate to the job and not the person.
- Making sure that the questions are fair to all candidates and relate to the person's ability to do the work and not whether they fit in with other aspects of the business (e.g. the age of people they might work with).
- Considering giving applicants a telephone interview early in the process to reduce the possibility of age discrimination.
- Setting up a monitoring system that will give you information on the age profile of applicants.

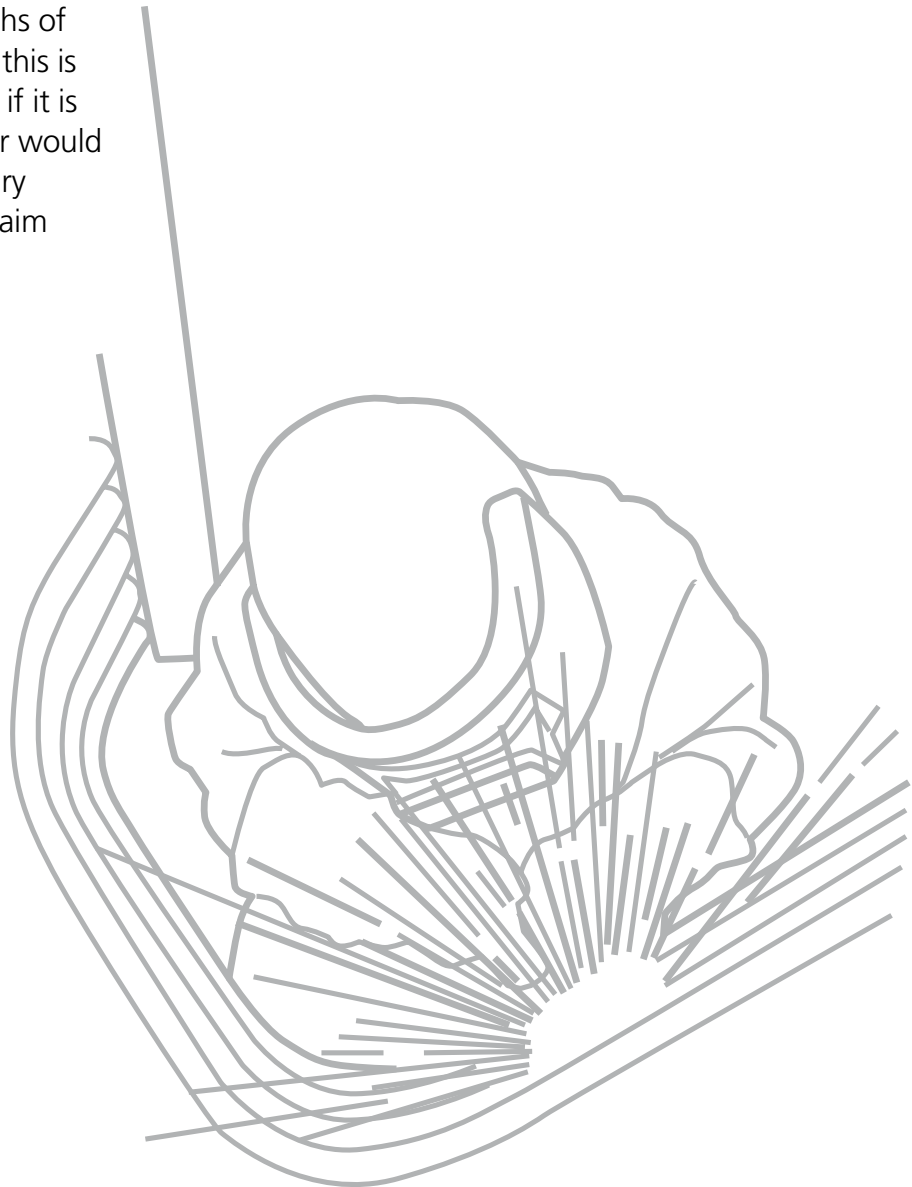
Never use age or date of birth to influence the choice of applicants

Interviewers need to be aware that they are representing the business and reminded that personal comments that relate to age are not acceptable. Written notes should be taken during the interview which can be useful for feedback and provide evidence in the event of any accusation of age discrimination.

Exemptions to the age regulations

In practice, these are extremely rare but there are a limited number of occasions when it is legal to set an age limit:

- The job cannot legally be done by a person under a certain age (e.g. serving alcohol, handling dangerous machinery, or acquiring vocational driving licences).
- There is a 'genuine occupational requirement'. In practice this is unusual apart from acting in certain roles in the theatre or other media.
- The applicant is over, or within six months of the employer's retirement age provided this is over 65 or has been objectively justified if it is below 65. This means that the employer would have to show that the reason is necessary and is the right way to meet a genuine aim of the business.



Employee benefits and pay

Employers should review their policies on benefits and pay and make sure that they reflect current legislation.

Any benefits for employees who have been with the company for less than five years are exempt under the age regulations. These may include bonuses, holiday entitlement or other benefits.

Length of service criteria is acceptable when making decisions on how to reward staff as long as this is within the five years limit. However, if this exceeds the five year cut off it is necessary for the employer to be able to show that the employee benefit is related to additional experience, loyalty or motivation.

When considering other benefits such as eligibility to join a pension scheme, all staff should be treated fairly and factors such as age and part-time working should not influence eligibility.

There should be clear and objective criteria relating to decisions on pay awards and other benefits. These should be based on ability and performance and the needs of the business and not on age, discrimination or subjectivity.

Staff need to know about benefits to take advantage of what an employer offers. By making sure that any benefits such as flexible working are known by all employees, both parties can benefit.

Benefits such as career development, training and pursuing educational opportunities or sabbaticals are for all. Older employees can improve their performance as much as their younger colleagues through training and investing in their career.

Employers should check that all employees are receiving benefits and pay that relate to their skills, level of experience and loyalty, and not to their age. If rates of pay are linked to age, it is likely that this is unlawful unless it is related to National Minimum Wage rules.

National Minimum Wage

The National Minimum Wage is not affected by the age regulations.

Employers may pay different rates to employees within two different age bands as long as they are within the legal rates.

These are:

- > Band 1 – 16 and 17 years
- > Band 2 – 18 to 21 years
- > Band 3 – 22 and over.

Training and development

Employees of all ages benefit from training. This may mean updating existing skills or gaining new skills. This can help businesses grow and become more efficient and adds to the employee's job satisfaction and career prospects.

At any age, an investment in training shows real results including:

- > reduced absenteeism
- > fewer accidents at work
- > increased motivation and commitment
- > better performance.

Encouraging commitment

Training opportunities encourage staff to stay with the company, saving businesses the cost of additional recruitment and potential disruption.

Staff are not always aware of the opportunities that are open to them and all employees should be made aware that training and development are available, without minimum or maximum age restrictions.

Employers and staff may find it mutually beneficial to meet on a regular basis to discuss development needs and the opportunities that are available. A record of the discussion may be helpful to record progress and any targets.

"We have no retirement age. There are no concerns about reduced progression opportunities and the process of training younger staff has been improved greatly by involving experienced, skilled, older workers as trainers on the company's apprenticeship scheme. Many of our older workers provide excellent support to many of our new workers from a practical industrial point of view as well as passing on their experiences."

Age at work - challenges for the science, engineering, manufacturing and technologies sector

- Have you considered the implications of demographic change and an ageing society in the workplace? Have you prepared for these inevitable changes?
- If you have a fixed retirement age – how are you replacing the expertise and experience lost by this cliff-edge approach to later years working?
- Have you considered offering more choice in later years working and how easy is it to extend working lives?
- What arrangements do you have to facilitate flexible working?
- How easy is it to accommodate older workers into these patterns?
- How can you most effectively fill skills gaps and shortages? Is the retention of the skills and experience of older workers an option to consider? Currently 2% of employees within these sectors are aged 65 plus. This figure will increase due to demographic and skills issues.
- Would a different age mix in the workplace also help?
- Are there appropriate age ranges for particular jobs?
- Are there jobs where physical demand or levels of stress make extending working life more difficult?
- Could mentoring by older workers become a feature of traditional career patterns? As the need for new apprentice trainees increases, older workers are invaluable for mentoring and passing on practical skills.

Promotion

It is unlawful to rule out anyone for promotion on the grounds of age.

When making decisions on promotion it is important that these should be based on merit and not on any age criteria – no one is too old or too young to be considered for promotion.

Experience may be relevant in deciding who is suitable but this may not be related to a set or minimum number of years.

Government-funded training

Some government-funded training programmes do have age limits. For example, Apprenticeships generally restrict funding to 16–24 year olds.

Other Apprenticeship opportunities are available for everyone else.

More information

To find out more about Apprenticeships, telephone 0800 015 04 00.

Train to Gain provides training advice and information to all businesses. Telephone 0845 600 9 006.

Investing in the future

To help encourage staff to invest in their future, employers can:

- Make sure that staff are aware that training and development is open to all ages.
- Encourage all employees, including new starters, part-timers and long-term staff to be aware of any training and development.
- Ensure that older staff, too, are given positive encouragement to update skills and take advantage of training opportunities.
- Promote staff involvement in mentoring – younger and older workers can support each other and share skills.
- Arrange talks or provide guidance to spread the word that training is for everyone.



Flexible working

Flexible working has proven benefits for employers and employees alike, increasing commitment and helping retain staff.

The demand for changes to work patterns fluctuates during different stages of life. For example, parents with young children may want to work during the school term and older workers may prefer to reduce their hours when they approach retirement or decide to continue working.

There are several ways to facilitate flexible working in all kinds of jobs and at all levels, and employers are increasingly looking at ways to accommodate the growing demand.

These include:

- > flexi time
- > shift work
- > job sharing
- > compressed hours
- > part-time or reduced hours
- > temporary contracts
- > seasonal work
- > term-time only
- > home working
- > unpaid leave

When making decisions on flexible working, employers must not use age as a factor. Staff of all ages may have legitimate reasons for wanting to take advantage of flexible working arrangements. But bear in mind that some staff, including older workers, may not know how to go about asking.

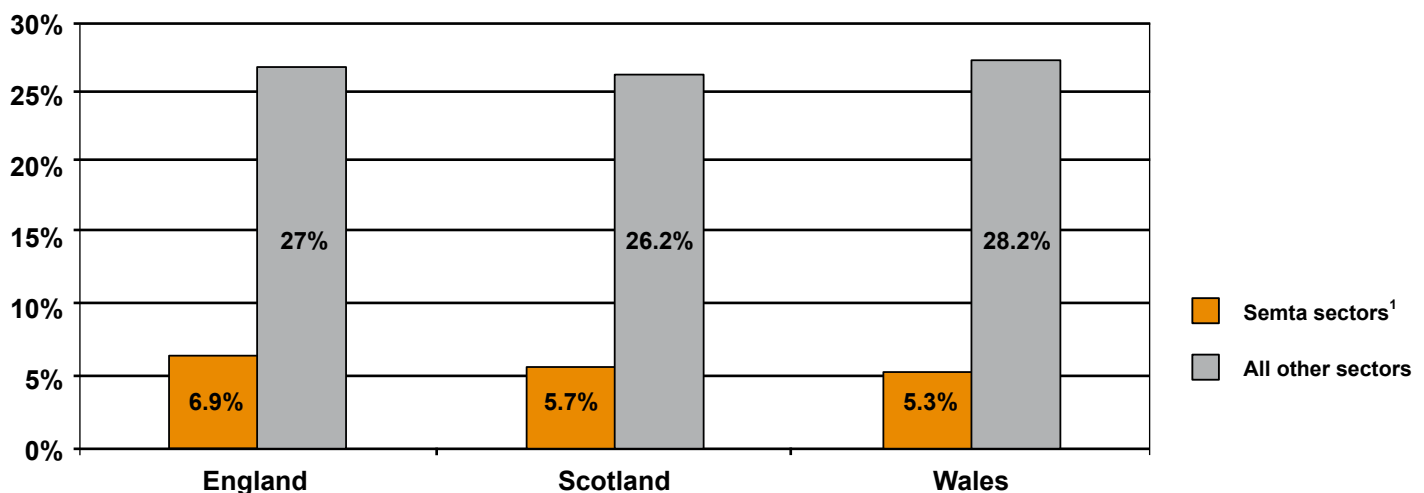
It is important that staff, managers and supervisors are made aware of what options are available. They should also be made aware of how decisions are made when requesting flexible working and what criteria are used to make those decisions.

Decisions must be made on individual and business needs, not on age or personal views.

A trial period is a good way for both parties to assess the benefits or any disadvantages before committing to different patterns of working.

Remember, flexible working is an attractive option for all ages so job applicants should also be made aware of what is available. Another way to attract quality applicants.

Part-time working



Source - Office for National Statistics, Annual Population Survey, Jan-Dec 2006

¹ Data excludes the Science sector.

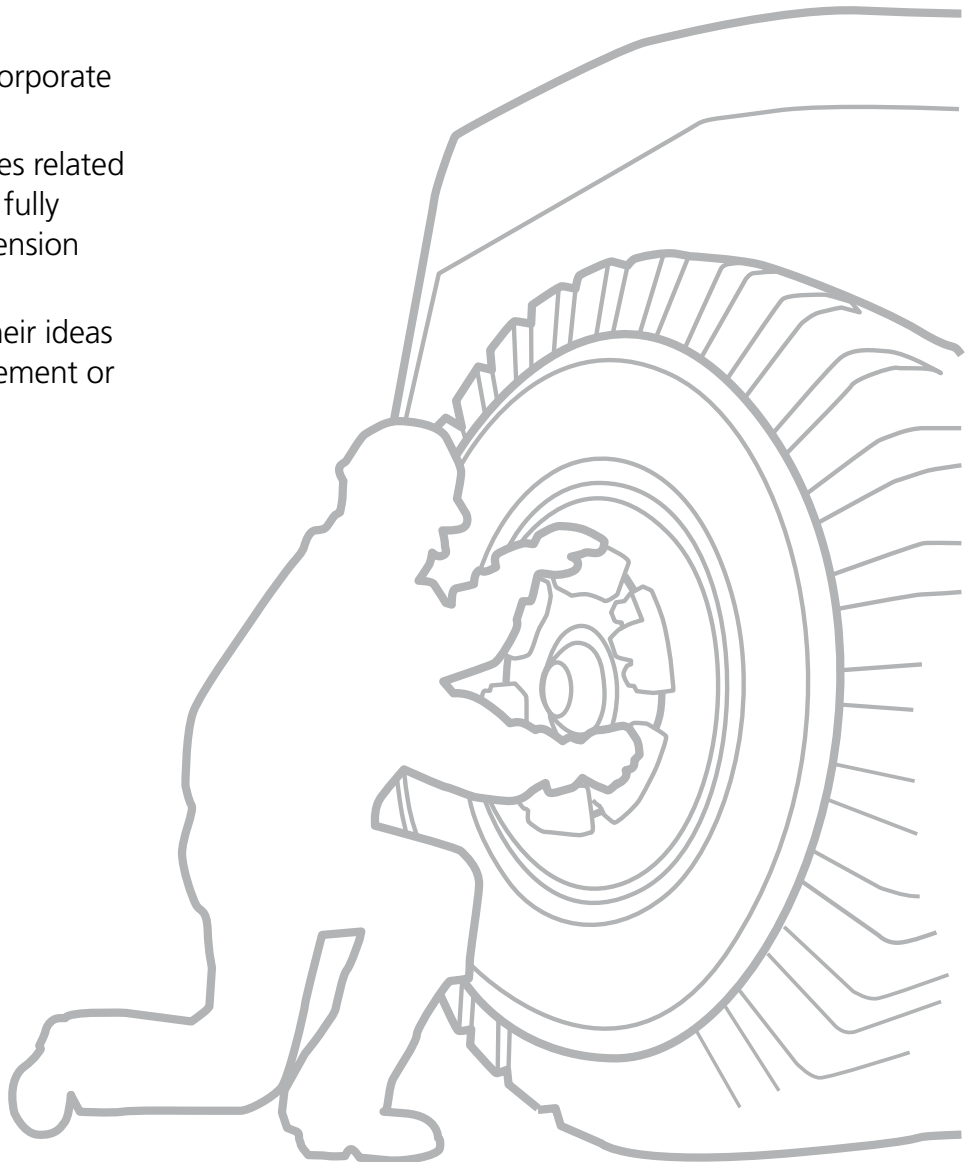
A flexible approach for a strong business

Employees who are considering working differently as they approach retirement, or plan to continue working, may wish to discuss the various options with their personnel or pensions department or their manager.

Employers should work with their staff to make sure both parties are aware of the benefits and opportunities that flexible retirement offers.

Employers should:

- > Review employment contracts to incorporate flexible retirement options.
- > Inform employees of company policies related to retirement issues and ensure staff fully understand how these affect their pension entitlement.
- > Work closely with staff to find out their ideas and preferences related to their retirement or plans to continue in employment.



Redundancy

It is unlawful to make people redundant based on their age.

Redundancy is an unfortunate fact of life and businesses have to make hard decisions when they need to let people go. It makes sense to try and keep the staff who have skills and experience that may be hard to replace.

Statutory payments

The law on statutory redundancy payments was changed by the Employment Equality (Age) Regulations 2006.

- > The upper and lower age limits were removed.
- > Workers under 18 and over 65 have the same rights to redundancy payment (after they have completed the minimum employment qualifying period).

Age and length of service are still taken into account when redundancy payments are calculated. Employers need to make sure that their calculating method complies with current requirements and that the way payments are worked out can be objectively justified.

Employers need to consider the value of each employee when they decide who to make redundant. They should consider the needs of the business, job requirements and the skills and capabilities of their staff.

Last in, first out...

This approach does not credit the fact that the 'last in' may be a crucial addition to the workforce. This could also lead to age discrimination. It is recommended that employers make their choice objectively, based on staff skills and the needs of the business.

Alternatives to redundancy

If a business needs to cut back, they could offer their staff alternative working arrangements such as:

- > job sharing
- > reduced hours
- > short-term contracts
- > career breaks.

Employers considering redundancies should make sure that all staff involved in the selection and decision-making process are aware that it is unlawful to make a decision based on age or other discriminatory grounds.

Voluntary redundancy

If used, this must be offered to all staff, regardless of age. You may be surprised at who applies.

More information

Guidance is available on the ACAS website
www.acas.org.uk

Retirement

There is no requirement for a retirement age and many employers are taking advantage of this to keep experienced skilled workers.

Retirement without a set age

If there is no set retirement age, it is assumed that an employee will continue working and it is up to the employee to notify the employer of their wish to retire.

Retirement with a set age

The law includes a default retirement age of 65 for employers who still believe they need to set a compulsory retirement age. It means those employers can set a compulsory retirement age at 65 or above.

Compulsory retirement below 65 is unlawful, except where an employer can objectively justify the earlier retirement age. The test of objective justification is not an easy one and it would be necessary for the employer to provide evidence. This means that the employer would have to show that the reason is necessary and is the right way to meet a genuine aim of the business.

Procedures apply if an employer decides to use a compulsory retirement age.

When an employer uses a compulsory retirement age (whether 65 or higher) they must write to employees not less than six months before the intended retirement date telling them of their right to request to work longer.

All employees have the right to request to work beyond a compulsory set retirement age and employers must consider all requests to work longer.

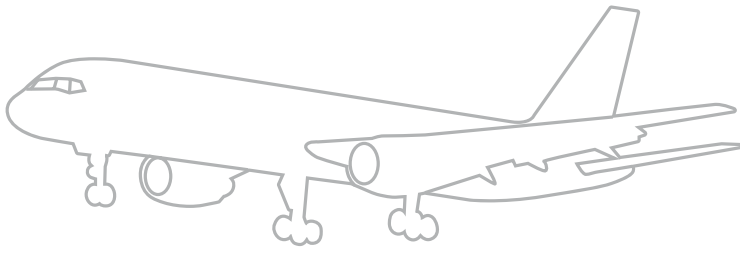
Employers may still refuse an employee to work past the compulsory retirement age (whether 65 or higher) as long as they have followed the correct procedures.

More information

Guidance is available in the ACAS guide 'Age and the Workplace' on the ACAS website www.acas.org.uk

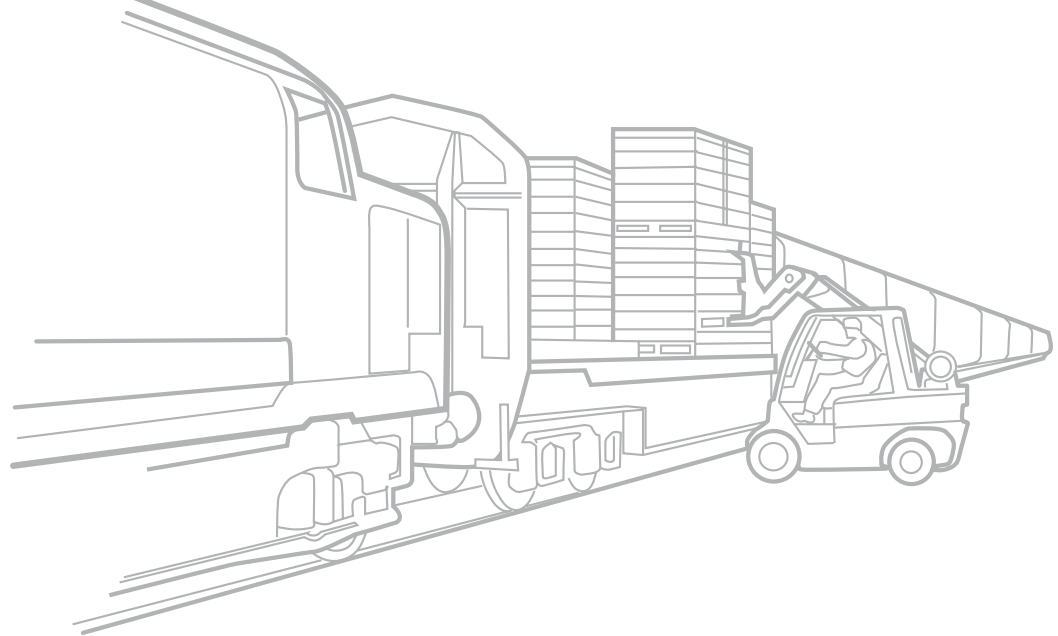
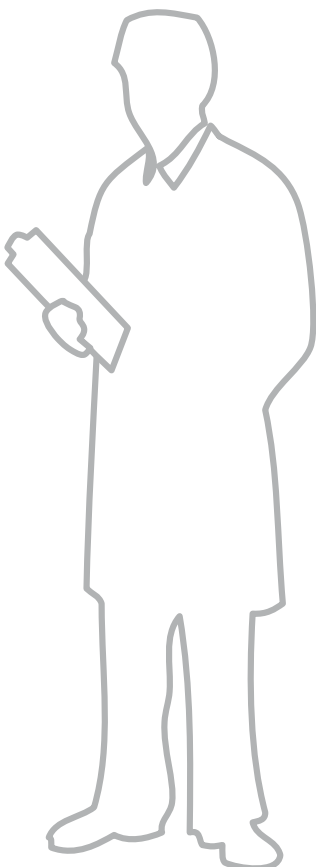
"Some of our employees have up to 30 years' industry experience, something which we are keen to retain and as such we don't have a retirement age. If someone asks for a less demanding role we offer to retrain them or redeploy their skills.

As people reach the default retirement age of 65, give them the choice to carry on working. If you don't approach them they may assume they will have to retire."



Employers should:

- › Check whether the company retirement age should be raised or can be removed altogether.
- › Check their procedures and make sure that employees are aware that they can ask to work longer and employers must consider all requests.
- › Ensure all staff involved in managing retirement are aware of current regulations and of opportunities for keeping people on if they wish to work longer.
- › Make sure everyone in the organisation is aware of the requirement to treat people fairly regardless of age.



Workforce management

There is a myth about so-called 'job blocking'. Some employers assume there is a need to remove older workers to make way for younger workers. However, other employers believe this approach is damaging to productivity as it fails to maximise skills and experience and increases staff turnover and costly recruitment and training.

By using flexible working options instead of imposing compulsory retirement, employers can reduce capacity without losing valuable workers and their expertise.

Employers who monitor the age profile of their workforce find this not only helps with retirement planning but can disclose any bias and highlight the diversity of age within the organisation.

By 2020 there will be nearly five million more people aged 50 and over in the UK. Many employers are already taking a more positive approach to the recruitment and retention of older workers, and utilising this valuable resource to gain a competitive edge.



Health and safety

By making sure that any physical requirements of the job are clearly specified during recruitment and interviewing, all applicants will be aware of what is needed and their suitability. Employers may introduce testing but this should be for all applicants, regardless of age.

Poor workplace design and inflexible working practices prevent staff from being fully effective, not age.

The facts:

- Employers increasingly recognise the benefits of employing older workers, including a commitment to working and high attendance rates.
- The health and fitness of older people is improving.
- Any loss in speed and agility is often compensated by an increase in accuracy and reliability.
- Older workers do not have more accidents than younger workers.
- Short-term absence is lower in older workers.

Capability to work

Age is not an indication of capability and does not determine an employee's physical ability to do a job. Inability to do the job at any age is a legitimate reason to terminate an employment contract, but age cannot be used as a reason to determine this.

It is important to be objective and not make an assumption of capability based on age. The demands of a job and the ability of the worker are the major factors in deciding on suitability.

Employers can encourage older workers to apply for employment or continue working by:

- Accurately describing the physical requirements of the work in recruitment advertising and during interviews.
- Offering flexible working, for example reduced hours or a different role to employees who want to continue working.
- Retraining or adapting the workload to retain older workers requiring less strenuous work or less responsibility.
- Encouraging regular health checks for all staff.

Risk assessment must be related to the job, not to the age of the employee.

"The atmosphere at our modern plant is friendly and I believe the wide age spectrum is partly the reason for this. Absenteeism is low at less than 2% including long-term sickness. Although I'm aware of the misconception that older people may take more time off because of illness this hasn't been our experience. I find it's the exact opposite. There's quite a number of older people who haven't missed any time whatsoever."

Small adjustments – big benefits

Employers should analyse tasks and make adjustments that benefit the health and safety of all employees. Training staff and encouraging them to take an interest and responsibility for their health and fitness at work helps retain workers and improves morale.

Some simple changes include:

- › Assessing whether heavy lifting is needed in a particular job or can be removed.
- › Adapting workstations to minimise repetitive movements.
- › Adjusting lighting, temperature and working conditions.

All staff benefit from improved working conditions and a commitment to health and safety.

More information

Guidance is available in the HSE guide 'Five steps to risk assessment' on the HSE website www.hse.gov.uk

"Some of the traditional manufacturing skills are very hard to come by these days. Where we have that valuable skill and expertise, we encourage staff to work for as long as they are able to do the job.

If staff choose to scale back their hours as they get older, their needs are accommodated wherever possible. We'd rather retain their skills."

More information

Semta

14 Upton Road, Watford, WD18 0JT **Tel: 0845 643 9001 Email: customerservices@semta.org.uk www.semta.org.uk**

Semta is the employer-led sector skills council for Science, Engineering and Manufacturing Technologies in the UK. The sectors it represents are: Aerospace, Automotive, Bioscience, Electrical, Electronics, Maintenance, Marine, Mathematics, Mechanical, Metals and Engineered Metal Products, and Science. Its role is to raise skills levels and competitiveness in the 76,000 companies and two million-strong workforce that make up these sectors. Its National Skills Academy for Manufacturing delivers an independent national standard for manufacturing training, content, delivery and process by focusing on business return which is typically 6:1.

National Skills Academy for Manufacturing

2410 Regents Court, The Crescent,
Birmingham Business Park,
Birmingham, B37 7YE

Tel: 0845 643 9001
www.n-sam.co.uk

EAL

3365 Century Way, Thorpe Park,
Leeds, LS15 8ZB

Tel: 0870 240 6889
www.eal.org.uk

Department for Education

Sanctuary Buildings, Great Smith Street,
London, SW1P 3BT

Tel: 0870 000 2288
www.education.gov.uk

National Apprenticeships Service

**[www.apprenticeships.org.uk/About-Us/
National-Apprenticeship-Service](http://www.apprenticeships.org.uk/About-Us/National-Apprenticeship-Service)**

Alliance of Sector Skills Councils

Alpha House, 100 Borough High Street,
London, SE1 1LB

Tel: 0845 072 5600
www.sscalliance.org

Science, Technology, Engineering and Mathematics Network (STEMNET)

2nd Floor, Weston House,
246 High Holborn, London, WC1V 7EX

Tel: 0203 206 0450
www.stemnet.org.uk

CBI

Centre Point, 103 New Oxford Street,
London, WC1A 1DU

Tel: 0207 379 7400
www.cbi.org.uk

EEF

Broadway House, Tothill Street,
London, SW1H 9NQ

Tel: 0207 222 7777
www.eef.org.uk

Women into Science, Engineering and Construction (WISE)

2nd Floor, Weston House, 246 High
Holborn, London, WC1V 7EX

Tel: 0203 206 0408
www.wisecampaign.org.uk

UK Commission for Employment and Skills

Callflex Business Park,
Golden Smithies Lane, Wath-Upon-Dearne,
South Yorkshire, S63 7ER

Tel: 01709 774 800
www.ukces.org.uk

Manufacturing Advisory Service (MAS)

Grant Thornton House, Melton Street,
London, NW1 2EP

Tel: 0845 658 9600
www.mas.bis.gov.uk

Age Positive

Age Positive promotes good practice standards to help employers make decisions that do not discriminate against someone because of how old they are. Free, accessible and easy to digest information about all aspects of recruitment, retention, retirement and flexible working options can be found at: **www.businesslink.gov.uk/agepositive**

ACAS

Euston Tower, 286 Euston Road, London, NW1 3JJ

Tel: 020 7396 0022 Helpline: 08457 47 47 47
www.acas.org.uk

Business Link

Tel: 0845 600 9006 www.businesslink.gov.uk

Train to Gain

Tel: 0845 600 9 006 www.traintogain.gov.uk

Small Firms Enterprise Development Initiative (SFEDI)

Business Incubation Centre, Durham Way South,
Aycliffe Industrial Park, County Durham, DL5 6XP

Tel: 0845 224 5928 www.sfedi.co.uk

Equality and Human Rights Commission

3 More London, Riverside Tooley Street, London, SE1 2RG

Tel: 0845 604 6610 www.equalityhumanrights.com



AGE POSITIVE

Working with employers to remove
age discrimination in employment

DWP Department for
Work and Pensions

semta

The Sector Skills Council
for Science, Engineering and
Manufacturing Technologies

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