



Britain is changing

In its latest projections the Office of National Statistics indicates that nearly a third of the labour force will be over 50 by 2020. Businesses increasingly need to recognise the benefits of age diversity in the workplace.

Treating staff fairly and recognising individual talents and needs is not just the right thing to do, but makes good business sense as well.

Employers who recruit from the widest possible pool of applicants are able to choose the very best candidates. This has a positive impact on productivity.

The Government's new Age Discrimination laws give individuals important new rights, extending existing rights and remove traditional barriers.

The law will help ensure that people are no longer denied jobs or harassed because of their age, and in most cases, workers of all ages will have an equal chance of training and promotion.

The new regulations came into affect at workplaces from 1 October 2006.

Understanding the new procedures

The law gives new rights to workers, and employers will have to incorporate the changes into their HR policy procedures.

The current upper age limit for unfair dismissal and redundancy rights is being removed. This means that older workers will get the same rights to claim unfair dismissal - or to receive a redundancy payment - as younger workers.

Employees will have a statutory right to request working beyond compulsory retirement, which employers will have a 'duty to consider'. Employers must also give workers at least six months notice of their retirement date.

Those with new responsibilities will include employers, managers and trustees of occupational pensions schemes, providers of vocational training including further and higher education institutions and private training companies. Trade unions, professional associations and employers organisations will also have new obligations, not only as employers but in relationship to their membership too.

The law recognises that differences of treatment on the grounds of age can sometimes be justified. For example, it may be necessary to make special provisions for younger or older workers in order to protect their safety and welfare. However, employers will need to 'objectively justify' exemptions to the regulations by providing real evidence to support any claim.

Benefits for business

Fairness and productivity go hand in hand. Tackling discrimination helps to attract, motivate and retain staff. It helps employers to make best use of skills and experience. It can lead to a more diverse workforce, new ideas, and access to wider markets.

As the new laws become in force, annual benefits to employers are estimated to be between £83,400,000 and £706,000,000 per year, depending on company size. This will mainly be due to increased productivity from improved access to training and more efficient use of resources.

The full regulations can be found now at:

<http://www.dti.gov.uk/employment/discrimination/age-discrimination/index.html>

Further detailed guidance can be found at <http://www.acas.org.uk> from late April.