

Employers Told to “Recruit, Retrain, Retain” Older Workers

In the know

A new Government strategy is calling for employers to boost the number of over 50s they employ and make sure they are not allowing stereotypes to influence their perception of older workers.

Government Strategy

As part of the Fuller Working Lives Strategy, the Government has set out the social and health benefits of working longer. It outlines how a coalition of job centres and businesses can combine to support older workers to continue in their career or take new direction. It asks for a “concerted effort from employers and a change in individual attitudes” and an “end to ageism in the workplace”. The strategy is built around encouraging employers to “recruit, retrain and retain” older workers.

Employing Older Workers

While there are no nuances to the application of employment rights to older workers like there are with younger workers, employers may still knowingly, or unknowingly, have perceptions that older workers are not generally as productive, or may not be able to adapt to new working methods, as younger workers.

It is not unlawful to ask for age on a job application form, but some employers prefer not to ask for date of birth as part of their diversity ethos.

Where levels of productivity in older workers are concerned, employers should treat them in the same way as younger workers. This means implementing conducting or capability procedures when standards are not met.

The Equality Act 2010 prohibits less favourable treatment of people because of their age, equal treatment is therefore acceptable.

Retirement

Employers have less control when it comes to an employee’s retirement. Before age discrimination laws were introduced, employers could designate their own contractual retirement ages and dismiss employees once they reached that age. When the default retirement age was introduced, retirement could be forced on an employee at age 65 by following a simple administrative procedure. Employers had complete control over the retirement of employees. Now the decision to retire lies solely with the employee except in rare circumstances.

Croner Tips

- **Treating all employees the same in issues of conduct and capability regardless of their age will ensure management consistency, which is a key element of fairness.**
- **Don’t assume employees will not want to learn new skills or attend training courses because they are older.**
- **Be consistent when conducting appraisals with employees. Ask the same questions of all employees about progression in their role or to other parts of the business.**

Please contact the Business Support Helpline for advice on your specific situation before acting on the information in this article.