



## **Statement on Age Equality 2016-2019 For Applicants applying for posts, and Staff**

### **1. Legislation**

Equality law relating to Age is now set out within the Equality Act 2010 which came into force in October 2010. The law protects individuals pre and post employment, ensuring organisations do not discriminate or disadvantage individuals on the grounds of Age.

### **2. Age UK Portsmouth's Commitment**

Age UK Portsmouth has always encouraged age diversity within its staff and volunteer population and remains committed to the principles of equality and diversity across all of the protected characteristics defined in equality law. This statement should therefore be read in conjunction with the Charity's Equality and Diversity Policy available from the Executive Office.

### **3. Recruitment, selection and promotion of staff**

The age profile of staff is regularly monitored, with recruitment practices, procedures, and processes regularly reviewed. The aim of recruitment, selection and promotion at Age UK Portsmouth is to find the right employee for the job, regardless of one's age. Allowing age discrimination to creep in at any stage of the recruitment process, is unlawful, but most importantly, restricts access to good candidates.

The criteria used in staff recruitment are solely job-related, and job profiles or person specifications do not identify a particular age for a post. Advertisements do not include age, age-related criteria or age ranges, and they are placed in different media to ensure that they reach a wide audience of different age groups.

The use of words such as 'senior' relate to specific job profiles that are recognised terminology within business management, rather than to age or length of service. The application process ensures that date of birth is removed from the job application, but to ensure that the Charity is able to monitor receipt of applications from different age ranges, an equality monitoring form asks for date of birth. This form is not included at short listing stage.

Candidates are assessed against agreed selection criteria and interviewers are aware of the need to ask only job-related questions. Where possible, an interview panel will consist of a mixed age range of interviewers who will ensure that an individual's age is not used to make judgements about abilities or fitness.

There are specific exceptions allowed within the legislation, such as positive action provision, or employer justified retirement age (EJRA) to be considered, but it is anticipated that there will be very few examples of this kind within the Charity.

Many of the principles of effective promotion strategies are the same as those of effective recruitment and selection processes. Promotion strategies do not use age as a factor, and candidates are assessed against transparent criteria, judged in terms of measurable performance, demonstrated potential, and the ability to achieve the aims of the post.

### **4. Pay structures and length of service-related benefits**

Pay structures used at the Charity are not age-related, with starting salaries relating to criteria that can be identified through the selection process, such as demonstrated competence or skill level. Under the regulations, pay structures that are based on automatic length of service entitlements up to five years

are exempt from the legislation. Beyond five years' service, additional annual increments are justifiable where the test of rewarding experience or encouraging loyalty and motivation is met. Examples of benefits that include service-related eligibility criteria include sick pay, annual leave, maternity, paternity or parental leave (there is no differential at the Charity in the benefits offered to opposite sex or same sex partners where the law permits). Length of service benefits for the first five years of service are lawful under the regulations.

## **5. Training and Development**

There are no age restrictions on any training opportunities. All staff can gain access to internal and external staff development opportunities identified through, for example, probationary periods, or the Performance Review and Individual Development Plan process.

The Charity monitors any significant age-related patterns in the take up of staff development and training courses. Managers and supervisors are provided with appropriate training on age discrimination legislation and other equality and diversity policies.

## **6. Retirement**

The Charity supports the abolition of the statutory default retirement age and separate guidance is available at <https://www.gov.uk/working-retirement-pension-age>

## **7. Statutory Redundancy Payments**

Legislative changes introduced in 2006, removed the lower and upper age limit on entitlement to redundancy payment and therefore all employees, regardless of their age, are entitled to a statutory redundancy payment, subject to a two year qualifying period.

Statutory redundancy payment is calculated based on the number of years' service, to a maximum of 20 years, and the employee's age. For the purpose of calculating statutory redundancy payments the following Government established age bands are permitted when reviewing the calculation payment in light of age legislation; older workers do suffer more on redundancy and therefore consideration to the pay bands is justified.

### **Pay bands:**

0.5 week's pay for each full year of service where age during year less than 22

1.0 week's pay for each full year of service where age during year is 22 or above, but less than 41

1.5 weeks' pay for each full year of service where age during year is 41+

## **8. Further information**

Useful websites include:

The Equality and Human Rights Commission who enforce and promote equality - Guidance on age discrimination:

<http://www.equalityhumanrights.com/advice-and-guidance/your-rights/age/what-is-age-discrimination/>

Government Direct – Pensions and Retirement Planning:

[http://www.direct.gov.uk/en/Pensionsandretirementplanning/Working/WorkingToSuitYou/DG\\_10039515](http://www.direct.gov.uk/en/Pensionsandretirementplanning/Working/WorkingToSuitYou/DG_10039515)

ACAS – A guide on Age and the workplace:

[http://www.acas.org.uk/media/pdf/2/5/Age\\_the\\_workplace.pdf](http://www.acas.org.uk/media/pdf/2/5/Age_the_workplace.pdf)

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