

# NEWS

employment law

## BEWARE NEW AGE REGULATIONS FROM OCTOBER 1<sup>ST</sup>

On 1<sup>st</sup> October 2006, the government will introduce the Employment Equality (Age) Regulations 2006 ("the Regulations") outlawing age discrimination in employment and vocational training.

IT IS NOT TOO LATE to *take steps now* to review your practices and procedures, identifying where changes need to be made now and for the future. The summary below highlights the key changes and gives practical advice for employers so as to help prevent claims being brought against them by employees.

### Summary of Regulations

- Age discrimination, harassment and victimisation will be prohibited in recruitment, promotion and vocational training;
- Default retirement age of 65 and employers will need to objectively justify any lower age;
- Employers must notify employees of their intended retirement date at least 6 months in advance to enable them to plan for their retirement;
- The current upper age limit for unfair dismissal and redundancy will be removed;
- Service related benefits contingent on length of service may amount to indirect discrimination and will only be permitted in certain circumstances.

### Best Practice to Avoid Claims

- Recruitment/Job adverts - Are they discriminatory? E.g. Request for "young team player" is no longer permitted;
- Application procedures - Make sure questions about age are not available to those selecting interviewees or those interviewing;
- Update Equal Opportunities Policy - Ensure all policies include reference to discrimination on grounds of age;
- Benefits - Is pay, pension or any benefits service related? If it is, does it fall within the 5-year exception or can it be justified?
- Staff Training - Start training your staff now on age discrimination;
- Check now that all staff have access to training and promotional opportunities.

**Many businesses take out insurance cover against awards from Tribunals and the legal costs of fighting Tribunal proceedings. We can now offer insurance as part of our service which enables you to nominate Bray & Bray as your appointed solicitor.**

**Our team can offer EXPERT ADVICE on this topic or other employment law matters. Please contact us.**

**MARKET HARBOROUGH OFFICE**  
51 High Street, Market Harborough  
Leicestershire LE16 7AF  
Tel: 01858 467181  
Fax: 01858 434362

**LEICESTER OFFICE**  
Spa Place, 36-42 Humberstone Road  
Leicester LE5 0AE  
Tel: 0116 2548871  
Fax: 0870 3835023

**HINCKLEY OFFICE**  
33 Station Road, Hinckley  
Leicestershire LE10 1AP  
Tel: 01455 639900  
Fax: 01455 614331