

Old fogeys and bright young things

Tips on age discrimination

The age discrimination law came into force on 1st October 2006. It's already setting traps for the unwary when they're planning recruitment.

Here are a few tips on making your activities fairer, tapping into the opportunities that the legislation offers and avoiding legal challenges.

General

- This isn't a strait jacket. If a job is genuinely age sensitive and you can justify that, you can recruit on age. But be very careful!
- The law isn't just about bringing older people back to work. It's about all ages. You can discriminate against someone because they're 18 or because they're 75

Job Advertising

- Don't give age limits or age ranges for jobs. There are also verbal traps in phrases like "school leaver" or "having twenty years experience" – unless, as we say above, you can justify that this is age requirement is essential for the job.
- Requiring specific qualifications is a minefield. When I left school, GCSEs didn't exist. 40 years ago 5% of people received degrees; 40% get then now. Asking for qualifications may be discriminatory so define job requirements by relevant experience, skills and ability. This is where assessment is particularly useful and it does force recruiters to really think through what a job requires.
- Also, think about where jobs are advertised. Are you inadvertently discriminating by only advertising in "Saga" or "The Beano"!??

Application Forms and other Internal Documents

- Do gather information on the age of applicants. This will be useful in monitoring the age make-up of your applicant pool and whether you're adhering to the act. If someone challenges your decisions, this data will be invaluable evidence. But make sure you state that this information is not being used to make the selection decision

Assessment

- Given all the above, assessment is extremely useful in giving objective views of candidates without entering the minefield of "age-loaded" language. Assessment provides evidence to defend your decisions, but...

- Internet delivery of tests (or indeed application forms) might discriminate against older workers. There's also some evidence that written responses to questions may discriminate against younger people. They can use keyboards but not pencils.
- Personality changes as you get older. We take less risks but are more prone to see a task through to the end. In comparing young with old its best to bear these in mind.
- Certain aspects of human functioning to "get worse" with age. Memory is an example. You need to understand if an assessment depends on one of these areas. Equally we get better at some things as we get older: customer service for instance. We are happier at work, create good teams and we don't worry about status