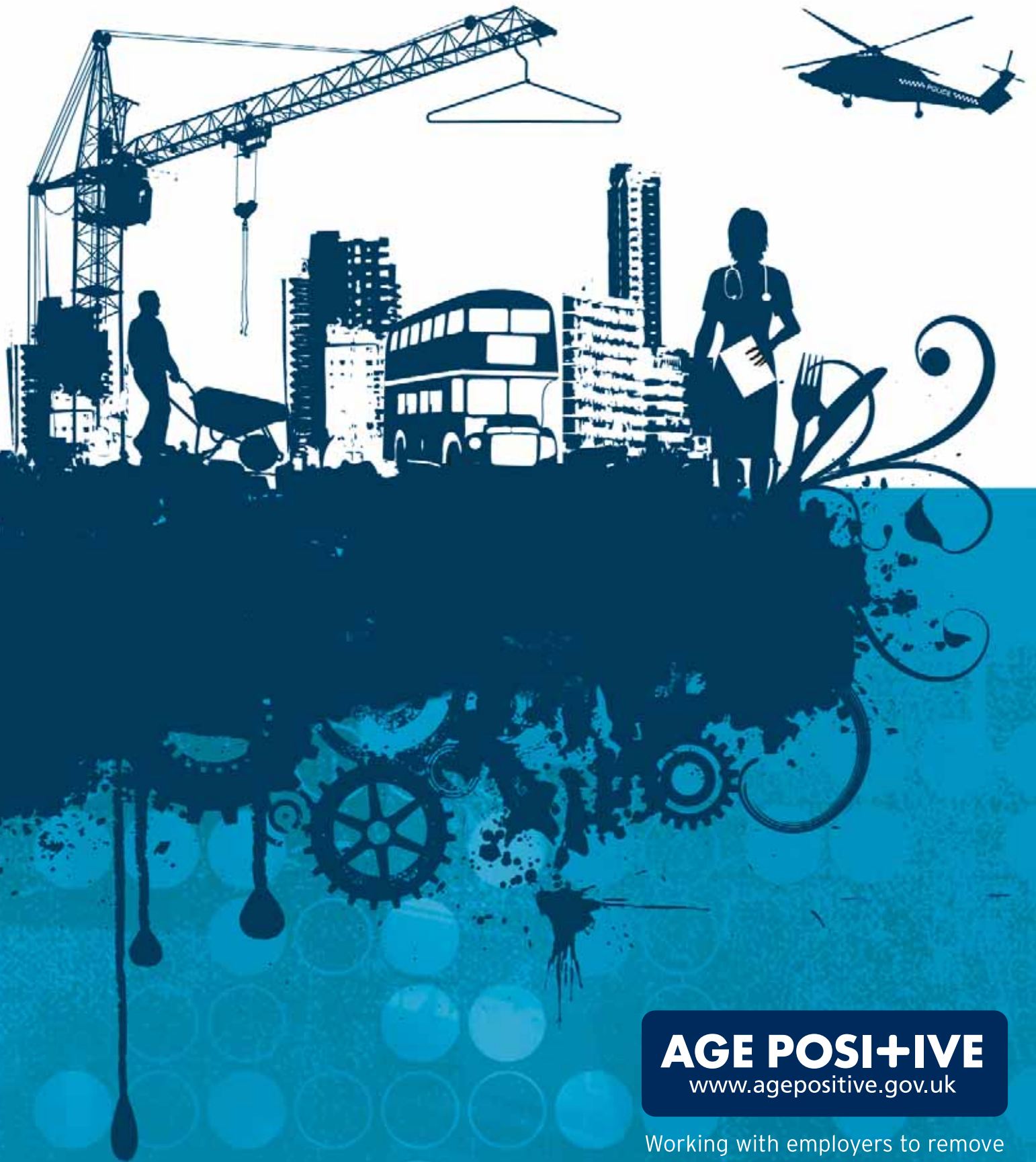


Selection: Age Positive Guide



AGE POSITIVE
www.agepositive.gov.uk

Working with employers to remove
age discrimination in employment



Introduction

Employing an age diverse workforce could have real benefits for your organisation. People of all ages have the potential to contribute positively to your business at every level.

We recognise that all businesses are unique. This leaflet is not intended to cover all individual circumstances or provide advice, but it will give you a range of examples of how other - small, medium and large - organisations are realising their potential through the way they select new staff. It includes practical steps you can take to get you started and ensure you get the best person for the job.

Age Legislation

From 1 October 2006 the Employment Equality (Age) Regulations make it unlawful to discriminate against employees, job seekers and trainees on the grounds of age.

The regulations cover workers of all ages - young and old - and all employment and vocational training.

This includes access to help and guidance, recruitment, selection, promotion, development, redundancy, perks and pay.

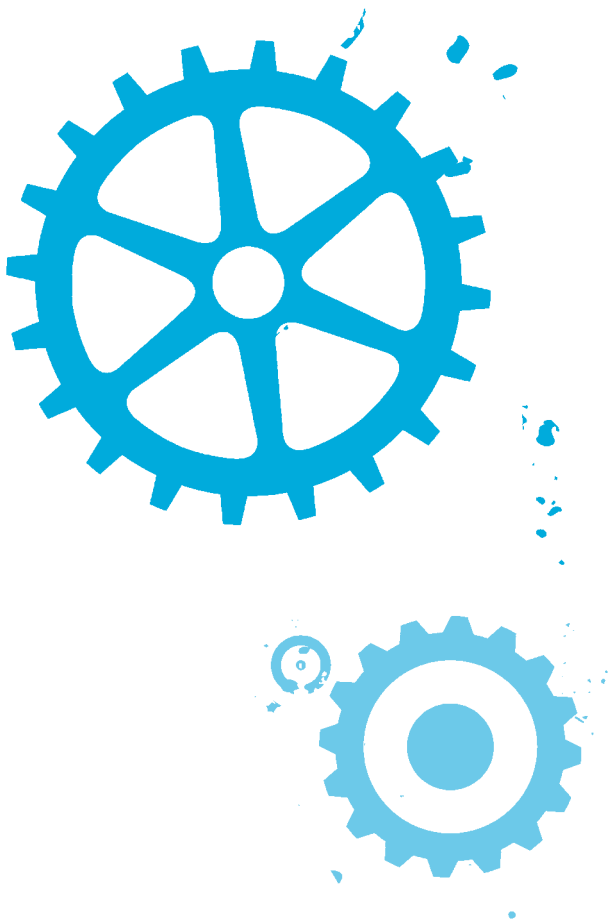
What this means for you

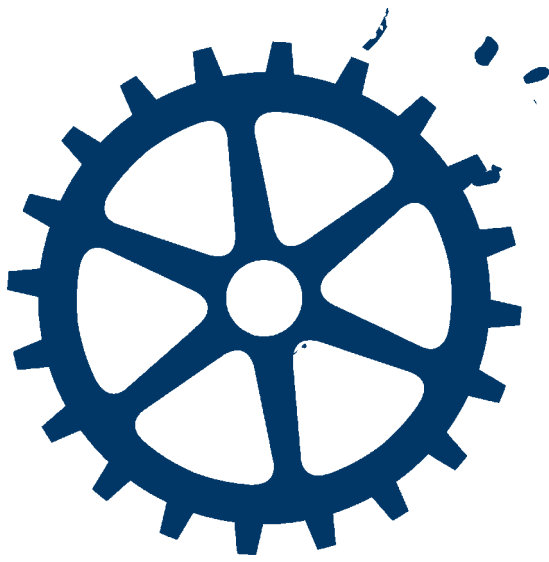
Simply put, the new regulations mean that you need to:

- look at the way you recruit and retain staff and
- check that any policies, practices or routines you operate are age compliant.

Specifically, during the selection process, you should ensure that:

- staff involved in shortlisting and interviewing candidates are fully aware of their responsibility not to discriminate on the basis of age or other grounds
- there are routines or practices in place to check that no bias, deliberate or unintentional, has influenced selection decisions
- the selection process treats all candidates fairly, by asking them questions related to the job and making decisions based on agreed criteria
- equal opportunities information, including details about age, is never used as part of your selection process.





Business benefits of an age positive selection policy

You know recruitment and selection can be an expensive business, no matter how big or small your organisation - advertising posts, time interviewing and making decisions, lost production, re-training, etc. It therefore goes without saying that ensuring applicants of all ages have an equal chance of being selected makes it more likely that you will find the right person for the right job. As a result, this directly helps to **minimise recruitment costs**.

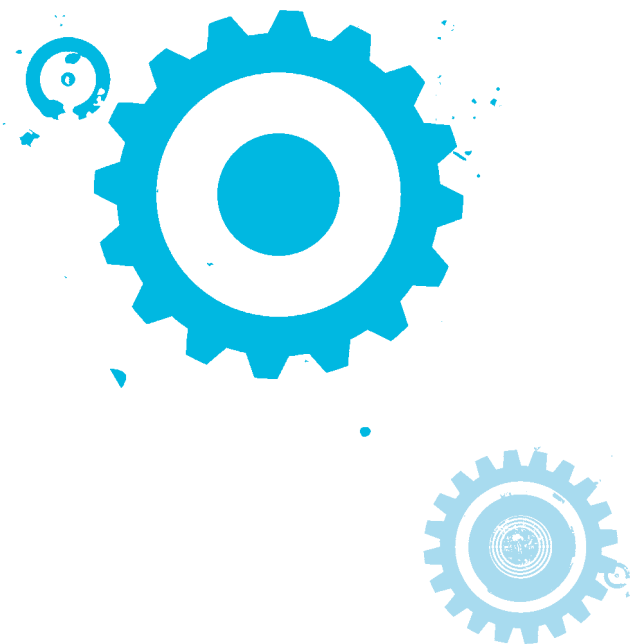
The Chartered Institute for Personnel and Development (CIPD) estimates that it costs an average of £3,600 to recruit each employee - this may be less for unskilled posts or more (up to £8,000) for more senior positions.¹ But whatever the figure, it's costing you money and that isn't a business benefit. So, it is essential that you consider as many of the right kind of applicants as possible to speed up the recruitment and selection process and keep these costs to a minimum.

There are widely acknowledged business benefits from employing an age diverse workforce. For example, some organisations have found older workers generally have **better attendance** and **stay in the job for longer**.

London & Quadrant Housing's age positive approach has resulted in measurable benefits in terms of their ability to both attract and retain talent. They have reduced staff turnover by 14 per cent during the last two years in one of their most difficult areas to recruit, and sickness absence is at an all time low of 2.1 per cent.

There are a wide range of other benefits that many employers are not taking full advantage of. In particular, recruiting widely allows your organisation to make the most of skills brought by people of *all* ages. While younger workers can often quickly grasp the more technical aspects of IT, for instance, older workers can bring new skills and ideas learned in previous employment or related careers.

Natural Gas Services (a gas installation and service company) have made full use of the experience of their older workers in a number of ways. For example, one new employee recruited in his mid-50s took the lead in developing a new internal quality assurance system using experience gained in a previous job.



¹ www.cipd.co.uk Annual Survey Report 2006: Recruitment, Retention and Turnover

This experience that older workers bring with them can also be harnessed to help **train and develop younger workers.**

The Land Registry in Swansea recognise the importance of retaining the skills and experience of older workers. To help with this, new staff have been teamed with older and experienced staff for mentoring and knowledge sharing.

And last, but by no means least, employing an age diverse workforce can help you provide a **better service to your customers**, with obvious benefits to your business.

First Group have age-friendly recruitment, training and development processes, which have yielded tangible benefits for them as an employer and for the customers they serve. Around 40 per cent of their employees who deal with customers directly are aged 50 and over. They believe everyone benefits from the skills, experience and maturity of these older employees.

Coca-Cola

Who we are

The Coca-Cola Company is the world's leading manufacturer, marketer, and distributor of non-alcoholic beverage concentrates and syrups, used to produce nearly 400 brands worldwide. We employ around 5,000 staff in Great Britain.

What we did

We set up a task force to examine all of our policies and practices in preparation for the new age regulations. This included how we interview and select new staff across the organisation.

To emphasise our commitment to choosing candidates fairly we decided to provide training for all managers involved in the selection process. Through this we:

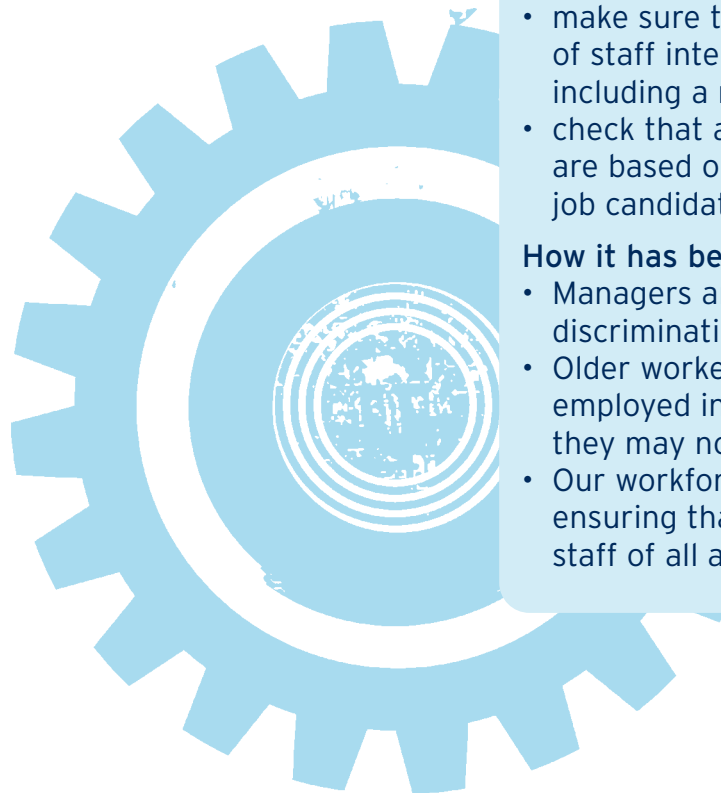
- challenged any stereotypes they might hold with regard to younger or older workers
- reminded them which questions they could and could not ask during interviews
- equipped them to select for each job based on merit and not age.

In addition we also:

- make sure that more than one member of staff interviews each candidate, including a representative from HR
- check that all interview questions are based on competency to do the job candidates are applying for.

How it has benefited our business

- Managers are more aware of age discrimination and how to avoid it
- Older workers have been effectively employed in more physical roles that they may not have been previously
- Our workforce is now more balanced ensuring that we recruit good quality staff of all ages.



Making your selection more age positive

The following checklist has been compiled from practices adopted by employers who have already reaped the benefits of an age positive approach to selection. This will help you evaluate the way you select candidates and make any changes needed to ensure the process is fair to individuals of all ages.

Application forms

- Where possible, separate the individual job applicants' personal details from the application form** - but they can be re-introduced at the end of the recruitment process. This ensures that decisions are objective and not based on age
- Only ask for specific qualifications if they are relevant to the job.** If they are necessary, put them in the context of the job role
- If the job requires basic numeracy or literacy capability** state this in simple generic language, such as 'good numeracy skills or literacy skills required' and give job-related examples.

Interviewing

- If possible, train all staff responsible for selecting and interviewing candidates in equal opportunities** to remind them of their responsibility not to discriminate on age or other grounds
- Involve more than one person when interviewing candidates and making decisions** - this could be a colleague from a different part of the business or from HR
- Wherever possible use mixed aged interviewers** - you may also want to involve staff of different levels/grades to give a range of perspectives
- Use agreed criteria** to ensure decisions are fair to all candidates. Base these criteria on the skills and potential really needed to do the job. It is useful to agree questions beforehand based on your person specification and job profile
- Determine a 'length' of interview** commensurate with the post being filled i.e. you may need an hour for a management position but only 20 minutes for another position

- Be careful not to make throwaway comments about age** - for example, "You're a bit young for a post of this responsibility" or "Don't you think someone like you should be looking for something with less/more responsibility?"
- Consider carrying out telephone interviews** early in the selection process to reduce the chance of age discrimination.
- Keep factual written notes of the interview** (avoiding personal comments or views). These can be used to provide feedback or as evidence in case of a later challenge.

Other good practice

- Make sure any recruitment agencies you use are following your policies and practices.** If they discriminate you may be liable
- No matter what the size of your business, ensure you communicate your age positive approach to all your employees** - talk to them face-to-face, discuss it informally, and ask for comments. If you have a more structured approach, use team meetings, newsletters or your intranet. Remember, communication is critical to business success
- For new and developing companies, monitor your recruitment and selection.** Count the number of candidates of different age groups who apply, are shortlisted and are successful, and monitor this against the local area age profile (a useful source of local population data is www.neighbourhood.statistics.gov.uk)
- Companies of all sizes should keep a record of the age profile of their employees.** This will help you to identify any areas of concern (for example where all employees are nearing retirement or where you need to recruit to fill expanding or critical areas)
- If relevant, offer work placements or apprenticeships for people of all ages,** such as work experience, undergraduate student placements and mature apprentice schemes
- An equality policy is one of the easiest ways to demonstrate that you take discrimination seriously.** Consider including all forms of discrimination and harassment - gender, race, disability, gender reassignment, sexual orientation, religion, as well as age.

Natural Gas Services

Who we are

We are a small company who install and maintain gas systems for both domestic and commercial customers in the North of England. Currently, there are around 20 employees including engineers and office staff.

What we did

A company of our size does not interview candidates continuously, but when we do it is vital to get the person with the most potential to contribute to the organisation. To ensure this happens we:

- developed criteria for selection by writing job specifications for each new vacancy with the help of current staff
- always involve more than one member of senior staff in the selection process, particularly at the final interview and decision stage
- are vigilant in reminding all involved in the selection process to forget about age and focus on the skills and potential of each individual who applies.

How it has benefited our organisation

- We have a mixed-age workforce of people who are committed to the organisation and enjoy their work
- Many of our older staff have made a valuable contribution to the business, including one who has developed an idea for installing industrial gas systems, which the company is now marketing as a new product
- The company is associated with an open culture that values its employees, giving us good publicity and making us attractive to potential new employees.



A changing workforce for employers

Currently, people aged 50+ represent:

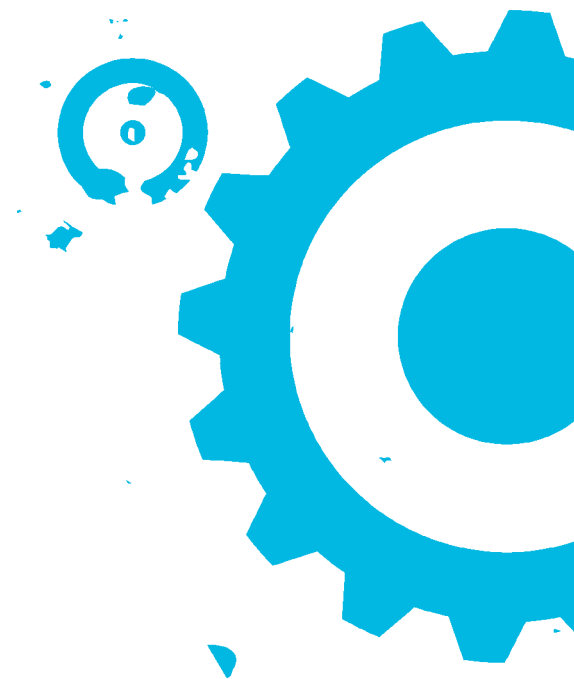
- almost 30 per cent of people of working age;² and
- 26 per cent of those actually in work³.

By 2020 there will be nearly five million more people aged 50+ in the UK.²

This, combined with a falling birth rate, makes the need to review your approach to selection all the more pressing, and this will become even more important over the next 10-15 years.

For example, manufacturing is still the largest sector in the GB economy, employing 3.7 million people, equivalent to 12 per cent of the national workforce. Skills problems are expected to get worse by 2014, with the sector already experiencing double the national average of skills shortages and hard to fill vacancies.⁴

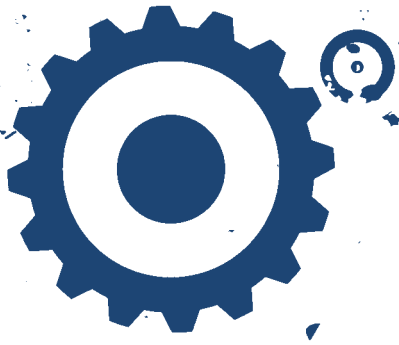
It is essential that all employers, of all sizes, in all sectors, take action now and get ready. It can only be a benefit to be ahead of the competition.



² Government Actuary Population Projections, 2004.

³ Labour Force Survey Dec-Feb 07

⁴ Managing an ageing workforce in the manufacturing sector. A report for employers available to view at www.agepositive.gov.uk



Age Positive Selection: answers to your questions

1. Who does the law cover?

The regulations make it unlawful to discriminate against people of all ages from 16 upwards, with the exception of members of the regular armed forces, full-time and part-time reservists and unpaid volunteers.

2. Do these regulations cover all workers?

The law covers anyone who is applying for work, from their initial application through to the selection, interview and decision. It also covers those who already work for an organisation and, in some instances, people who have left employment.

3. Do the regulations cover all employers?

Yes, all employers, regardless of size. This includes providers of vocational training, trade unions, professional associations, employer organisations and trustees, managers of occupational pension schemes.

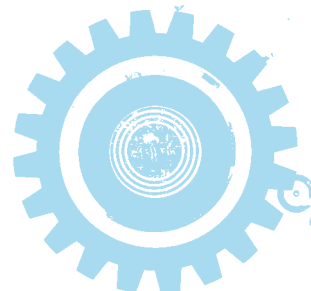
4. What age related issues should I be aware of during the selection process?

We recognise that age can never be completely removed from the selection process, it is easy to calculate from experience, qualifications, CVs etc, therefore it is important that whoever does the short listing or interviews is aware of their responsibilities and bases their decisions on the skills and ability of the applicants to do the job, not on their age.

5. Does this mean that I can't ask about age, experience or qualifications when I'm selecting?

No, none of these things are unlawful unless you, or those who recruit on your behalf, use them to exclude people due to their age. It is better for whoever is interviewing to avoid questions, however oblique, which refer to age. For example, asking, "how would you feel about managing younger/older people?" or inadvertently using comments such as "I'd have thought you were a bit young/old for this post". Also try not to use questions based on stereotypes or assumptions such as "Are you sure you'll be able to cope with your family/caring/health responsibilities?"

In the same way, using experience or qualifications as a selection criteria could be unintentionally discriminatory - asking for specific qualifications or for a high number of years of experience could rule out younger applicants; alternatively, if you are only asking for one-two years experience or specifying a recently introduced qualification, you could eliminate older applicants with greater levels of experience or older but still relevant qualifications; remember selecting people above or below a certain age, unless there is a statutory requirement or you have an objective justification could be unlawful. An unsuccessful applicant could challenge any of these requirements and it would be up to you to justify it in objective terms.



6. Are there any circumstances when it is lawful to treat people differently when recruiting and selecting new members of staff?

Yes, it can be lawful to use age ranges if:

- the law stipulates a specific statutory age for the job, i.e. serving alcohol or handling dangerous machinery or explosives, then an age can be specified
- there is a genuine occupational requirement (GOR) that a person must be of a certain age - however other than theatrical examples, roles which require older or younger characters, there are very few GORs. Remember 'customer preference' is not a GOR, for example, female/male toilet attendant, male/female retail, male/female carers would not be considered as GORs
- a person is older than, or within six months of, the employer's normal retirement age (as long as this is 65 or older unless it has been objectively justified), or 65 if the employer doesn't have one, there is a specific exemption allowing employers to turn down the individual's application.

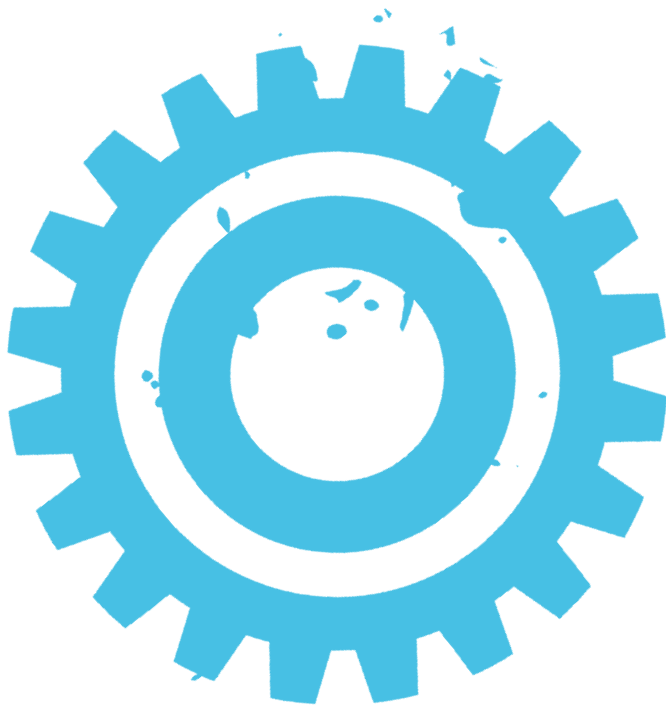
7. What should I do to make sure I act in accordance with the legislation?

Review your selection practices now. Make sure that those who regularly shortlist and interview for posts are fully trained. Even if you are a small employer and have no formal process, be aware of the need to avoid asking questions relating directly to age when recruiting new staff.

Seek advice if you have concerns. If you don't have access to your own HR department or to independent legal advice, ACAS is the nominated agency to give advice and guidance on age issues. Contact their Helpline on 0845 7474747 or go online at www.acas.org.uk

Good practice, help and information is also available on the Age Positive website at www.agepositive.gov.uk or look at any of the other sources of help and information listed in this leaflet.

Remember - if you discriminate and lose your case, there is no limit on how much an employment tribunal can ask you to pay.



Sources of additional information

General help and information

Age Positive
www.agepositive.gov.uk

ACAS
08457 474 747
www.acas.org.uk

Business Link
0845 600 9 066
www.businesslink.gov.uk

Financial Services Authority
0845 606 1234
www.fsa.gov.uk

Direct Gov
www.direct.gov.uk

British Chambers of Commerce (BCC)
020 7654 5800
www.chamberonline.co.uk

Age Concern
0800 00 99 66
www.ageconcern.org.uk

The Employers Forum on Age (EFA)
0845 456 24 95
www.efa.org.uk

Trade Union Congress (TUC)
020 7636 4030
www.tuc.org.uk

Confederation of British Industry (CBI)
020 7395 7400
www.cbi.org.uk

Chartered Institute of Personnel Development (CIPD)
020 8612 6200
www.cipd.co.uk

Equal Opportunities Commission (EOC)
0845 601 59 01
www.eoc.org.uk

Other Government sites

Department of Trade and Industry (DTI)
202 7215 5000
www.dti.gov.uk

DWP
www.dwp.gov.uk

HM Revenues and Customs (HMRC)
www.hmrc.gov.uk

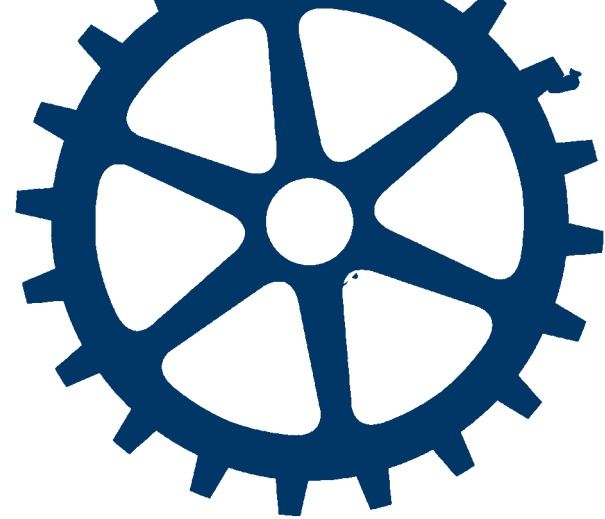
Specific sources of help on recruitment and selection

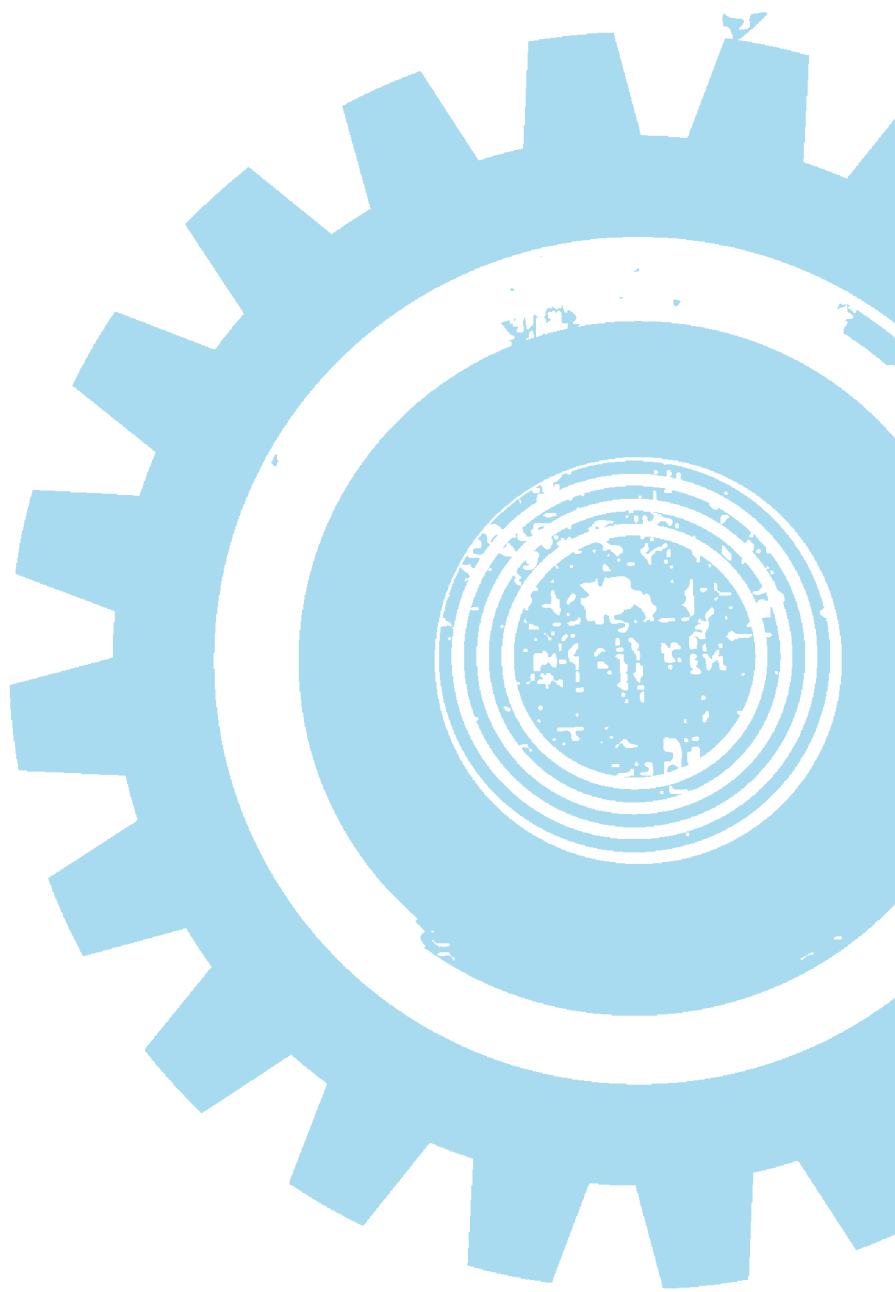
Jobcentre Plus
www.jobcentreplus.gov.uk

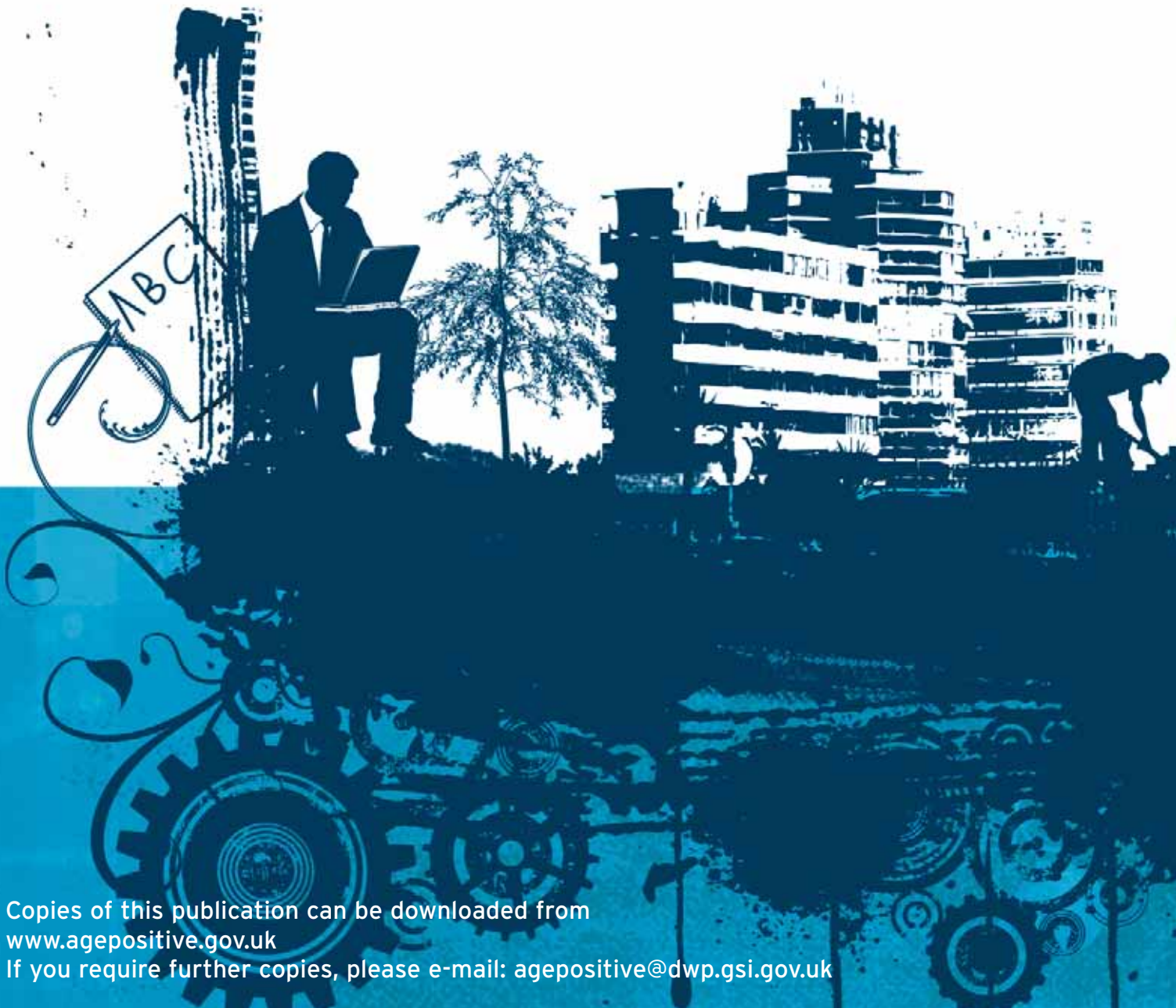
The Age Employment Network (TAEN)
202 7843 1590
www.taen.org.uk

Recruitment and Employment Confederation (REC)
www.rec.uk.com

Federation of Small Businesses (FSB)
020 7592 8100
www.fsb.org.uk







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www.agepositive.gov.uk
If you require further copies, please e-mail: agepositive@dwp.gsi.gov.uk

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DWP Department for
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