

What's age got to do with anything?

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On 1st October 2006, one of the biggest changes to employment law in the UK will be implemented, The Age Discrimination Regulations.

The Employers Forum on Age (EFA) polled 100 major UK employers and the majority believe that age legislation will have a bigger impact than gender, race, disability, sexual orientation and religious discrimination laws.

In fact, 44% of businesses polled by the EFA think that employment lawyers, rather than older or younger workers, will be the big winners with the introduction of the new age laws.

The introduction of age discrimination in the US resulted in a 40% increase in tribunal claims. More locally, in Ireland age is now the basis of 19% of tribunals.

The impact of the new regulations in the area of recruitment, training and promotion will be, with the limited exception of "genuine occupational requirements," that employers will not be able to advertise for, employ, train or promote someone on the basis of their age. The only example given by the Government where a Genuine Occupational Qualification is permissible is the use of age for acting jobs.

So this looks like it is going to be a difficult and costly area to defend. The Government states in its consultation papers that decisions on recruitment, selection and promotion should not be based on age, but on the skills required for the job.

Those organisations that are already using competencies (or skills) to recruit - will not have to change their processes or worry too much about unsupported recruitment decision being made. This is because they are already assessing the skills of a candidate to evaluate suitability for the role which is what this legislation is promoting.

At resourcing matters, our experience with a range of organisations shows that competencies improve the accuracy in assessing a candidate's suitability or potential in the role. In the context of Age, assessing competencies prevents interviewers and assessors from making 'snap' judgements about people or from judging candidates on characteristics that are irrelevant to the job in question.

Competencies, or skills, can underpin and structure the full range of selection and development tools such as application forms, interviews, tests, assessment centres and once the candidate joins the organisation, can feed into development plans.

So for those organisations using a robust competency framework with justifiable recruitment decisions being made, this new legislation will not prompt too many changes. For those organisations, however, which have age limits as a selection criteria and use words and images in advertising which target specific age groups - you may have to think again.

At resourcing matters we specialise in designing competency frameworks which are bespoke to your organisation. We use competencies/behavioural skills which are relevant and offer a process to candidates which enable them to prepare fully for the interview or assessment centre they are attending. We also offer training to managers to ensure that everyone is comfortable with the materials used and that the right decision is made on the day.