

Preventing age discrimination

All employers should take steps to prevent age discrimination at work.

As an employer, you should:

- aim for a culture where everyone knows that age discrimination is not acceptable
- recognise and promote the benefits of a diverse and inclusive organisation
- make sure no one feels excluded because of their age

[Find out more about improving equality, diversity and inclusion](#)

Steps for preventing discrimination

Many ways to prevent discrimination apply equally to all 'protected characteristics'. You can find out more in our advice on [preventing discrimination](#).

Measures that can help to prevent age discrimination include:

- stopping inappropriate behaviour
- being aware of unconscious bias and stereotyping
- considering areas where age discrimination often happens
- understanding that people's needs can change through their working life
- recognising the impact of discrimination on mental health and wellbeing

If you're a small organisation with limited resources, you might not be able to take all measures. But you have a duty to prevent discrimination, and there's still a lot you can do. Making your organisation more inclusive does not have to be costly or complicated.

If you're a public sector employer, you also have legal responsibilities under the [public sector equality duty](#).

Stopping inappropriate behaviour

You should make it clear that ageist behaviour and language is not acceptable. This includes things some might consider as 'banter' or jokes.

Managers should:

- be a good example of inclusive behaviour for others to follow
- use appropriate language
- look out for discriminatory behaviour
- deal with any discrimination that happens

If your managers allow discrimination to happen, they are also discriminating.

For example, a manager hears some of their team telling jokes about younger workers being lazy. The manager knows this is not appropriate and some people could be offended. But nobody complains so they decide to do nothing about it. By not tackling this, the manager is also discriminating.

A manager might be able to handle a problem informally. For example, talking to someone about appropriate language might be enough. If this does not work, managers should be prepared to take formal action.

As an employer, you should support your managers to tackle problems. If you do not take discrimination seriously, managers will not be able to stop it from happening.

Being aware of unconscious bias and stereotypes

Discrimination is not always intended. It can happen when decisions or behaviour are based on assumptions. To prevent this it's important to be aware of:

- [unconscious bias](#) – when someone's thoughts or decisions are influenced by beliefs or assumptions they might not be aware of
- ageist stereotyping – having a fixed view of what someone's like or what they can do because of their age

Examples of unconscious bias could include:

- a manager feeling insecure about managing someone older than them
- a manager not realising they've ignored an idea from a younger worker then accepted the same idea from someone older

Examples of stereotyping could include:

- being surprised when an older worker is good with technology
- assuming that young people do not want to work hard or will not be reliable

Considering areas where age discrimination often happens

You should check your policies and practices to make sure they do not discriminate. For example, you should consider how you handle:

- recruitment
- pay and benefits
- performance and development
- menopause
- retirement

Having up-to-date and inclusive policies and practices can help to:

- prevent discrimination
- improve your reputation as an employer

Recruitment

You must not allow decisions about recruitment to be influenced by a job applicant's age. For example, you must not assume that:

- a younger worker does not have the credibility to be a manager
- an older worker is not strong enough for a physically demanding job

Job adverts should detail the requirements for the job and applicants must be assessed objectively and equally.

When interviewing you must not ask different questions depending on the applicant's age. For example, "How would you feel about managing people older than yourself?"

Find out more about:

- [how employers should recruit](#)
- [improving equality, diversity and inclusion](#)

Pay and benefits

Employers sometimes offer extra pay or benefits to reward workers who stay with them. These are sometimes called 'loyalty rewards' or 'in-service benefits'.

Pay or benefits linked to length of service could discriminate indirectly on the grounds of age. This is because young workers might be less likely to qualify for them. For example, someone who is 20 years old could not get a reward for 10 years' service.

Extra pay or benefits can be [objectively justified](#). For example, an employer might be able to show that they encourage loyalty. This reduces the costs associated with staff turnover.

Employers can give rewards in the first 5 years of employment. This does not need to be objectively justified. For example, an employer might give an extra day's holiday for each year of service up to 5 years. They do not need to show that this achieves a business need.

Performance and development

You must not treat workers differently because of their age, when making decisions around performance and development. For example, you must not:

- decide that workers who might be nearing retirement are not worth training
- ask younger workers to meet higher performance targets

Example of discrimination in performance management

A manager has 2 team members who are underperforming. Isa is 25 and Jo is 64. The manager treats them differently based on their ages.

Isa is put on a performance improvement plan and warned that not improving could lead to dismissal. But the manager assumes that Jo will be retiring soon so ignores their poor performance. This is likely to be age discrimination against Isa.

Later on the manager asks Jo when they plan to retire. Jo says they enjoy work and intend to carry on. The manager then puts Jo on a performance improvement plan. Jo sees this as putting pressure on them to retire. They make an employment tribunal claim for age discrimination.

[Find out more about managing and reviewing performance](#)

Retirement

There is no set age at which people should retire, except in a few occupations. There will be an age at which someone can get an occupational or state pension. But you should not assume that they will want to retire at this age.

Putting pressure on someone to retire is very likely to be age discrimination.

Depending on the circumstances, asking about someone's retirement plans could be discrimination. You should leave it to your workers to start a discussion about retirement. Once they do so it's okay to talk about their plans.

A worker can change their mind about retiring at any time before giving formal notice.

Having a policy on retirement can help to:

- encourage workers to be open about their plans
- prevent discrimination by showing managers how to handle the subject
- help workers plan for their retirement

[Find out more about retirement](#)

Changes through working life

A variety of things can motivate people to work and to be loyal to their employer. These include:

- a sense of achievement
- good work-life balance
- financial security
- training and development
- opportunities for promotion
- family-friendly working patterns
- working in a team

What motivates someone can change during their working life. But making assumptions based on age can lead to discrimination. The same opportunities should be open to everyone, regardless of age.

It's a good idea to have regular discussions with your workers. This includes talking about what's important to them now and how they want to progress their career. This can help you to:

- plan ahead
- demonstrate a caring and supportive approach to your workers

Menopause

Menopause is a natural stage of life which affects most women and other people who have a menstrual cycle.

Going through the menopause is usually related to the age of a person. But younger people can also go through medical or early menopause.

It's important for employers to be aware that some people going through the menopause will need additional support. This will ensure that they can continue to do their job effectively.

Treating someone less favourably because of menopause could be age discrimination.

Support could include:

- raising awareness of the menopause
- training managers to talk about the menopause and the support available
- making workplace changes where needed
- having a menopause policy

- making sure absence policies do not discriminate

[Find out more about menopause at work](#)

Supporting mental health and wellbeing

Age discrimination can affect someone's mental health and wellbeing. It can lead to someone feeling threatened and unsafe. It can also have an impact on their attendance and work performance.

If something happens to someone outside of work, they might still need support at work.

As an employer, you have a 'duty of care'. You must do all you reasonably can to support the health, safety and wellbeing of employees.

You do not have to be a mental health expert. But there are resources and support you can offer.

[Find out more about supporting mental health at work](#)

Get more advice and support

If you need help to deal with any challenges in your organisation, you can:

- [contact the Acas helpline](#)
- [get tailored support for your organisation](#)
- talk to your recognised trade union, if you have one