

## **OLDER PEOPLE'S POLICY FORUM – RESPONSE TO DRAFT EMPLOYMENT EQUALITY (AGE) REGULATIONS**

The Older People's Policy Forum was established in May 2005 by NICVA, Age Concern and Help the Aged. Members from a wide range of organisations and geographical locations meet to discuss policy issues of common concern across, and beyond, the older people's sector. Members of the Forum were very grateful for the input from the OFMDFM at their meeting in September.

The regulations were discussed again at a more recent meeting and members decided that, as well as supporting these three organisations' responses to the consultation, they wanted to highlight some particular points of relevance to the older people's sector.

The Forum broadly welcomes the legislation as for the first time discrimination on the grounds of age will be against the law. It will have implications for all employers, including those in the sector, and covers all ages, not just older people. Many children and young people's organisations in the sector will be picking up on aspects which discriminate more against younger people.

We are concerned that the statistics being used to monitor a default retirement age in 2011 will be taken from surveys that do not collect information here. This legislation is unique in that those over 65 have no recourse if a proper retirement procedure has been followed, yet they could still claim on other grounds eg gender, disability, sexual orientation. This is a major discrepancy and will be highlighted in our individual consultation responses.

Taking each case related to this legislation on an individual basis would be far preferable to applying blanket objective justifications. This would negate the Government's argument for needing a retirement age for 'national planning' reasons. Across the older people's sector there is broad opposition to having any default or mandatory retirement age, so long as this is not used to justify raising state pension ages. Statistics prove that having more older people in employment has no effect on the numbers of younger people also in employment.

The legislation also still provides for substantial discrimination against older learners and this should be highlighted. The issue of redundancy payments has not yet been resolved and may necessitate further consultation, as levelling the payments procedures could have a negative impact on older workers. Finally, it should be noted that the Anti-Poverty Strategy relies heavily on employment as a route out of poverty. If there is to be a default retirement age of 65, how can many older people ever escape financial hardship?