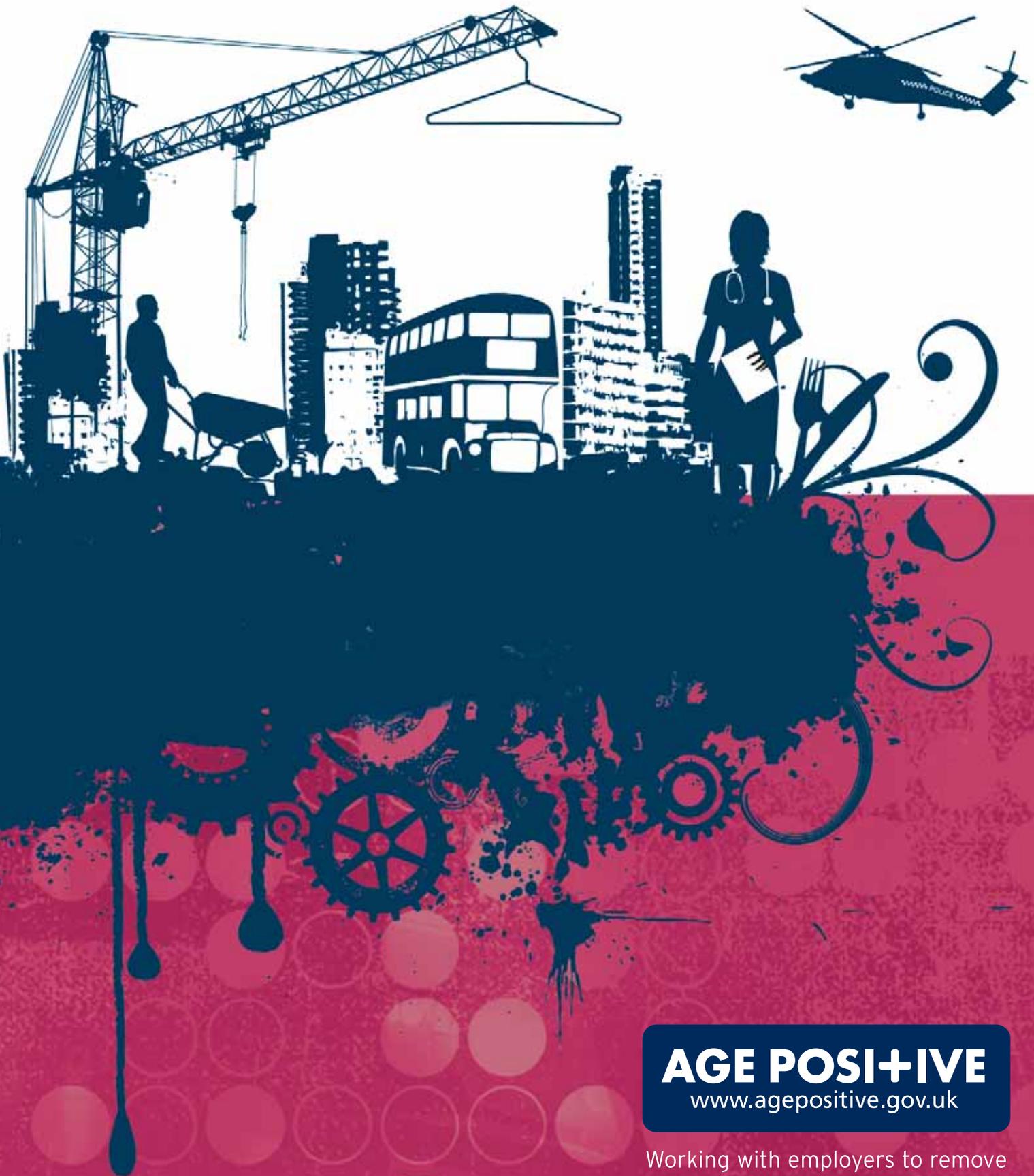


Health & Safety and Ergonomics: Age Positive Guide



AGE POSITIVE

www.agepositive.gov.uk

Working with employers to remove age discrimination in employment



Introduction

Employing and retaining an age diverse workforce could have real benefits for your organisation. There are many myths and misunderstandings about age and health, which are bad for business and bad for the economy. People of all ages have the potential to contribute positively to your organisation 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 by making sure they meet the health and safety needs of all their staff, regardless of age.

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, promotion, development, redundancy, perks and pay.

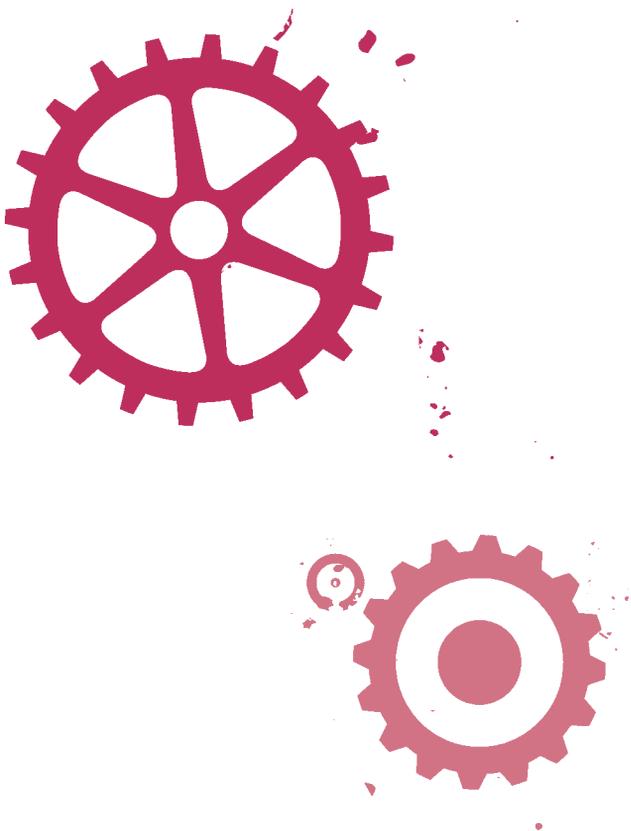
What this means for you

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

- look at your health and safety policy - is it age friendly?
- check that any practices or routines you operate are age compliant.

Specifically, when you are dealing with health and safety, you should ensure that:

- any workplace assessments you carry out take into account the needs of workers of all ages
- you seek advice about action to reduce health risks for all your staff - from the Health & Safety Executive, Workplace Health Connect, or an occupational health specialist
- staff involved in developing your health and safety policies are fully aware of their responsibility not to discriminate on the basis of age or other grounds.



Business benefits of an age positive health and safety policy

You already know that staff sickness and absenteeism hurts your business, no matter how big or small your organisation. It therefore goes without saying that making your workplace safe and comfortable for all your staff, regardless of their age, makes good business sense.

The Health & Safety Commission estimates that around 40 million working days are lost each year due to ill-health or injury, and over 2,500 individuals are forced to give up work because of this. This costs British employers up to £7.8 billion each year.¹ Implementing an effective health and safety policy can therefore bring significant cost savings to your business.

British Polythene Industries plc (which produces polythene film products) introduced a rehabilitation scheme which led to a huge fall in the length of time employees stay off work after they've been injured - from 26 days to four days on average. The new initiative resulted in savings of £12 for every £1 spent.²

Some employers think that older workers are less capable and more likely to have accidents or take more time off work sick. In fact, none of this holds true - it is mostly poor workplace design and inflexible working practices that prevents people, of all ages, from being fully effective. In fact, many organisations have benefited from older workers having better attendance and showing higher levels of commitment to the company. Evidence also shows that younger workers have a 40 per cent higher accident risk than older workers.³

B&Q experienced 39 per cent less short-term absenteeism after implementing age positive practices at one of their locations.

Retaining an age diverse workforce offers many widely acknowledged business benefits. At the very least, keeping hold of the knowledge and skills of your more experienced workers helps to **lower your (re)training and recruitment costs.**

And, if your employees know they will be treated fairly, regardless of their age, they will feel more valued and motivated to contribute to the success of the organisation. This has the obvious benefit of **improved productivity.**

¹ The Economic Case for Managing Health & Safety, www.hse.gov.uk/businessbenefits/economic.htm

² Health & Safety Business Benefits Case Studies, Health & Safety Commission, www.hse.gov.uk/businessbenefits/casestudy.htm

³ Labour Force Survey 1996-7

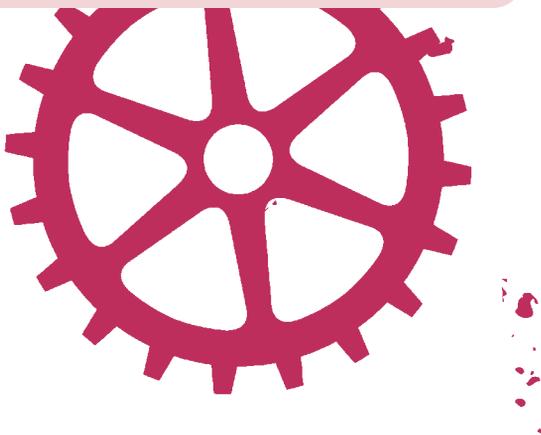
There are a wide range of other benefits that many employers are not taking full advantage of. In particular, you can make sure you retain the **diverse range of skills and experience** brought by people of different ages. While younger workers tend to be more technically proficient, older workers bring valuable experience and, once they have learnt new skills, are often more reliable in performing their job.

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

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.

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

Supermarket retailer ASDA realised that customer service may be improved if the workforce at each of their stores better reflected the local community. Having actively recruited a broad age range of staff, they have seen improvements in customer satisfaction, as well as higher productivity.



Barker Harding Recruitment Services

Who we are

We are a small independent recruitment business based in Leeds, and our clients include a number of large local employers. The company was established in 1989 and we currently employ nine staff aged between 26 and 60. We have long recognised that age discrimination is wasteful of talent and is harmful both to individuals and organisations.

What we do

It is inevitable that health issues arise in the workplace, for example as employees get older. We try to be as flexible as possible and address special needs and requirements once these are identified, regardless of the person's age.

For example, in a recent case, two older employees reported suffering from back strain and, after an occupational health practitioner made an evaluation, we bought new office equipment and adjusted the office space.

How it has benefited our business

- Our staff tell us that they are satisfied with the working environment and feel respected and valued
- An age diverse workforce has led to high retention, low absenteeism and means we have a wide range of experience and skills
- Older candidates have told us they appreciate being able to talk to older consultants who better understand the sorts of problems they are facing finding work - we have had similar feedback from younger candidates
- Our staff tell us that they are satisfied with the working environment and feel respected and valued.

Making your health and safety practices 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 health and safety. This will help you evaluate the way you currently do things and offers pointers to the type of changes you might need to make.

Your health and safety practices

- Carry out risk assessments routinely**, not just when an employee reaches a certain age - this helps to minimise health-related absenteeism across the whole company, and avoids discriminating against younger workers who could argue that their health and safety needs are not being taking into account

For further information and advice see the HSE's 'Five Steps to Risk Assessment' or, if you are a small or medium sized business, contact Workplace Health Connect (see Sources of Additional Information)

- Assess the activities involved in individual job roles and modify workplace design** if necessary, for example:
 - can you remove the need for heavy lifting?
 - do you need to make alterations in your employees' workstations to avoid repetitive twisting, stretching or bending movements?
 - do you need to make changes or improvements to your lighting to compensate for changes in eyesight?
 - is the seating provided right for the job?
- Make adjustments on the basis of objective individual and business need**, not on age
- Consider adjustments to tasks that can help people stay in work longer**, such as shifting work responsibilities from physically strenuous to mentally challenging roles - but make sure this is supported by appropriate re-training if necessary

- Be flexible** and allow staff to change their work hours and work content - for example consider employing experienced workers on a part-time or consultancy basis to make the most of their skills and knowledge, rather than losing them to retirement
- Don't assume that certain jobs are too demanding for older workers** - base decisions on capability and objective risk, not age
- Encourage or provide regular health checks** for all staff, regardless of age.

Other good practice

- 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 internet. Remember, communication is critical to business success
- Develop an Age Action Plan, supported by an 'age positive champion'** to push changes through - this doesn't have to be a senior member of staff, just someone committed to change
- Monitor the age patterns of employees you conduct risk assessments for** to ensure age bias does not occur
- 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)
- 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.

A changing workforce for employers

Currently, people aged 50+ represent:

- almost 30 per cent of people of working age⁴ and
- 26 per cent of those actually in work⁵.

And by 2020 there will be nearly five million more people aged 50+ in the UK.⁴

This, combined with a falling birth rate, makes the need to ensure you have an age positive approach to managing the health and safety of your workforce all the more pressing. And this will continue to become even more important over the next 10-15 years.

Take, for example, the Construction sector, where 2.2 million people are employed (eight per cent of the total national workforce) in about 206,000, mostly small, organisations (92 per cent of firms employ fewer than 11 people). Although the current growth is not predicted to last, the sector will still need 577,000 people by 2014, especially in skilled trades, to fill the gaps left by retiring workers.⁶

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.



⁴ Government Actuary Population Projections, 2004.

⁵ Labour Force Survey Dec-Feb 07

⁶ Managing an ageing workforce in the construction sector. A report for employers available to view at www.agepositive.gov.uk

Shaw Homes - St John's Residential Care Home

Who we are

We are based in the West Midlands and employ 35 people. Approximately half of our staff are aged over 40 and just under a third are aged over 50.

What we do

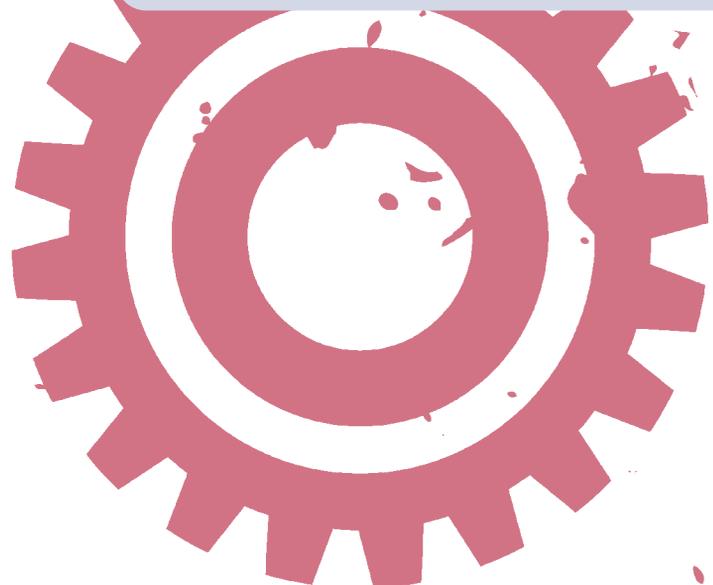
We discuss all needs for 'adjustment' on an individual basis and accommodate them wherever possible, for example:

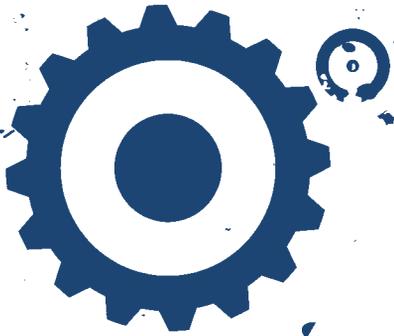
- we undertake full risk assessment where a need is identified - age is not a criteria in determining this need
- move older staff into alternative, less physically demanding, areas of work - such as therapeutic care services.

How it has benefited our business

Employing an older workforce has helped us to:

- provide high quality, sensitive care for our residents - for example, through a willingness to reminisce and deal calmly with unexpected events or 'crises'
- keep absenteeism to a minimum - our older workers are less likely to have occasional days off sick
- be more flexible in covering staff illness - our older workers are more likely to offer to work additional shifts
- provide continuity of care, which is extremely important for our more vulnerable residents - retention rates amongst our older workers are very high.





Age Positive Health and Safety and Ergonomics: answers to your questions

1. What has Health and Safety and Workplace design got to do with the new Age Regulations?

Currently, many employers make judgements about their workforce on the basis of their age, making unconfirmed assumptions that certain jobs are physically too demanding; assuming that older workers are less productive, less able to learn and more prone to sickness and lengthy absences.

This often leads employers to make impulsive decisions based on age and these in turn could be considered to be hazardous or discriminatory practices.

2. I thought the new age regulations only covered people looking for work, not those already in employment?

No. The regulations cover anyone who is applying for work, those who are already employed and, in some instances, people who have left employment.

They also cover people of all ages from 16 upwards. The only exceptions are members of the regular armed forces, full-time and part-time reservists and unpaid volunteers.

3. How do I know if my workplace is age-friendly?

All workplaces need to be assessed to make sure they are safe. The Health & Safety Executive provide a range of materials and guidance to support businesses including a simple guide to risk assessments. Go to <http://www.hse.gov.uk/risk/fivesteps.htm> for more information.

There are many simple changes employers can make just by assessing the activities involved in individual job roles, for example:

- consider how you can remove the need for heavy lifting with specially designed equipment
- do you need to make adjustments to workstations to avoid repetitive twisting, stretching or bending
- lighting levels, seating and temperature can all be key to providing a better and safer work environment.

These types of changes can help not only older workers but benefit the rest of your workforce.

4. I still think some jobs are too physically demanding for older people. Surely I can refuse to employ them on these grounds?

It is unlawful to use age as an indicator of capability. If, for example, you have specific jobs which require strength or stamina, specify the requirements in the job advertisement, make this clear at interview and if necessary provide appropriate tests to all applicants, regardless of age.

If you use age as a selection tool, older or younger employees could claim they are being discriminated against due to their age and unless you have strong evidence and can objectively justify your claim you could lose your case.



5. Does this mean I have to retain all my employees, even if they have health problems?

No. The new regulations do not prevent you from dismissing an employee who isn't able to fulfil their job role and responsibilities. However, as with all employees, you should make sure that any dismissal is not due to other problems related to health or work-life balance which can be dealt with by workplace adjustments or a change of working hours.

Remember, you have other legislative duties, which must be considered for example, the Disability Discrimination Act or flexible working legislation. These could require you to make reasonable adjustments to help an employee with a health issue or consider a request for an employee to work flexibly.

6. What should I do to make sure I act in accordance with the regulations?

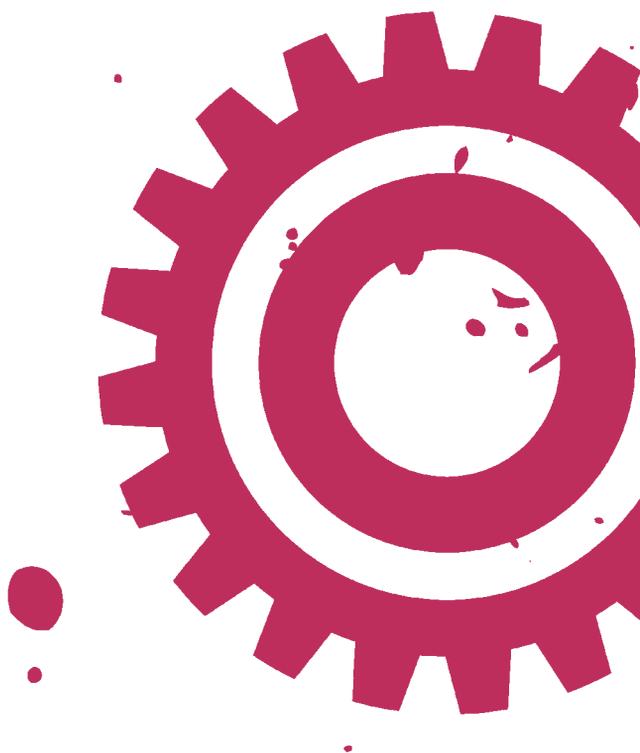
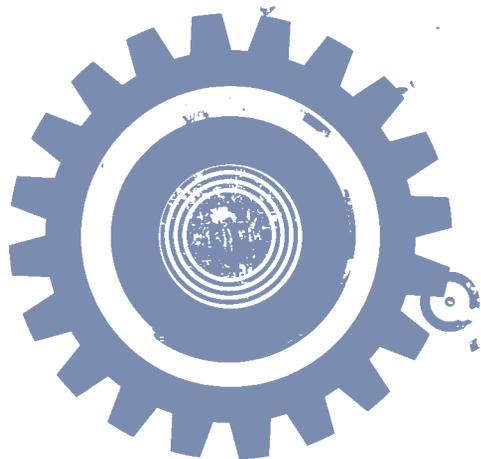
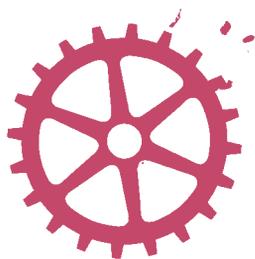
Assess health risks and promote sensible working practices for employees of all ages. Review your Health and Safety policies with whoever is responsible to ensure that any potentially hazardous ageist practices are removed.

No matter how many staff you employ, make sure that all staff are aware of your policies, emphasise that age is not a barrier - no-one is too old or too young - and communicate this to your staff.

Seek advice if you have concerns. If you don't have access to your own Health and Safety adviser, check out www.hse.gov.uk/ for more information. 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

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

Trades 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 and Development (CIPD)

020 8612 6200

www.cipd.co.uk

Equal Opportunities Commission (EOC)

0845 601 59 01

www.eoc.org.uk

The Age and Employment Network (TAEN)

020 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

Other Government sites

Department of Trade and Industry (DTI)

www.dti.gov.uk

Department for Work and Pensions (DWP)

www.dwp.gov.uk

HM Revenue and Customs (HMRC)

www.hmrc.gov.uk

Directgov (Employment)

www.direct.gov.uk/en/Employment/

Specific sources of help on health and safety and ergonomics

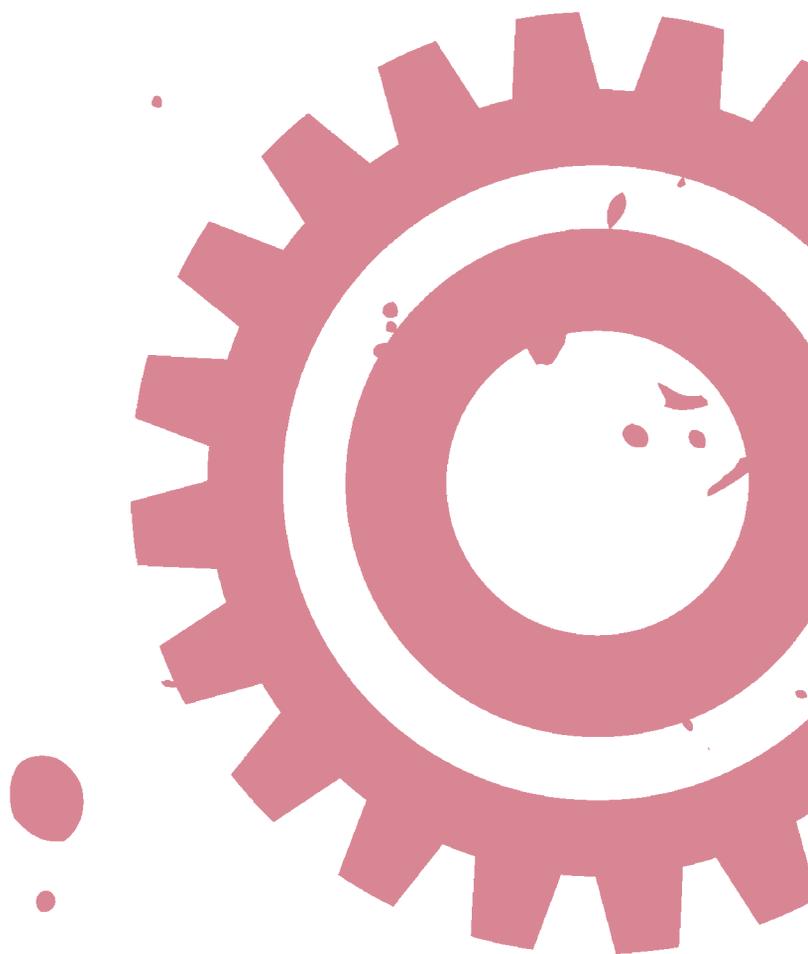
Health & Safety Executive (HSE)

www.hse.gov.uk

Workplace Health Connect

0845 609 6006

www.workplacehealthconnect.co.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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age discrimination in employment

DWP Department for
Work and Pensions