



Older People's Commissioner for Wales
Comisiynydd Pobl Hŷn Cymru

Ann Jones AC/AM
Chair
Equality of Opportunity Committee
National Assembly for Wales
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Dear Ann

Discrimination against older people in employment

Thank you for the opportunity to input to this scrutiny inquiry. I welcome your focus on this important issue especially in the current economic climate. Older People have an important economic contribution to make both now and in the future.

My remit covers older people over the age of 60, and I have structured my evidence around my four statutory functions as detailed in the Commissioner for Older People (Wales) Act 2006.

Promoting the interests of Older People

The number of older people in Wales is projected to grow significantly over the coming decades, from 24% at present to 28% in around 15 years time. Many in this baby-boomer generation have different expectations about life and work. I would draw your attention to a recent poll of baby-boomers by the Equality and Human Rights Commission (EHRC) which found that half of that generation were looking to achieve as much in the next 20 years as they have in the last 20 years. One alarming finding of the poll was that three quarters of those questioned think they will face discrimination in employment as they get older. I would like to suggest that the Committee invite the EHRC to input to this inquiry as appropriate.

Some older people need to stay in or return to work, others make a lifestyle choice. Older people's interests must be promoted and safeguarded in all relevant areas of government activity, and in this specific context of employment.

Promoting Good Practice

The degree of flexibility in working practices is an issue of concern for older people. This applies to those looking to reduce their hours or days at work as they move towards retirement, or for those who may be in their 40's or 50's with caring responsibilities. For carers, flexibility to adapt working patterns is of huge significance, not least because of the adverse impacts on their careers and their pensions. The input of carer organisations on these issues would be valuable to the Committee's deliberations, as would exemplar employers such as those identified by DWP's Age Positive campaign.

Challenge Age Discrimination

The statutory retirement age is of concern as it allows discrimination against those who wish to continue working. It would be interesting to explore whether there is any evidence of the number of requests from older people to stay in work, and the outcomes of these requests. ACAS or the Employment Tribunal Service would be useful contacts in this regard.

The lack of training opportunities for older workers is of concern and is illustrated by Prime Cymru's research that shows that in 2007 less than 5% of work-based learners were over 50.

Review the law

It would be useful to explore what evidence the Assembly Government has gathered on the impact of the Employment Equality (Age) Regulations 2006 and how effective they have been in tackling discrimination.

The launch of the new Equality Bill has the potential to increase the focus on age discrimination. The Committee's monitoring of this UK legislation and raising the profile of its impact in Wales would be useful.

Conclusion

As you refer to the Strategy for Older People in Wales I would recommend making contact with the National Partnership Forum for Older People (Chair, Wendy Bourton) (Welsh Assembly Government contact Andrea Nicholas-Jones).

As Older People's Commissioner I have a keen interest in the area of your inquiry and would be pleased to offer any further information if required.

Kind regards

A handwritten signature in purple ink that reads "Ruth S. Marks," with a horizontal line underneath the name.

Ruth Marks
Older People's Commissioner for Wales