

Workplace discrimination.

Is age discrimination more prevalent in some sectors than others?



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Executive summary

Students will write a report of 2,000 words, on a relevant and appropriate workplace topic showing evidence of a use of a range of research methodologies and an understanding of effective and ethical data collection and interpretation.

This report poses the question: "Is age discrimination more prevalent in some sectors than others? In order to attempt to answer this I will gather data using two sources of secondary data; namely literature reviews and the internet.

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Introduction

Discrimination within the workplace is still a prevalent, sometimes controversial and almost always a sensitive topic, but one that needs to be addressed as it effects so many minority groups.

The Oxford Dictionary defines discrimination as:

“The unjust or prejudicial treatment of different categories of people, especially on the grounds of race, age, or sex”.

(Oxford Dictionary.com, 2018)

Away from the above example of discrimination given by the Oxford Dictionary there are many forms in which discrimination manifests itself within the workplace and the Citizens Advice Bureau breaks these down into what it calls “direct and indirect discrimination”. For the purpose of this report direct discrimination will be what we focus on.

Direct discrimination can be because of:

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sexual orientation

(citizenadvice.org.uk, 2018)

The Employment Equality (Age) Regulations (EE(A) Regs)”

In October 2006, “The Employment Equality (Age) Regulations (EE(A) Regs)” took effect. This outlawed age discrimination in both vocational training and in the workplace. It is unlawful to discriminate against a person due to age i.e. for being too young or old. The regulation made it unlawful to bully or make offensive remarks or to deny or give a job to a person based on their age.

There are certain criteria which could be met that allows an employer to discriminate based on age but the employer would have to prove that it is justified. The law doesn’t only apply to a person already in work but also to the process of applying for a job.

(Karen Lee, 2009)

You are protected from a number of different things under the Equality Act:

Direct discrimination	This is when you're treated less favourably because of a protected characteristic; for example, if your local gym refuses to give you a membership because of your age.
Indirect discrimination	This is when a good or service has criteria which have the effect of being discriminatory against a person because of a protected characteristic like their age. For example, if you can pay for an item in instalments but only if you are working, this would disadvantage retired people.
Harassment	This is when you experience behaviour that makes you feel intimidated, humiliated, or degraded, or that creates a hostile environment. For example, if a nurse repeatedly makes offensive jokes about your age. This also applies to comments or jokes made about someone you associate with, such as a partner.
Victimisation	This is when you are treated unfairly as a result of making a complaint about discrimination or giving evidence when someone else makes a complaint.

(ageuk.org.uk, 2017)

Main body

The ageing population:

The percentage of the population whom are of working age and aged between 50 and the state pension age (SPA) is predicted to increase from the 26% it was in 2012 to 35% by 2050; this is an increase of about 8 million people. This huge increase in numbers is as a result of better and more readily available health care as well as better life choices amongst other things. Therefore, the UK will become increasingly reliant on the successful productivity of the ageing workforce to achieve its economic success.

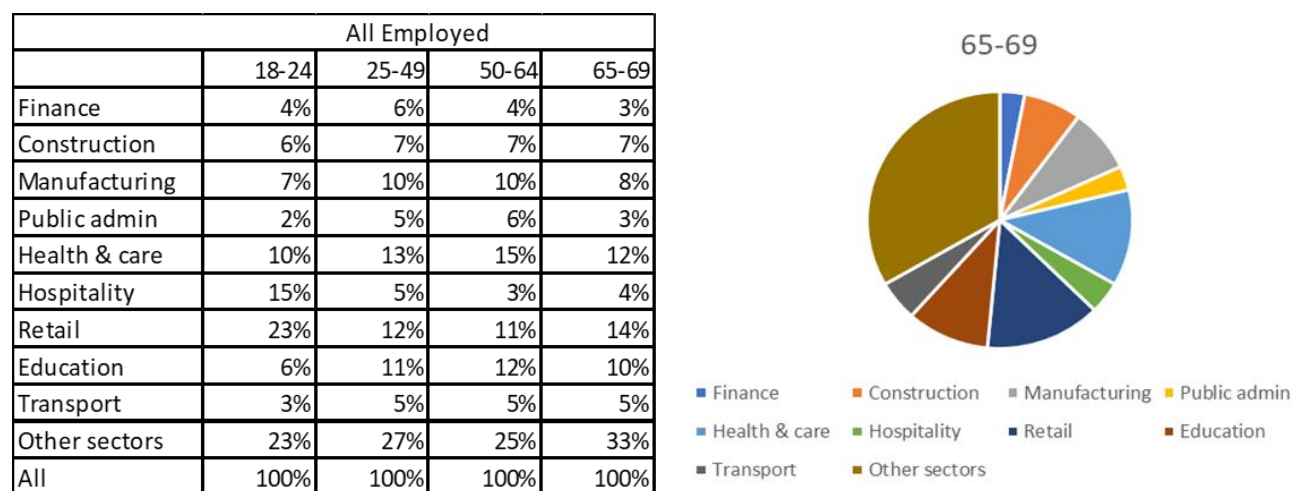
"The Equality Act 2010" aimed at giving people the right to challenge discrimination was only introduced 9 years ago which is quite late for such a crucial legislation, that effects/protects so many, and despite its introduction discrimination still exists and is arguably rife.

Statistics on older workers by sector:

Discrimination occurs in almost all sectors but certain types of discrimination can be more visible in specific sectors. For the purpose of this report I will be focusing on age discrimination.

A report published by the Department of Work and Pensions, titled “Statistics on older workers by sector” was published in 2015 and contains some compelling statistics to back this theory up where age discrimination is concerned.

The below table from the above-mentioned report shows the age split between workers in 9 different sectors. **Table 1:** Proportion of workers across the nine sectors by age group



The above table and pie chart show that 50-64 year olds are most likely to be employed in the ‘Health & Care’ sector (15% of the age group). Across the nine sectors 50-64-year olds are least likely to be employed in the Hospitality sector (3% of the age group).

(Assets publishing service.gov.uk, 2018)

The above statistics neither prove or disprove the existence of age discrimination in certain sectors as there may have been other influencing factors involved, but the numbers make for compelling reading and show the clustering of particular age groups in certain sectors.

The above stats clearly show that there is an issue due to the lack of presence of older people in certain sectors. In order to fully understand the amalgamation of influencing factors a lot more research would need to be done, which is out of scope of this report.

The rise of the “Silver surfers”.

The number of older people using the internet and social media are at record numbers. A report published by Ofcom has extensively looked at the numbers of social media and smart phone users, their age ranges and and their level of usage. The report states:

“Record numbers of older people are embracing smart and social technology, with a quarter of over-75s using tablet computers, and half of online baby boomers taking to social media”.

(ofcom.org.uk, 2017)

Although the stats show a substantial increase in usage numbers, the report also suggests that older surfers are still wary about using the internet and are that confident. Although the elderly seems to be more connected then ever their actual time spent online is still relatively shorter then that of younger people

The report showed that: “Over-65s spent 15 hours online each week, compared with 32 hours among the 16-24 age group”.

(ofcom.org.uk, 2017)

A lot of older people find the internet a daunting place and said within the Ofcom report that they struggled to navigate the search results.

Table:2 – The rise of elderly people using social media and other applications

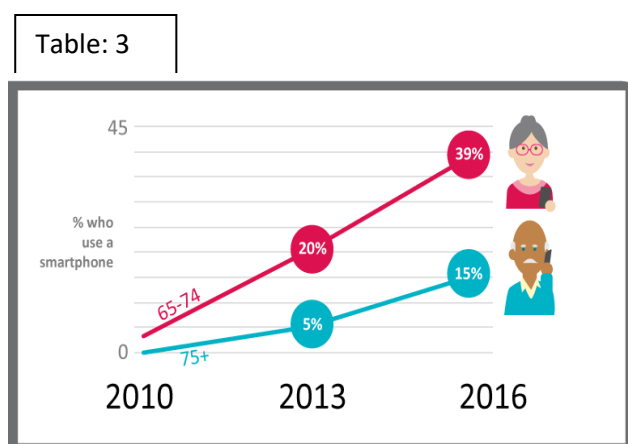
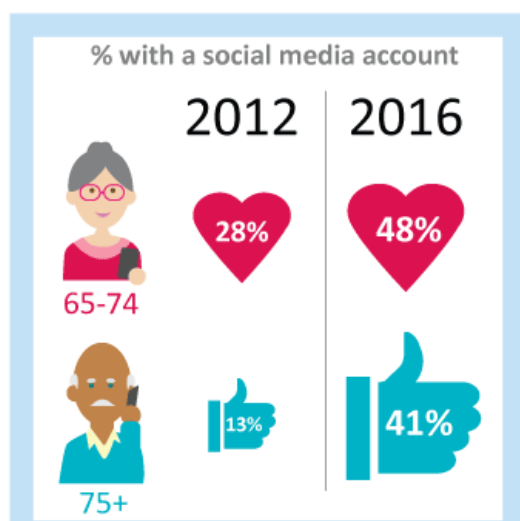


Table:3 – The increase in a smart phone usage amongst the elderly.

(ofcom.org.uk, 2017)

Apart from a lack of confidence that has been suggested deters older people from using the internet to search for jobs for example amongst other things. Age UK suggests that there are additional layers of complexity when it comes to internet and smart phone usage amongst older people in. Two main factors being Disability and socio-economic groups.

Disability – putting age to one side Age UK suggests that people with disabilities as a whole are less likely to use the internet. For example:

“Nearly a half of people (48%) aged 75+ who are not disabled have recently used the internet compared to (31%) who are not disabled. Among those aged 65-74 the figures are 65% of non-disabled people compared to 79% of those who are disabled”.

(ageuk.org.uk, 2019)

Socio-economic group - The report by Age UK found that people in lower socio-economic groups are less likely to use the internet than those in higher groups. Their finding are as follows show that based on the area in the UK you live in, your household income, ethnic background and education levels all effect internet usage, especially amongst the baby boomers that are not of retiring age yet.

Age UK state that: *“Digital use is also linked to other forms of financial disadvantage. For example, analysis of the English Longitudinal Survey of Ageing (ELSA), which covers people aged 50 and over, shows that internet use increases with wealth, and that people living in the most deprived areas of the country are less likely to use the internet than those in less deprived areas”.*

(ageuk.org.uk, 2019)

Although a lot of the above research and statistics refer to the much older generation i.e. those people at and over retirement age, it's indicative of the wider situation where age, employment and discrimination may be concerned. It doesn't point to discrimination per say but shows the general social attitudes and the moving of trends and social norms that really may go against the elderly.

The increase in organisations advertising their jobs online really feels like an indirect discrimination against the elderly who may not be able to access jobs this way. The baby boomers are in a sense consistently catching up with the younger generation and the introduction of technology doesn't make it any easier on them, but as it's the way the world is going they have no option but to catch up unless the government introduce some other (more age appropriate) method accessing employment resources.

Conclusion

Although there have been many age discrimination related cases that have gone to court or been taken to an employment tribunal, there are arguably many that go unreported. This may be due to a lot of personal and outside factors but it really does raise the question; are the relevant laws and legislations doing enough to protect people against age discrimination? and if so, are laws and legislations in isolation enough to make a change?

I think that based on the above report findings, the most probable answer is no. Age related laws and legislation don't seem to cut it on their own and definitely haven't made a big enough impact within training and the workplace.

I think a more collaborative approach is required, where legislation, employers and society as a whole work together to make a more lasting proactive difference as opposed to the reactive and somewhat forced action that is currently being taken.

Employers need to make a conscious effort to look at/change internal employment, training and other processes that would help to encourage older/more experienced employees into the workplace and to discourage/guard against discrimination based on age. Adapting the work place to make it more suitable for older employees includes addressing negative beliefs and attitudes to older employees and their needs, improving workplace design, encouraging access to new technologies, and adaptation of human resources policies and working practices

As shown in the main body above the age of our population is steadily increases, there are more people willing and able to work so it makes sense to accommodate them, both for the benefit of employers, employees and our economy. Encouraging older people to remain in work/to go back to work, will help society to support growing numbers of dependents, whilst giving individuals the financial and mental resources needed for longer and better periods of retirement

List of references:

- Oxford dictionary.com, (2018). Definition of *discrimination* in English. Available at: <https://en.oxforddictionaries.com/definition/discrimination>, (accessed: 19-12-2018)
- Citizen advice.org.uk, (2018). Direct discrimination. Available at: <https://www.citizensadvice.org.uk/law-and-courts/discrimination/what-are-the-different-types-of-discrimination/direct-discrimination/>. (19-12-2018)
- Assets publishing service, (2015). Statistics on older workers by sector. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/412033/older-workers-by-sector-ad-hoc-statistics.pdf. (20-12-2018)
- Karen Lee, (2009), *Employment law*, straight forward guides, Brighton England.
- www.gov.uk, (2016). Future of the aging population. Available at: <https://www.gov.uk/government/publications/future-of-an-ageing-population>. (22-12-2018)
- www.ofcom.org.uk, Rise of the Social Seniors revealed, (2017) Available at: <https://www.ofcom.org.uk/about-ofcom/latest/media/media-releases/2017/rise-social-seniors>. (06-01-2019)