

Age Discrimination: Guidance for Line Managers



WHAT IS AGE DISCRIMINATION?

Age is one of the nine protected characteristics covered under the Equality Act 2010 (ACAS, 2025a). Age discrimination, commonly referred to as ageism, is treating someone unfairly because of their age, which is prohibited under the Equality Act. Ageism encompasses direct and indirect discrimination, victimisation and harassment. Examples include (ACAS 2019):

Direct Discrimination: A manager doesn’t promote an employee as they do not look old enough for the role.

Indirect discrimination: Less obvious, sometimes unintended. A gym manager advertises a job that states they require someone ‘fit and enthusiastic’ as they want to encourage younger people into the business, but this may indirectly discriminate against older applicants.

Harassment: Can include bullying and inappropriate comments. A 60 year old employee feels undermined due to their age because their manager continually says, in front of other employees, the organisation needs ‘fresh blood’.

Victimisation: Suffering a detriment because an individual made a complaint, acted as a witness or supported a complaint. An employee raises to their line manager that colleagues are teasing them because of their age and the line manager tells them to toughen up and punishes them by cancelling training courses.

Age is treated differently to the other protected characteristics. The Act allows direct discrimination where it can be objectively justified in order to achieve a legitimate aim. For example, setting a compulsory retirement age for a role, if this can be objectively justified. However, it is thought that this difference contributes to the social acceptance of ageism (Women and Equalities Committee, 2025). There is strong evidence that ageism is highly prevalent in the UK and can occur in organisational areas such as recruitment, performance, training, promotion and flexible working (ACAS, 2019).

PUBLIC SECTOR EQUALITY ACT

Under the Public Sector Equality Act, public bodies and therefore, South Wales Police (SWP), must ensure they implement the three main aims defined in Section 149 of the Equality Act 2010. One of the aims is to have due regard to the need to eliminate discrimination prohibited by the Act (SWP, 2024).

REPRESENTATIVE WORKFORCE

Our vision is to attract, retain and promote individuals who represent the communities we serve. We recognise that to effectively serve our diverse communities, SWP must be a Force with a variety of skills, backgrounds and cultures in order to build trust and confidence (SWP, no date).

A Force representative of the public we serve will foster good relations by reducing bias, discrimination and stereotyping in our workforce and community (College of Policing, 2025). A study by Birch (2026) revealed that whilst age diversity can present challenges in communication and collaboration, when effectively managed, age diversity strengthens creativity and problem solving in teams. The study recommends that forces focus on developing strategies that account for the unique needs of an ageing workforce so that individuals can continue to contribute effectively and enhance the resilience of the force.

AGE DISCRIMINATION RISK

Age discrimination compensation cases have increased by 624%. In 2023/24 the average pay-out was £103,000, a sharp jump from £14,200 in 2022-23 and currently, there is no statutory cap on discrimination awards. Survey results show more than half of respondents over 50 experienced age discrimination in the last year (Clemo, 2025). In contrast, UK Youth (2024) survey revealed that 93% of young people experienced negative treatment in the workplace due to their age. 69% lost out on promotion, 81% feel undervalued and 49% feel unable to progress their career because of their age. Employers cite that they consider younger employees overly sensitive and lazy, with 1 in 10 not hiring a young person due to their age.

One of the biggest challenges to tackling ageism is cultural acceptance. Ageism is so accepted that people internalise it, often do not notice it, which could mean individuals are less likely to raise when they have experienced discrimination (Women and Equalities Committee, 2025). However, this shouldn’t be the case, age discrimination can have harmful consequences on employee mental health and undermine job security. Research shows where immediate supervision is poor, individuals are more likely to experience age discrimination. Such discrimination is likely to have a harmful impact on stress, mental health and wellbeing. Conversely, the study found positive colleague relationships acted as a buffer, reducing the impact of ageism (Roscigno, Zheng and Crowley, 2022). If employees feel threatened, this may result in further costs for the organisation through absenteeism and reduced performance (ACAS, 2025b).

Clemo (2025) suggests organisations should raise awareness in order to address invisible ageism and unconscious bias that is so prevalent in organisations. We need to ensure robust anti age discrimination measures are in place to improve the organisational environment and reduce the risk of discrimination claims.

Your role as a line manager is essential to mitigate the risk of age discrimination within South Wales Police.



CASE LAW

Despite age being protected by the Equality Act 2010, the following tribunal cases illustrate the need to address age discrimination in the workplace:

Case: *Mr M Bandura v Mr M Fernandez* (Easton, 2022)

Mr Bandura’s employer, a village butcher, replaced him with a younger man, following a temporary period of sickness absence. It was ruled that he suffered age discrimination and the tribunal awarded the claimant £120,000, finding his dismissal was linked to his age.

Case: *Sunderland v Superdry PLC 2022* (CIPD, 2025)

In this case, a 56 year-old designer was awarded £96,000 at tribunal after she was discounted for promotion in favour of younger, less experienced colleagues. Despite Sunderland’s good performance, Superdry discounted her as they believed she was less likely to leave because of her age. Key takeaways for organisations are that employers should set clear, impartial promotion criteria and should not assume employees become less ambitious with age.

Case: *Crompton v Eden Private Staff Ltd* (CIPD, 2025)

In 2020, a 57 year-old employee was found to be the victim of harassment and direct discrimination by their manager who repeatedly made comments such as “senior moment” and “the Alzheimer’s again”. The age discrimination claim succeeded, and awarded the claimant £900. The learning from this case is that comments about age must not be considered as appropriate office banter. As line managers, you should ensure your staff understand what is considered discriminatory and the importance of respect in the workplace.

HOW YOU CAN MITIGATE THE RISK

Age discrimination can occur in any area of work. The guidance below provides practical advice on how you can reduce the risk of age discrimination in your teams and within the organisation as a whole.

Recruitment

- Be mindful of the language and pictures used in job adverts. Avoid using words such as ‘10 year’s experience’ that may suggest you are looking for applicants within a particular age category. Language such as ‘dynamic or high potential’ or using pictures of younger employees in recruitment adverts may discourage older candidates applying (Jackson, 2025; Age UK, 2026).

Unconscious Bias & Stereotyping

- Studies show a rise in damaging stereotypes and treatment of young employees at the same time that there are record heights of youth economic inactivity (UK Youth, 2024). Unconscious bias affects everyone’s thoughts and decisions in some way. As a manager, it is important to be aware of this bias so that you can consider whether it is affecting your decision making or causing ageist stereotypical thinking (ACAS, no date; ACAS, 2025b). The Force strongly recommends that all managers undertake unconscious bias training. [Book your training here.](#)

Flexible Working

- Flexibility becomes more essential than convenient for workers at certain stages in life. Offering flexible working arrangements allows employers to support individuals balancing personal responsibilities and health needs with their work responsibilities. This enables individuals to remain in work and the organisation retains the workers it has invested in. However, many individuals feel burdensome when requesting flexible working, believing that it may affect their promotion opportunities and feel pressure to justify the need for their requests (Mansfield, 2024).
- As a manager, you should understand that an individual’s personal circumstances change throughout their career. Flexible working can help attract a diverse workforce, representative of the communities we serve and harness multiple experiences and skills (Mayne, 2024). SWP are committed to offering flexible working to our employees and as a line manager you should discuss requests openly and accommodate requests wherever possible. For more information on flexible working, [visit the HR Bob Page.](#)

Challenge Inappropriate Behaviour

- As indicated by the research, ageism is present and an accepted prejudice in the workplace. This should not be the case, you should clearly explain to your team that ageism is not tolerated. Whilst ‘banter’ can be light hearted, it becomes harassment if it becomes unwanted conduct in relation to age (Wyllie, 2024). Ensure you role model inclusive behaviour and challenge inappropriate behaviour. Promote a positive workplace culture and provide regular training to your team. It may be that you can handle a problem raised to you informally, but you should be prepared to take formal action if this does not resolve it. If you allow discrimination in your team to go unchallenged, you are discriminating (ACAS, 2025b).

Promotion and Development

- When making decisions about training, development and promotion opportunities, take care to apply a fair and consistent process that is not influenced by someone’s age. Motivations to progress can change, but making assumptions can lead to discrimination (ACAS, 2025b). Ensure you have regular 1:1s with your team to understand how they may wish to progress in their career, including development and promotion opportunities.

Mental Health and Wellbeing

- Age discrimination can severely impact an individual’s mental health. It may affect performance and lead to absenteeism. Make sure you are aware of the support initiatives in place and signpost to anyone in your team who is struggling. Support available to our employees is summarised on the [HR BOB page.](#)

FURTHER SUPPORT

- For further support, contact HRHELPDESK@south-wales.police.uk