

"He's too long in the tooth and she's wet behind the ears!"

Have you ever found these thoughts going through your head when recruiting a new member of staff or promoting an employee?

Of course you have. Picking somebody of *"the right age"* has always been a selection criterion - albeit one that is not always voiced.

You're also probably used to waving a cheery *"bye-bye"* and *"enjoy yourself"* to your retiring employees. But what happens when they want to stay working into their 70s, 80s or even 90s? Are you pleased to retain their experience and wisdom - or frustrated by their blocking of a post suitable for new blood?

Such thoughts could get you and your organisation into deep trouble after 1 October 2006, when the Employment Equality (Age) Regulations 2006 come into effect.

Various websites (we've picked some of the best for you below) give the full text and implications of the new legislation. But here are a few questions to get you thinking ...

- Q** *I own a trendy high street boutique selling clothes which are designed for the younger market. I don't want a dodderly old shop assistant, whatever their experience or qualifications, wandering around my store. I don't have to interview him, do I?*
- A** *Yes. If he is truly 'dodderly' - unable to fulfil the demands of the job, then you may have grounds not to recruit him. If he has the skills required in the advert, his age should be no barrier.*
- Q** *I am a theatrical Director at a small theatre. I'm about to cast the role of King Lear. Can I insist that the actor is at least old enough to have adult children - for authenticity?*
- A** *Probably yes, this would constitute a "genuine occupation requirement" if a teenager with make-up would not convince the audience.*

- Q** *The application form we send out to job-seekers asks for their date of birth. Is this still OK?*
- A** *Probably not a good idea, and there may also be problems asking for "number of years at previous employment". This lets you add-up the years of experience and estimate the applicant's age.*
- Q** *My company recruits graduates straight out of university and frequently ask for degree qualifications for other roles. Will these selection requirements be against the law?*
- A** *You're on dodgy ground. Unless you can demonstrate you're as open to "mature" graduate applicants as to 21 year olds, then you may be guilty of age discrimination. And asking for a degree qualification might be indirectly discriminatory against older people as there are far fewer people over 40 with degrees than those in their 20s and 30s. You will need to justify objectively any qualifications listed as essential -showing an applicant could not cope with the job if they did not have them.*

Our view: A clear job description and a person specification are vital to detail the knowledge, skills and abilities required for the role.

Learn More

Age Positive. This Government website details 20 key facts businesses need to know about the new legislation
www.agepositive.gov.uk

ACAS. This publicly funded organisation provides useful information on the new legislation
www.acas.org.uk

DTI. This government body is *"Working to create the conditions for business success and help the UK respond to the challenge of globalisation"*. It contains details about the age discrimination legislation
www.dti.gov.uk

Have you grown much lately?

Did your business start off with very informal policies and procedures because you spent most of your time *“doing the business”*?

Everything works fine and your business develops, and grows, and takes on more staff. Everything expands except the policies and procedures that served you well when the business was *“one person and a dog”*.

But gradually, your procedures become less useful. If you don't review and update them, problems will creep into your business. You may even find yourself in breach of the law.

Our view: Established businesses should periodically **step back from the coalface and review all policies and procedures** and amend them to meet your changing demands. With new legislation, now is a good time.

Get a survey across the whole topic of *HR for the Small Business* on 27 October.

Customer Service Excellence

Small businesses continually strive to achieve the best possible customer service. Let's face it: it's the only way you can survive.

What part can HR play in this? Here are five ways you can use HR for strategic advantage:

- ④ Discuss customer service in regular performance appraisals and objective-setting sessions
- ④ Establish key customer service requirements that you can build - fairly - into your recruitment processes
- ④ Consider what behaviours your reward mechanisms encourage towards your customers
- ④ Regularly review your training requirements and create a rolling one-year training plan
- ④ Think about how you can create the widest possible diversity among new staff, to reflect the full breadth of your potential customer base

Customer Service Excellence on 26 October is just one of our courses on *Winning and Retaining Customers*.

Latest Management Thinking

Authentic Leadership

Authentic Leadership is about having a clear sense of purpose, being comfortable in your own skin and having the integrity to practice what you preach.

In their recent book *“Why should anyone be led by you”*, Rob Goffee and Gareth Jones are clear that authentic leadership is what you do with people not what you do to people.

They cite three fundamental truths about leadership. Leadership is:

Situational

Great leaders intuitively sense the situation and act accordingly - exploiting it to allow the organisation to move on with the commitment of its people

Non-hierarchical

Leadership is present at all organisational levels, but it must be encouraged and given the opportunity to flourish

Relational

Leadership is built on your ability to cultivate and nurture relationships. The ideas of authentic leadership follow naturally from Daniel Goleman's pivotal book: *“Working with Emotional Intelligence”*.

Spend time thinking about your leadership style on our two-day programme: *Leadership Skills for Senior Managers* on 21 & 22 November.



Under-performance and the Law

Does the possibility of an under-performing colleague keep you awake at night? Maybe you even have that problem now.

Many small businesses think Employment Laws only apply to big Companies. They don't. **Small businesses are subject to just the same requirements as larger ones** and it is important that a structured HR policy is in place to ensure that the managers and owners do not breach the vast array of employment law.

Learn more about *Managing Underperformance within the Law* at our course on 18 October.