

AN UPDATE ON DISCRIMINATION

17th April, 2012 – Manchester | 24th April, 2012 – London

INCLUDING THE EQUALITY ACT, AGE AND MANAGING RETIREMENT

The Equality Act 2010 has remained high on the human resources agenda. 2011 has seen its first full year of implementation etc and there have been a number of important developments.

April 2011 marked the coming into force of a number of key provisions, including the general public sector equality duty and provisions governing positive action in recruitment and promotion. April 2011 also saw the implementation of three codes of Practice, drafted by the Equality and Human Rights Commission, providing technical guidance on general employment issues; equal pay; and services, public functions and associations. In May 2011, the new guidance on who qualifies as “disabled” under the Equality Act came into force.

It is essential to see how the case law develops in 2012, particularly in relation to some of the thornier issues, for example the ban on pre-employment health questions, the positive action provisions and the jurisdiction of the employment tribunal in relation to employees engaged abroad.

Another key development has been the repeal of the default retirement age. An employer’s ability to compulsorily retire an employee following set procedures, without fear of liability for unfair dismissal or age discrimination, effectively ended in April 2011.

This one day course will look at the main discrimination principles and how to apply them in the workplace. The course will look in detail at the changes the Equality Act has brought with it.

PROGRAMME

Programme

- 09.30 Registration
- 11.00 Coffee
- 13.00 Lunch
- 15.00 Coffee
- 16.30 Close

Topics covered include:

A complete review and update on equality and diversity law, and the consequences of the ending of the Default Retirement Age.

- Anti discrimination law – the key points
 - Protected characteristics
 - The discriminatory acts that are prohibited
 - Direct and indirect discrimination
 - Victimisation
 - Tougher new definition of harassment
 - Third party harassment
 - Instructions to discriminate
- The Equality and Human Rights Commission’s Code of Practice on Employment
- Age discrimination law in detail
 - Special focus on disability discrimination law and sex, race discrimination law developments

- The Ending of the UKs default retirement age
 - Examples of justifications
 - Categories of worker protected
 - What redundancy payment is the employer allowed to make, without breaching age discrimination law?
 - Changes to statutory redundancy pay
 - Key dates and key discrimination case law
 - Practical consequences of this key change to unfair dismissal law
 - Can you still objectively justify a retirement? Should employers keep a retirement age for the business or role?
- Removing a retirement age
- Benefits structures and denying certain benefits to over 65s: what is allowed?
- The implication of the Equality Act after its first year
 - How it changed discrimination law
 - Aspects of this Act which still have to be implemented and discussion of the consequences these might have
 - Special focus on the effect and implications for public sector employers

We can also run this course for you in your organisation . For further information please call Rachel Cook on 0161 235 4562 or email rachel.cook@dlapiper.com or Anna Juniper on 020 7796 6632 or email anna.juniper@dlapiper.com