

Employment Law Fact Sheet No. 9

RETIREMENT AND AGE DISCRIMINATION LEGISLATION



Retirement

There is no default retirement age.

Retirements may still be justified where you have a valid business case for setting retirement at a particular age in your particular business.

It will be sensible to take advice on whether the business case is valid and, if you decide to set a retirement age, in relation to the policy documentation underlying this.

We recommend employers proceed with caution seeking advice if the reason for your wish to terminate is age related or could be perceived as such. Other potentially fair reasons for dismissal may be relevant to the situation (see TBA Guide on Legal Reasons for Dismissal).

Further information

[ACAS on retirement](#)

Action Points

- Consider whether your organisation may have a valid business case for continuing with a fixed retirement age but seek advice on whether this is likely to be justifiable.
- Proceed with caution going forward and seek advice if the reason for your wish to terminate employment is age related. Other potentially fair reasons for dismissal may be relevant to the situation (see TBA guide on Legal Reasons for Dismissal).
- Consider age related benefits your organisation provides (e.g. Permanent Health Insurance) and consult with the providers about issues to be aware of. Note: Depending on the circumstance, it will not necessarily be discriminatory to remove such benefits at the age 65, if for example it is not possible to obtain reasonably priced cover. However, if removing benefits it is recommended that advice is taken.
- Keep up to date with developments via the TBA quarterly updates.

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