



## **PARTNERS EMPLOYMENT LAWYERS**

### **...RADAR...**

## **CHALLENGE TO THE UK RETIREMENT AGE FAILS**

The High Court (in the case known as Heyday) has upheld the law which allows employers in Britain to force employees to retire at the age of 65.

This means that an employee can see their employment end at the age of 65 even if they do not wish to retire.

### **What is the current law?**

As the law currently stands, a British employer can dismiss a member of staff without redundancy payments on their 65th birthday, as long as they follow the correct procedures. Although employees have the right to request to continue working beyond the date when the employer wants them to retire, their employer can refuse their request and the law does not require them to give any reasons for their decision.

### **The effect of the Heyday decision**

This case will potentially have a huge impact on the entire British workforce and, as an employer, retirement age and the processes surrounding it are something that you must know about- if you don't you could be putting your business at risk of having to pay large sums of compensation should the employee successfully bring a claim against you. However, While the designated retirement age of 65 remains lawful (for now), the court found the arguments against it compelling, and made a number of comments which suggest that the retirement age is likely to increase beyond 65 in the future.

If you need advice on how to make a 'safe retirement' or any other aspects of retirement in the workplace then please contact us for further information on:

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