

The Older Worker's Guide



Who we are

Age Scotland is the national charity for older people. We work to improve the lives of everyone over the age of 50 and promote their rights and interests.

Our vision is a Scotland which is the best place in the world to grow older.

Our mission is to inspire, involve and empower older people in Scotland, and influence others, so that people enjoy better later lives.

We have three strategic aims:



We help older people to be as well as they can be



We promote a positive view of ageing and later life



We tackle loneliness and isolation

How we can help

We know that growing older doesn't come with a manual. Later life can bring changes and opportunities to your life and you may need to know about rights, organisations and services which are unfamiliar to you.

That's why we provide free information and advice to help you on a range of topics including benefits and entitlements, social care, legal issues such as Power of Attorney, housing and much more. All of our guides are available to download for free from our website, or you can contact our helpline team to have copies posted to you for free.

Our **helpline** is a free, confidential phone service for older people, their carers and families in Scotland looking for information and advice.

Later life can bring times when you just need someone to talk to. Our **friendship line** is part of our wider helpline and older people can call us for a chat. We're here to listen, provide friendship and offer support.



Call us free on: 0800 12 44 222
(Monday – Friday, 9am – 5pm)



Visit agescotland.org.uk
to find out more.

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Introduction

A satisfying job can help you to have good physical health and mental wellbeing and to stay socially connected as you get older. But working in later life may also present challenges.

Your ability to work may be affected by a disability, or you may be caring for someone who has health problems.

For most professions there has been no fixed retirement age since 2011, and choosing the right time to retire can be complex. State Pension age is now 66 and it will start to increase again in 2026. For many people this will mean working until their late 60s.

This guide provides basic information about the rights and issues most likely to affect older employees. It does not cover complaints, grievances and tribunals, or the rights of off-shore workers, the armed forces, police or firefighters.

For more detailed information about your rights, contact:

Citizens Advice Scotland

www.cas.org.uk / 0800 028 1456

ACAS - the Advisory, Conciliation and Arbitration Service

www.acas.org.uk / 0300 123 1100



Basic rights of employees

Employees have the right to:

- Be given a **contract of employment** within one month of employment, and from April 2020, a written statement of basic terms of employment on or before the first day of work. This should include job description, rate of pay, hours and place of work, holiday entitlement and notice periods. If an employer wants to change any of these details, they should consult the employee first. They must provide a written statement of the agreed changes no later than one month after the changes are put in place.
- **Be paid for the work they do**, at or above the National Living Wage. As of April 2024, this is £11.44 per hour for anyone over 21; it changes in April each year. All workers have the right to a regular payslip showing pay before tax, take-home pay and the amount of any deductions, such as National Insurance and pension contributions.
- **A safe and healthy working environment**, with procedures and equipment for first aid and fire safety. Employers must make sure the workplace is safe and provide training to deal with workplace risks. Workers must also play their part in keeping themselves and the workplace safe.
- **Limits to working hours.** There are rules about maximum working hours and rest breaks, including 20-minute breaks every 6 hours, and an 11-hour break each 24-hour period. There are some exceptions in specific professions.



Visit www.gov.uk/maximum-weekly-working-hours for more information.



- **Paid holidays:** full-time employees are entitled to 28 days holiday leave each year at their normal rate of pay. Part-time employees are entitled to holiday in proportion to their hours of work.
- **Carer's leave:** the Carer's Leave Act 2023, which came into effect on 6 April 2024, entitles employees with caring responsibilities (outwith childcare) to up to five days of unpaid leave per year. These can be taken as full or half days, or all at once.
- **Receive sick pay:** if you are not well enough to work it is important to follow your employer's sickness procedures. Most employees are entitled to Statutory Sick Pay (£116.75 per week for 2024/25) if they are too ill to work for four days or more. Many employers will pay company sick pay on top of Statutory Sick Pay. If your income reduces because you are off sick, you should get advice about benefits you may be entitled to claim. You should also get advice if your employer tells you they want to end your contract because you are unwell; they may only do this under certain circumstances.
- **Be protected from unfair dismissal or unfair redundancy:** the rules about fair and unfair dismissal and redundancy are very complicated and your employer must follow proper processes. If your employer plans to dismiss you or is consulting you about redundancy you should get expert advice.
 Contact **Citizens Advice Scotland** www.cas.org.uk / **0800 028 1456**, or **ACAS** www.acas.org.uk / **0300 123 1100**.
- **Be given notice** of the end of their employment. Employees must be given at least one week's notice after a month of service. After two years of continuous employment, this increases by one week per year, up to a maximum of 12 weeks' notice.



- **Request flexible working:** all employees have the right to ask for flexible working from the first day of their employment, by making a **statutory request for flexible working**. This could be particularly helpful for carers or people living with a long-term health condition or disability.

Examples of flexible working arrangements include:

- working from home
- part-time working
- working weekly hours over fewer days (compressed hours)
- working annual hours over fewer days (annualised hours)
- changing start and finish times.

i Information on how to submit a statutory request for flexible working is available at **www.gov.uk/flexible-working**. You can also contact **ACAS** on **0300 123 1100**.

Employers must consider and respond to requests within 2 months, unless otherwise agreed. They must provide a good business reason for refusing a request.

- **Have a workplace pension:** a workplace pension is arranged by your employer. In Scotland, all employers must contribute to workplace pensions on behalf of their employees. You can opt out of your workplace pension if you wish.

i For more information about workplace pensions call the **MoneyHelper** pensions helpline on **0800 011 3797** or visit **www.moneyhelper.org.uk**.



Protection from discrimination

You have the right to protection from unfair discrimination at work, regardless of the size of the business you work for.

The Equality Act 2010 sets out nine 'protected characteristics' which are:

- Age
- Race
- Sex
- Sexual orientation
- Disability
- Religion or belief
- Gender reassignment
- Pregnancy or new baby
- Marriage or civil partnership

Unfairly discriminating against an employee on the basis of one or more of these characteristics is unlawful.

Discrimination can be direct or indirect. Direct discrimination is unfair treatment because of a protected characteristic, for example missing out on promotion because of your age.

Indirect discrimination is when a rule that applies to everyone creates a disadvantage for some employees because of a protected characteristic. For example, a company policy that all staff take their break at a set time discriminates against people requiring regular breaks due to a disability.

An employer must be able to justify policies that cause indirect discrimination. For example, there may be a clear business need or a health and safety reason for the policy.



If you are experiencing discrimination at work, it is generally best to get expert advice about your rights before speaking to your employer. You could contact your trade union if you have one, or seek advice from:

i **Citizens Advice Scotland** - free and impartial advice on many issues, including employment rights.
www.cas.org.uk / 0800 028 1456.

i **ACAS - the Advisory, Conciliation and Arbitration Service** - free and impartial advice on employment rights and resolving workplace conflict. ACAS also offers training courses and can provide mediation services. **www.acas.org.uk / 0300 123 1100.**

Age discrimination

Age discrimination is when you are treated unfairly because of your age. An employer can only make a decision based on an employee's age if this can be clearly justified.

Unfair treatment could include being overlooked for promotion or training, or being excluded from meetings or conversations. Employers should also make sure that their recruitment processes and working practices do not disadvantage applicants because of their age.

An employer cannot force you to retire at a specific age, although there are some exceptions in specific professions.

i **ACAS** provides more information about age discrimination in the workplace. **www.acas.org.uk/acas-guide-on-age-discrimination / 0300 123 1100.**



Disability discrimination

Under the Equality Act 2010, a disability is a 'physical or mental impairment that has a substantial and long-term adverse effect on someone's ability to carry out normal day-to-day activities.'

Employers have a duty to make 'reasonable adjustments' for an employee with a disability so they are not disadvantaged in the workplace.

What is 'reasonable' will depend on the size and resources of the employer and how practical and effective the adjustments would be.

i **ACAS** provides information about reasonable adjustments at work. www.acas.org.uk/reasonable-adjustments / **0300 123 1100**.

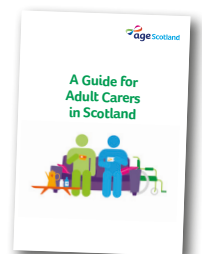
If you have a disability, you may qualify for benefits such as Adult Disability Payment or Attendance Allowance. Call the **Age Scotland helpline** on **0800 12 44 222** to find out more.

Carers and discrimination

The Equality Act 2010 protects people from discrimination because of a protected characteristic of someone they are associated with. This includes employees providing unpaid care for someone with a disability.

i **Carer Positive** provides information on how employers can support unpaid carers. www.carerpositive.org / **0141 378 1065**.

Age Scotland's **Guide for Adult Carers** provides details of the support available to carers and their rights. To order a copy, call the **Age Scotland helpline** on **0800 12 44 222** or visit www.age.scot/information.





Planning ahead

You should start to plan for later working life and retirement as early as you can. If you wish to retire, you will need to think about when would suit you personally and financially.

You can discuss possible retirement dates with your employer without committing yourself to retiring. They cannot hold you to a date until you give them formal written notice.

If your job is enjoyable and satisfying, you may not want to stop working. Research indicates that fulfilling work can help people to maintain their health and wellbeing as they age.

Changing your working conditions

Some people choose to reduce their hours as they get older to make work more manageable. **This could be part of a phased retirement, or as a way of continuing work for longer.** It is a good idea to check how this would affect your income and pension contributions.

i **MoneyHelper** can provide advice on your individual situation.
www.moneyhelper.org.uk/pensions-and-retirement / 0800 011 3797.

If you would like to reduce your hours, you can make a statutory request for flexible working. You can also request other changes to the way you work, such as where and when you do your hours. See page 4 for more information.

You should get advice if you want to reduce your hours due to a disability or being a carer. Employers must make reasonable adjustments to help you continue your employment.

i For more information on reasonable adjustments, contact **ACAS**:
www.acas.org.uk/reasonable-adjustments / 0300 123 1100.



Money matters in later life

For many people, the right time to retire depends on their finances. It is important to work out your potential retirement income and compare this to your monthly costs and spending. The Age Scotland **Money Matters** guide provides a simple budgeting sheet if you are not sure where to start.

Your State Pension and workplace pensions are taxable, so you should check how tax will affect your income and also any savings you have.



i **Tax Help for Older People** provides free advice for people over 60 on a lower income (£20,000 or less per year before tax and other deductions). **www.taxvol.org.uk / 01308 488 066.**

You may also have income from savings, investments and personal pensions. If you have substantial savings and investments, you should speak to an independent financial adviser about how to make best use of them.

i Contact **MoneyHelper** for help finding the right adviser. **www.moneyhelper.org.uk / 0800 138 7777.**



If you have a mortgage, now might be a good time to get financial advice on whether and how to pay it off. If you have debts, you should speak to an independent debt adviser for advice about your options.

You may be entitled to certain benefits, for example if you have a low income, are a carer or are living with a disability. Age Scotland's **Benefits Maze** guide explains the different benefits available. To check which you qualify for, visit **www.age.scot/benefitscalculator** or call the **Age Scotland helpline** on **0800 12 44 222** and ask for a benefit check.



i **MoneyHelper** can provide advice on when to retire based on your income, taxes and your future eligibility for benefits. **[www.moneyhelper.org.uk/pensions-and-retirement /](http://www.moneyhelper.org.uk/pensions-and-retirement/)** **0800 011 3797.**



Get to know your pensions

State Pension

You can start claiming your State Pension as soon as you reach your State Pension age. You don't have to stop work when you get your State Pension. However, because your State Pension is taxable you may pay more tax overall if you are still working when you start to claim it.

State Pension age is 66 until May 2026. It will then gradually increase, reaching 67 by March 2028. You can find your State Pension age at www.gov.uk/state-pension-age or by calling the **Age Scotland helpline** on **0800 12 44 222**.

You do not have to claim your State Pension as soon as you qualify. If you defer claiming your State Pension, you can claim a higher amount later.

The amount of State Pension you are entitled to depends on your National Insurance contributions and credits. You can check how much State Pension you will get using the government forecasting tool at www.gov.uk/check-state-pension. If you are still more than 30 days from qualifying for your State Pension, you can request a forecast by post. Call the **Future Pension Centre** on **0800 731 0175**.



Private pensions

Workplace pensions

Most workers in the UK are entitled to be automatically enrolled in a workplace pension. You will not have a workplace pension if you are self-employed or have opted out of the workplace pension offered by your employer.

There are two main types of workplace pension:

- **Defined benefit pensions** will give you guaranteed payments for the rest of your life, based on either your final salary or your career-average salary at retirement.
- **Defined contribution pensions** give you a pension pot that you can use to buy a retirement income. The amount in this pot depends on how much you and your employer have contributed, and how well the pension provider's investments have performed.

You can choose to access the money in a defined contribution pension pot from the age of 55, increasing to 57 in 2028, whether you have stopped working or not. This money is intended to last you through retirement so you should get advice before accessing it.

i The **Pension Wise** service from **MoneyHelper** offers free advice about defined contribution pensions for people aged 50 or over. Visit **www.moneyhelper.org.uk/en/pensions-and-retirement/pension-wise** or call **0800 011 3797**.

Many people will have had more than one employer and will have more than one workplace pension. The Government offers a free Pension Tracing Service. **www.gov.uk/find-pension-contact-details** / **0800 731 0193**.



Personal pensions

You will only have a personal pension if you have set one up yourself. Personal pensions are usually defined contribution pensions.

You can get tax relief from HMRC on the money you invest in a personal pension. Many pension providers claim this tax relief on your behalf, but you may need to claim this yourself. For more information visit **www.gov.uk/tax-on-your-private-pension** or call **MoneyHelper** on **0800 011 3797**.

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i The **Pension Wise** service from **MoneyHelper** offers free advice about defined contribution pensions for people aged 50 or over. **www.moneyhelper.org.uk/en/pensions-and-retirement/pension-wise** / **0800 011 3797**.



Making the most of retirement

You may already have a clear idea of what you want to do with your retirement. However, some people find it hard to adjust. They may miss the people they used to see every day, or the status of their job. Spending more time with family may be a great opportunity, or it might need some discussion as everyone gets used to changed routines and expectations.

It is a good idea to think ahead about what you would like to do in your retirement. Is there a hobby you have always wanted to try? Perhaps you have an interest in a particular subject that you have never had the chance to study?

Many people like to find ways to put their skills and experience to use by volunteering. This can be a great way to stay active and to meet people who share your interests and values.

i **u3a** (formerly University of the Third Age) offers volunteer-led interest groups for people who are no longer working. Visit www.u3a.org.uk/get-involved/join to find your local u3a.

Age Scotland's **Community Connecting Service** can also help you find groups, activities or volunteer opportunities you may enjoy. Contact the **Age Scotland helpline** on **0800 12 44 222**.

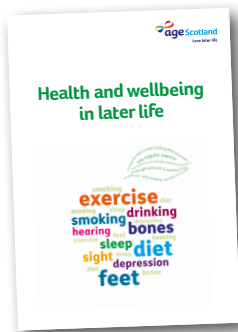




Look after yourself

There are many things you can do to look after your physical and mental health. Making changes now will increase your chances of staying well in later life - and enjoying a healthier retirement.

Many modern workplaces are not as healthy as they could be. Sitting for long periods of time, as many of us do, is not good for your health. Research shows that getting up and moving around for a couple of minutes every 30-45 minutes can make a big difference to your health.



The Age Scotland **Health and Wellbeing in Later Life** guide provides advice on changes that can help you to enjoy a better later life. Call the **Age Scotland helpline** on **0800 12 44 222** to order copies or visit **www.age.scot/information**.



Who can help

Age Scotland helpline 0800 12 44 222.

The Age Scotland helpline provides information, friendship and advice to older people, their relatives and carers.

If you need an interpreter call 0800 12 44 222 and simply state the language you need e.g. Polish or Urdu. Stay on the line for a few minutes and the Age Scotland helpline will do the rest.

You can call us for a copy of our publications list. You can also order or download publications online at **www.age.scot/information**.

Citizens Advice Scotland

National helpline: **0800 028 1456**

You can find information and advice about your employment rights at **www.cas.org.uk**.

ACAS

Information and advice for employers and employees, including rights at work.

0300 123 1100 / www.acas.org.uk

Trade Unions

Trade unions exist to support the rights of workers. You have a legal right to join a union if you wish.

If you are not a union member and you would like to find out more, visit **www.tuc.org.uk/join-union**.

This information guide has been prepared by Age Scotland and contains general advice only. It should not be relied upon as a basis for any decision or action, nor used as a substitute for professional advice. Neither Age Scotland nor any of its subsidiary companies or charities accepts any liability arising from its use and it is the reader's sole responsibility to ensure any information is up to date and accurate.

Please note that the inclusion of named agencies, websites, companies, products, services or publications in this information guide does not constitute a recommendation or endorsement by Age Scotland or any of its subsidiary companies or charities.

How you can help

Our vision is a Scotland which is the best place in the world to grow older.

All the information we provide is free and impartial. It helps older people access their rights and entitlements and can be life changing.

We are also a lifeline for older people who are feeling lonely and isolated. You can help us to support older people who need us most.

Together, we can make a difference.



Make a donation

No matter how small or large, donations make a massive difference and help us continue our important work.

- ▶ Call **03330 15 14 60**
- ▶ Visit **age.scot/donate**
- ▶ Text **AGESCOTGIVE** to **70085** to donate £5*
- ▶ Complete the **donation form** and return by Freepost



Fundraise

Whether it's having a bake sale or running a marathon, there are so many ways to raise vital funds to support our work. To find out more, call **0333 323 2400** or visit **age.scot/fundraise**.



Leave us a gift in your Will

By choosing to leave us a gift in your Will, you can help us to continue being there for older people in the years to come. To find out more, call **0333 323 2400** or visit **age.scot/legacy**.

*Texts cost £5 plus one standard rate message

Please donate today



Complete the form and return by Freepost to RSBS-KEHC-GBBC, Age Scotland, Edinburgh, EH9 1PR

Your details

Title:	Forename:	Surname:
Address:		
	City:	
Postcode:	Date of birth:	

By providing us with your telephone number and email address you are consenting to us contacting you via phone, text and email.

Email:	
Home tel:	Mobile tel:

I WOULD LIKE TO DONATE

£75 £50 £25 Other (£)

I wish to pay by (please tick):

MasterCard Visa CAF

CharityCard Cheque (payable to Age Scotland)

Signature

Name on Card

Card No.

Expiry date Security code

Date

I prefer not to receive a thank you acknowledgement for this donation

I would like information about leaving a gift in my Will

I WOULD LIKE TO MAKE MY DONATION WORTH 25% MORE

giftaid it

I want Age Scotland** and its partner charities to treat all donations I have made for the four years prior to this year, and all donations I make from the date of this declaration until I notify you otherwise, as Gift Aid donations.

I am a UK tax payer and understand that if I pay less income tax and/or capital gains tax than the amount of Gift Aid claimed on all my donations in that tax year it is my responsibility to pay any difference.

Yes, I want Age Scotland** to claim Gift Aid on my donations

I do not wish you to claim Gift Aid on my donations

Date

Keeping in touch

We will stay in contact by post unless you ask us not to. We will never sell your data and we promise to keep your details safe and secure. You can change your mind at any time by emailing us on contact@agescotland.org.uk or calling us on 0333 323 2400.

You can read Age Scotland's privacy policy at [age.scot/privacypolicy](https://www.agescotland.org.uk/age.scot/privacypolicy).

**Age Scotland, part of the Age Network, is an independent charity dedicated to improving the later lives of everyone on the ageing journey, within a charitable company limited by guarantee and registered in Scotland. Registration Number: SC153343. Charity Number: SC010100. Registered Office: Causewayside House, 160 Causewayside, Edinburgh, EH9 1PR

Age Scotland is the national charity for older people. We work to improve the lives of everyone over the age of 50 so that they can love later life.

Our vision is a Scotland which is the best place in the world to grow older.

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Let's keep in touch

Contact us:

Head office

0333 323 2400

Age Scotland helpline

0800 12 44 222

Email

info@agescotland.org.uk

Visit our website

www.agescotland.org.uk



Sign up to our newsletter

Our regular newsletters by email contain details of our campaigns, services and how you can support our work.

Sign up today at [agescot/roundup](https://www.agescotland.org.uk/agescot/roundup)



Follow us on social media

Our social media channels are a great way to keep up to date with our work and issues that affect older people.



We are grateful to the Scottish Government for part-funding this publication

