

Press release

14 December 2009

DAVIES ARNOLD COOPER LLP LAUNCHES SURVEY ABOUT ATTITUDES TOWARDS DEFAULT RETIREMENT AGE

In response to the recent Government's announcement to review the default retirement age (DRA) in 2010, international law firm Davies Arnold Cooper LLP has launched a national survey to capture views and opinions on any potential changes to the UK's default retirement age. The research will also seek response on how the current regulations are working in practice.

The DRA has come under the government's microscope following a recent decision of the High Court in the long running *Heyday* case, which indicated that whilst a DRA of 65 was justifiable at the time the Employment Equality (Age) Regulations came into force in 2006, it is now in need of review. This could lead to the DRA being removed entirely, or to increase it to an age that is likely to be adjudged as more justifiable - either of which would have massive implications for UK employers.

The survey results – which will be ready by the end of 2010 – will be formally submitted to the Government ahead of the conclusions of the DRA review providing a voice from the business community.

To take part in the survey and give your opinion on the review of the DRA, please go to www.dac.co.uk/drasurvey.

Ends

Notes to Editors

More about DRA review

Next year the Government will review the default retirement age (DRA) of 65 and decide whether it remains "necessary and appropriate".

The Government has launched a consultation process to seek views on employers' age-based practices and their use of the DRA.

The broad areas of interest are:

- The operation of the DRA in practice;

DAVIES ARNOLD COOPER

- The reason(s) that businesses use mandatory retirement ages;
- The potential impact (both positive and negative) on businesses, individuals, and the economy, of raising or removing the DRA;
- The experiences of businesses operating without a default retirement age; and
- How could any costs of raising or removing the DRA be mitigated and benefits realised?

What is likely to be more acceptable to employers is for the DRA to be increased to whatever the Government determines is a more justifiable age. If this were to happen, then the new DRA could be set at 70, although a DRA of 68 may be more likely given the planned future increase in pensionable age.

About Davies Arnold Cooper LLP

Davies Arnold Cooper is a full service international law firm established more than 80 years ago. It has over 200 lawyers of whom 75 are partners across London, Manchester, Madrid and Mexico City.

With outstanding reputations in insurance, dispute resolution and real estate sectors, Davies Arnold Cooper also tops the independent league tables for its work in product liability and is highly rated in corporate, commercial litigation, employment and construction. For more information about Davies Arnold Cooper visit www.dac.co.uk

For further information please contact:

Rob Dwyer, Davies Arnold Cooper

Rdwyer@dac.co.uk

+44 (0) 207 293 41 30