



Retirement Policy

This procedural document supersedes: CORP/EMP 12 v 6 (amended): Retirement Policy



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Executive Sponsor	Director of People and Organisational Development
Author/reviewer: (this version)	Mark Brookes – Associate Director of People and Organisational Development
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Target audience:	Trust-wide

Amendment Form

Version	Date Issued	Brief Summary of Changes	Author
Version 7	1 June 2021	<ul style="list-style-type: none"> • Minor changes only - Removal of references to Employee services and replaced with Victoria Pay Services (VSP), changes for factual accuracy, and review of information relating to flexible retirement requests • Clarity added to sections 3.4 and 3.5 • Addition of Appendix C – managers decision template for retire and return to work 	Mark Brookes
Version 6	March 2015	All references to Long services Awards removed	Mark Brookes/Jodie Bettenson
Version 6	March 2015	NEST referenced	Mark Brookes/Jodie Bettenson
Version 6	March 2015	Section reordered and rephrased (in places)	Mark Brookes/Jodie Bettenson
Version 5	September 2011	The policy has been revised in line with the abolition of the default retirement age. Please read in full.	Keeley Cromwell / Jodie Bettenson
Version 4	April 2010	<ul style="list-style-type: none"> • Contents page and amendment form added • Update of information on pension scheme requirements • Additional Appendices added 	Jodie Bettenson
Version 3	March 2007	<ul style="list-style-type: none"> • The whole policy has been revised in line with the Employment Equality (Age) Regulations October 2006; employees now have the right to request to continue working beyond their 65th birthday. 	Janette Bailey

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1. INTRODUCTION & PURPOSE

The policy covers the arrangements for retirement, NHS Pension Scheme claims and retirement gifts.

Full details of the NHS Pension scheme can be found on the link shown below:

<http://www.nhsbsa.nhs.uk/Pensions>

The policy does not cover:

- Ill health retirement. Where this is being considered, please contact the Deputy Director of People and Organisational Development for advice and;
- The Governments National Employment Savings Trust (“NEST”) pension claims. For this information please refer to the NEST scheme member guide or contact NEST directly by email or telephone.

2. DUTIES AND RESPONSIBILITIES

Employees may submit a request to retire from Trust employment at any time. Managers have a responsibility to consider all applications and where necessary consult with the VPS Pensions Team for advice and guidance. Section three provides details of the options available and specific responsibilities for both employees and managers under each option.

3. RETIREMENT OPTIONS

3.0 Retirement Planning

You may wish to consider different options when planning for your retirement. The sections below detail the options that may be available to you. As some of these options may require a formal and occasionally lengthy process, it is important you involve both your line manager and the VPS Pensions Team as part of your decision making process.

3.1 Flexible Working

Prior to retirement employees may wish to adopt a flexible working pattern. The entitlement to work flexibly is at the discretion of the Trust. If an employee wishes to adopt a flexible working pattern, this should be discussed with their Line Manager as soon as possible. All requests will be considered in line with the Trust’s Flexible Working Policy (CORP/EMP 48). Employees considering a change to their working pattern may wish to contact the VPS Pensions Team to discuss whether it would have an impact on their retirement options.

3.2 Early Retirement

There are provisions within the NHS Pension Scheme for pensions to be payable before the normal retirement age. If an employee is contemplating this option they should discuss it with their line manager and the VPS Pensions Team as their pension entitlements will be affected.

3.3 Flexible retirement and Returning to Work

3.3.1 Requests for flexible retirement are at the Trust's discretion. Before agreeing to such a request, the manager should determine whether the post in question is required in order to meet the needs of the service and submit and receive a successful Vacancy Control application in respect to the relevant post. A return to work would normally only be agreed in the following circumstances:

- Shortage of skills
- Shortage of experience, or
- Difficulty to recruit a replacement

3.3.2 When considering an application from a member of staff who wishes to retire and return to work, it is vital that managers are able to demonstrate that there is a business requirement for the post to be filled and that the budget associated with the role could not be utilised in a different or more cost effective way.

Managers therefore need to carefully consider the following:

- Whether it is in the best interests of the service to accommodate the 'retire and return' request.
- The requirement for the post to be filled through 'retire and return' in light of cost improvement pressures e.g. value for money.
- Equality requirements.
- The standard of the employee requesting flexible retirement including performance, attendance and conduct.
- The employee's competence (skills, knowledge and experience) against the essential requirements for the post.
- Whether any hours adjustment proposed after the flexi retirement can be accommodated to meet service needs.
- Succession planning and the potential impact the employee's return will have on their team.
- Longer term workforce/service plans for the post and team and how the 'retire and return' request fits with this.

If the above criteria cannot be satisfied then the manager should refuse the 'retire and return' request. Managers should utilise the guidance template in Appendix C to evidence and support their decision making. The manager may be asked to submit this form in conjunction with the Vacancy Control application in respect of the relevant post.

3.3.3 The employee must take a break in NHS employment of a minimum of 14 days. Should the employee have more than one concurrent NHS post, the employee must leave all existing NHS contracts for the minimum period.

3.3.4 This break in service means that upon re-employment to the NHS an employee must work a minimum of 2 years to accrue their statutory employment rights under the Employment Rights Act 1996, and a minimum of 104 weeks continuous service to be eligible for both statutory and occupational redundancy payments. This break does not affect previously accrued entitlements to occupational sick pay and contractual annual leave as detailed in the Agenda for Change Terms and Conditions of employment (although the added costs of this when compared to recruiting a new employee should be taken into consideration).

3.3.5 If an employee has previously received pension benefits, any employment that has been taken into account for the purposes of those pension benefits, will not count as reckonable service for the purposes of NHS redundancy pay or future pay protection.

3.3.6 Following the required break in service and where the employee is re-employed at the Trust within one month of their retirement date, the total hours worked in all NHS contracts must not exceed 16 per week. This restriction will apply until one calendar month has elapsed, counted from the date immediately following the retirement date. An example is shown below:

Employee flexi retires on: Thursday 13th March 2014

Last day of service: Sunday 16th March 2014

Break in Service: Monday 17th March to Sun 30th March inclusive

Restriction to 16 hours per week applies: Monday 31st March to Wednesday 16th April inclusive

3.3.6 Following the period of restricted working and subject to the requirements of the service, an employee may agree to increase their working hours. However, if the employee had “special class” pension scheme membership, this may affect the amount of pension they continue to receive. If an employee is retiring with special class status, they should seek further details from the VPS Pensions Team before agreeing to any such arrangement.

3.3.7 Employees returning under flexi retirement after claiming benefits from the 1995 section of the NHS pension scheme are not eligible to re-join the NHS pension 2015 scheme. These employees will automatically be joined into the governments NEST pension scheme as this is a legal requirement under the pension regulators legislation.

3.4 Full Retirement from NHS Service

If an employee decides to retire fully from Doncaster and Bassetlaw Teaching Hospitals NHS Foundation Trust (DBTH) and retire from the NHS workplace they must provide formal notice to their line manager preferably six months but at least four months before they wish to leave. This is a requirement irrespective of whether they are currently paying into either the NHS Pension scheme or NEST.

3.5 Retirement Process for Active Members of the NHS Pensions Scheme

3.5.1 Employees who are currently contributing into the NHS pensions scheme must inform their line manager and the VPS Pensions Team of their intention to retire. Ideally this should be 6 months prior to leaving, but must be no less than 4 months before the intended date. This applies to both flexi and full retirement and is to allow sufficient time for the application to be processed and Trust workforce planning to take place.

3.5.2 Employees must reach an agreement with their line manager regarding the exact date on which the Contract of Employment will end (normally a Sunday), by giving and accepting the written notice. This will be the retirement date that the manager must confirm to the VPS Pensions Team (using the form at Appendix A). The manager should use Appendix B to notify the VPS Pensions Team if there are any subsequent changes to the information already provided on Appendix A. Provision of an accurate retirement date at this early stage will ensure that correct pension benefits are paid. Where flexible retirement has been agreed (see Section 3.3), details of this arrangement should also be included.

4. PRE RETIREMENT COURSES

The Trust aims to run pre-retirement course at least twice a year to support employees approaching retirement age. These courses are run by external agencies to the Trust to give employees the opportunity to discuss their options in terms of their financial planning and to get answers to any questions they may have.

However, employees should be aware that NHS Pensions do not endorse any external organisations to inform members about their NHS Pension Scheme benefits. In addition, the Trust does not endorse products or services offered by third parties brought in to clarify certain financial matters in respect of Pension and Statutory benefits. It is therefore important that employees understand that advice provided is not endorsed by the Trust and as such, cannot be held accountable for the decisions made following receipt of information from these third parties.

Details of pre-retirement courses that are available can be found on the HIVE and by contacting the Education Team on 01302 642055

5. RETIREMENT GIFTS

If you have completed 20 years total NHS service (or more) on retirement, you are eligible to receive a token of appreciation for your loyalty. The value of the gift is detailed below:

20 years:	£100
25 years:	£120
30 years:	£150
40 years:	£200

If you elect to receive the retirement gift from the Trust in a monetary form it is paid through payroll and subject to tax. If it is taken in the form of a gift (or gift voucher) the full benefit can be released.

Gifts can be made in circumstances where a staff member retires or leaves the Trust due to health reasons provided that the service is in excess of 20 years. An employee's next of kin will also be entitled to the gift if a staff member dies during employment.

Managers may combine the retirement gift with any contributions made from colleagues and can, by arrangement with the Procurement Team; purchase a gift from a local store. Contributions from colleagues in these circumstances should be paid into the Trust Funds used to meet the cost of invoices.

When making presentation arrangements, managers should, wherever possible, ask a senior manager or a member of the Executive Team to make the presentation. Catering for any retirement buffet can be ordered via the Catering Department and can be funded using the value of the gift. However, there is no additional corporate funding available.

6. USEFUL CONTACTS

Below is a list of contacts which can provide further support:

CONTACT	
NHS Pensions Member Helpline and website	0300 3301 346 www.nhsbsa.nhs.uk/pensions
VPS Pensions Team	011430522 sth.pensions@nhs.net
NEST employer and employee website	https://www.nestpensions.org.uk/schemeweb/NestWeb/public/support/contents/contact-us.html

7. TRAINING/SUPPORT

Training is not required to adhere to this policy. Support for employees is available from our Pensions Support Team at VPS. Contact details can be found in section 6 of this policy

Employees may also contact NHS Pensions on the employee helpline. Contact details can be found in section 6 of this policy. Employees can also write to them at this address:

NHS Pensions,
PO Box 2269,
Bolton,
BL6 9JS

For employees who are in the NEST scheme, details on how to contact the employee helpline can be found in section 6 of this policy. The website includes the phone number, postal address, webchat and sending secure messages facilities.

8. MONITORING COMPLIANCE WITH THE PROCEDURAL DOCUMENT

Monitoring of the National guidance of changes will be the responsibility of the People and Organisational Development Department.

9. DEFINITIONS

NEST - National Employment Savings Trust
VPS – Victoria Pay Services

10. EQUALITY IMPACT ASSESSMENT

The Trust aims to design and implement services, policies and measures that meet the diverse needs of our service, population and workforce, ensuring that none are disadvantaged over others. Our objectives and responsibilities relating to equality and diversity are outlined within our equality schemes. When considering the needs and assessing the impact of a procedural document any discriminatory factors must be identified.

An Equality Impact Assessment (EIA) has been conducted on this procedural document in line with the principles of the Equality Analysis Policy (CORP/EMP 27) and the Fair Treatment For All Policy (CORP/EMP 4).

The purpose of the EIA is to minimise and if possible remove any disproportionate impact on employees on the grounds of race, sex, disability, age, sexual orientation or religious belief. No detriment was identified (See Appendix D).

11. ASSOCIATED TRUST PROCEDURAL DOCUMENTS

Equality Analysis Policy (CORP/EMP 27)
Fair Treatment for All (CORP/EMP 4)
Flexible Working Policy (CORP/EMP 48)

12. DATA PROTECTION

Any personal data processing associated with this policy will be carried out under 'Current data protection legislation' as in the Data Protection Act 2018 and the UK General Data Protection Regulation (GDPR) 2021.

For further information on data processing carried out by the trust, please refer to our Privacy Notices and other information which you can find on the trust website:

<https://www.dbth.nhs.uk/about-us/our-publications/information-governance/>

13. REFERENCES

Pensions Advisory Service:
State pension entitlements:
NEST

[The Pensions Advisory Service](#)
[The Pension Service - GOV.UK](#)
[National Employment Savings Trust](#)

APPENDIX A – NOTIFICATION OF INTENTION TO RETIRE

To:

VPS Pensions team, C/O HR Systems Team,
D Block, Doncaster Royal Infirmary
Gate 1A
DN2 5LT

Manager's name/department/site

Tel:

Administrator's contact no.

Date:

NHS PENSION: RETIREMENT CONFIRMATION

To be completed by the manager of the employee at least 4 months prior to retirement

1.

**EMPLOYEE
NAME:**

DOB:

The contract of the above named will end on (date):

2. REASON FOR RETIREMENT: *enter "Y" in box against the relevant option*

a) Scheme Retirement Age achieved	
b) Ill Health Retirement	
c) Voluntary Early Retirement (reduction, no redundancy pay)	

for flexible retirement now go to 5

3. OUTSTANDING ANNUAL LEAVE

Number of untaken hours to be paid on retirement
if no hours due enter "Nil" and continue at 4

4. PAID NOTICE *do not include pay in lieu of notice*

Number of weeks' paid notice due on retirement
if no paid notice due enter "Nil"

5. FLEXIBLE RETIREMENTS ONLY *complete all sections*

Date of return to employment
minimum 14 days break from all NHS employment required

New contract hours on return
Total NHS hours must not exceed 16 per week during the first complete calendar month following date given at 1.

Further change to contract hours (if applicable)
If an agreement to increase hours following the first complete month has been made, enter new hours and effective date

Date	
Hours	

Authorised by: Budget Holder/Manager

Sign & print name.

APPENDIX B – NOTIFICATION OF INTENTION TO RETIRE (REVISED DETAILS)

To: VPS Pensions Team C/O HR Systems Team, D Block, Doncaster Royal Infirmary Gate 1A DN2 5LT	From:	From: <i>Manager's name/department/site</i>
Tel: <i>Administrator's contact no.</i>	Date:	

NHS PENSION: RETIREMENT CONFIRMATION

To be completed by the manager of the retiring employee

1. EMPLOYEE **DOB:**

The contract of the above named will end on (date):

2. REASON FOR RETIREMENT: enter "Y" in box against the relevant option	
a) Scheme Retirement Age achieved	<input type="text"/>
b) Ill Health Retirement	<input type="text"/>
c) Voluntary Early Retirement (reduction, no redundancy pay)	<input type="text"/>

for flexible retirement now go to 5

3. OUTSTANDING ANNUAL LEAVE	
Number of untaken hours to be paid on retirement <i>if no hours due enter "Nil" and continue at 4</i>	<input type="text"/>
4. PAID NOTICE do not include pay in lieu of notice	
Number of weeks' paid notice due on retirement <i>if no paid notice due enter "Nil"</i>	<input type="text"/>

5. FLEXIBLE RETIREMENTS ONLY complete all sections		
Date of return to employment <i>minimum 14 days break from all NHS employment required</i>	<input type="text"/>	
New contract hours on return <i>Total NHS hours must not exceed 16 per week during the first complete month following date given at 1.</i>	<input type="text"/>	
Further change to contract hours (if applicable) <i>If an agreement to increase hours following the first complete month has been made, enter new hours and effective date.</i>	Date	<input type="text"/>
	Hours	<input type="text"/>

THE ABOVE DETAILS REPLACE MY PREVIOUS NOTIFICATION.

Authorised by: Budget Holder / Manager *Sign & print name.*

APPENDIX C – ‘RETIRE AND RETURN’ CHECKLIST

‘Retire and Return’ Manager Checklist

The underlying principles of ‘retire and return’ are to ensure older staff that have valuable skills, knowledge and experience, can continue working for the benefit of patients. It also supports older staff in prioritising their health and wellbeing whilst allowing them to work longer/stay at work. This also supports colleagues in the transition to final retirement through either stepping down (reducing responsibility levels) and/or winding down (reducing worked hours). There is no guarantee that applications for ‘retire and return’ will be granted, and the below checks must first be considered to ensure its viability:

Could the budget for the ‘retire and return’ be put to effective use elsewhere? Please give considerations below:

Will the use of ‘retire and return’ be cost effective (considering cost improvement plans)? Give justification:

Does the colleague have good standards of work and attendance?

Yes No

Does the colleague have the relevant competencies for the post? (Skills, knowledge, experience etc.)

Yes No

Can the proposed hours for the ‘retire and return’ be accommodated without compromising service needs?

Yes No

Please provide justifications below:

Has succession planning and the impact of the colleagues’ return on this been considered?

Yes No

What impact will the 'retire and return' have on the team?

Have you considered any potential equality requirements related to the individual request (seek advice from your HR Business Partner as required)?

Yes No

Please give justification below:

Has the impact of the 'retire and return' on the long term workforce planning been considered?

Yes No

Please give justifications below:

Overall is it in the best interests of the service and the team to accommodate the employees request to retire and return?

Yes No

Manager's Signature: _____

Date completed: / /

APPENDIX D – EQUALITY IMPACT ASSESSMENT PART 1 INITIAL SCREENING

Service/Function/Policy/Project/Strategy	Division/Executive Directorate and Department	Assessor (s)	New or Existing Service or Policy?	Date of Assessment
CORP/EMP 12 v.7 – Retirement Policy	People and Organisation Development	Mark Brookes	Existing policy	February 2020
Who is responsible for this policy? People and Organisational Development Directorate				
Describe the purpose of the service / function / policy / project/ strategy? To provide managers and their employees with guidance on retirement planning and associated options				
Are there any associated objectives? None				
What factors contribute or detract from achieving intended outcomes? – None				
Does the policy have an impact in terms of age, race, disability, gender, gender reassignment, sexual orientation, marriage/civil partnership, maternity/pregnancy and religion/belief? No				
If yes, please describe current or planned activities to address the impact N/A				
Is there any scope for new measures which would promote equality? N/A				
Are any of the following groups adversely affected by the policy?				
Protected Characteristics	Affected?	Impact		
Age	No			
Disability	No			
Gender	No			
Gender Reassignment	No			
Marriage/Civil Partnership	No			
Maternity/Pregnancy	No			
Race	No			
Religion/Belief	No			
Sexual Orientation	No			
Provide the Equality Rating of the service/ function/policy /project / strategy				
Outcome 1 ✓	Outcome 2	Outcome 3	Outcome 4	
Date for next review: April 2024				
Checked by: Anthony Jones			Date: 7 th February 2020	