

Retirement Policy

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Services	Applicable
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Mental Health and LD	
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3	21/07/2009	Unknown	Approved	To incorporate changes arising from the 2008 NHS Pension Scheme
4	01/07/2015	Shalini Daryanani	Approved	Updated the policy in line with the legislation introduced in 2011 where the default retirement age was abolished. Updates also include the recent changes from 2015 NHS Pension Scheme.
5	21/02/2017	Lisa Baker	Approved	Updated the Retire and Return Procedure
6	17/04/2019	Jemma Ball		Update with pension abatement rules and holiday of a lifetime scheme
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1. Policy Statement

East London NHS Foundation Trust (herein referred to as 'the Trust') values the loyalty and commitment given by staff to both the Trust and the NHS, and in so doing will provide advice and support to enable individuals to plan the transition from working life into retirement.

The Trust is committed to being age-friendly and having age-friendly policies and practices. The Trust recognises that many members of staff approaching retirement age are keen to continue working, and is committed to ensuring that they are able to do so.

Staff can view their pension benefits at any time by accessing the ESR Self-Service system and downloading the TRS Statement.

The aims of this policy are:

- To provide guidance for both managers and staff on the options available to them, which allows the individual to make choices about the way they wish to retire and their eventual retirement.
- To actively promote age diversity in the workforce.
- To retain skilled, qualified and experienced staff to deliver the Trust's objectives and key priorities in line with the Trust's Strategy and Workforce Plan
- To ensure that the Trust complies with the Equality Act 2010 and the new legislation introduced in 2011 which removed the Default Retirement Age.

2. Scope of Policy

The Policy applies to all Trust employees.

3. Retirement Age

With the abolition of the mandatory retirement age on 1 October 2011, the Trust does not have a default retirement age for its staff. The employee can make their own decision when to retire from employment with the Trust. Details of the minimum retirement age can be located in section 6 of this policy.

4. Managers' Responsibilities

It is the manager's responsibility to:

- Process documentation for retirement as early as possible and at least four months prior to the date of retirement to ensure that staff are able to start receiving their pension payments at the time of retirement.
- Highlight the flexible retirement options available.
- Liaise closely with the locality People Business Partner/Advisor regarding any retirement issues.
- Complete relevant paperwork i.e. change forms and termination forms, ensuring that these are

emailed to People & Culture Electronic Forms before the 5th of every month.

Whilst line managers and the Trust's People & Culture Team members are able to advise employees on the retirement process and give basic information regarding the NHS Pension Scheme; they are not able to advise on individual pension matters or comment on the financial or personal impact of any changes to an employee's working arrangements. Staff can contact the Trust's Payroll Provider to speak with the Pension's Officer on 020 8591 4700. Staff can also contact the NHS Pension Scheme on 0300 330 1346.

5. Employee's Responsibilities

Staff who are considering retirement are advised to:

- Have a discussion with their line manager.
- Inform their line manager, in writing, of their proposed retirement date. Please note that a minimum of four months' notice is required by the NHS Pensions Agency to ensure that pensions are processed in time for the actual dates of retirement.
- Total Reward Statements (TRS) are available
- Book a place
- On the Trust's internal pre-retirement course.
- Attend a pre-retirement meeting with their line manager.
- Contact the Trust Staff Bank and complete an application form if they wish to join the Trust Staff Bank.
- Note that their pension may be affected if they are involved in any fraudulent activities or practices.

6. Retirement Options and the NHS Pension Scheme

With effect from 1 April 2015, there are two separate pension schemes (1995 and 2015) covering NHS employees, (1995 and 2008 are two sections of the same scheme —separate pension schemes covering NHS employees). The 2015 NHS Pension Scheme will cover all transitioning and new NHS employees from 1 April 2015.

- The 1995 section for staff who joined the NHS Pension scheme on or before 31 March 2008, provides for a pension based on final salary and normal pension age of 60. The 2008 section for staff who joined the NHS Pension Scheme on or after 1 April 2008, which provides a pension based on final salary, normal pension age of 65 and additional flexibility in the run-up to retirement and an accrual rate of 1/60th with the option of receiving a retirement lump sum by giving up part of the pension.
- From April 2015, the Normal Pension Age (NPA) that members can receive their pension under the 2015 NHS Pension Scheme arrangements (without reduction for early payment) will be set equal to their State Pension Age.

Further details can be obtained from the NHS Pensions Website (contact details can be found in Appendix 3) or refer to Appendix 5 for the overview of the NHS pension schemes.

6.1. Benefits of Retirement for NHS Pension Scheme Members

Employees who are members of the NHS Pensions Scheme will receive retirement benefits, which consist of an annual pension paid for life and a tax-free lump sum. A lump sum is only payable to staff who are members of the 1995 section of the NHS Pension Scheme.

Members of the 1995 Section

- Pension is calculated using the pensionable pay and the reckonable service,
- Members have the option to give up part of their annual pension for a higher lump sum.

Members of the 2008 section

- Pension is based on the reckonable pay .Members of this section have the option of receiving a lump sum at retirement by giving up part of their pension.
- Members of 1995/2008 sections are able to give up some of their annual pension in exchange for a larger lump sum.

Members of the 2015 Section

- Pension is based on the pensionable pay throughout the career

6.2. Members of the 2015 scheme are able to give up some of their annual pension in exchange of a lump sum

6.3. Retirement Rights for Special Classes

Certain groups of staff who were members of the NHS Pension Scheme before **6 March 1995** are known as special classes and are entitled to retire at age 55. The types of employment attracting special class status include:

- Nurses (including Occupational Health nurses and student nurses)
- Midwives
- Physiotherapists
- Health Visitors

Members with special class status are restricted to 40 years pensionable membership at age 55. When the maximum 45 years pensionable membership is reached before age 60 (this will normally only apply to those who also hold Mental Health Officer status), a member must continue to pay pension contributions until age 60 unless they opt out of the Scheme or retire and claim their pension benefits. Where maximum 45 years pensionable membership is reached after age 60 but before age 65 a member must cease paying contributions when 45 years pensionable membership is achieved. Pension benefits are not payable until the member retires or on reaching age 75* (*70 on or before 31 March 2008) whichever is earlier.

If a member of the Special Classes leaves the NHS Pension Scheme and has their benefits deferred, their normal retirement age becomes 60. Breaks in employment will be ignored when assessing this period but the last five years of pensionable membership must be as a Special Class member in order to retire from age 55

However, if they have been made redundant and are not in receipt of a redundancy pension and have not returned to NHS employment, they can claim their deferred benefits at age 55 as long as they completed their last 5 years employment as a member of the Special Classes.

6.3.1 Mental Health Officers (MHO) status

Staff with MHO status can retire at age 55 after 20 years' service, providing they meet the following criteria:

- This is not relevant as this should be in place before retiring

It is important to note that:

MHO and Special Class Status is not granted to employees who joined the Scheme on or after 6 March 1995.

As there is no special class / MHO status in the 2008 section of the NHS Pension Scheme, staff with these rights who transfer to the 2008 section can retire before the age of 65 but will receive a reduced pension to cover the extra cost of receiving a pension over a longer period

If an employee holds Special Class / MHO Status (retires at age 55 and returns to work earning more (salary and pension combined) than pre-retirement then abatement of pension will apply until age 60.

7. Procedure for Retirement

Staff can retire at any age from 50 (1995 Section members, except those who joined the scheme on or after 6 April 2006) and 55 onwards (other members including all 2008 section members). As retirement can happen at any time, the member of staff has a responsibility to discuss their retirement plans with their manager.

Once an employee has decided upon a retirement date, he/she will need to inform their manager of this decision in writing as far in advance as possible or at a minimum in accordance with their notice period as set out in their contract of employment.

Employees in the NHS Pension Scheme must give at least 4 months' notice (or their contractual notice period if this is greater), to their line manager in writing, of their intention to retire. This notice period will allow for the employee's pension application to be processed by NHS Pensions to ensure that they have their pension on retirement.

The employee's line manager will write to the employee acknowledging their notice to retire and inviting them to a meeting to discuss arrangements. The meeting will cover arrangements for retirement, including the intended retirement date, succession and handover plans, pension details and phased retirement, if applicable.

A People & Culture representative can be present at the meeting. The employee will have the right to have the right to be accompanied by a trade union representative or a work colleague not acting in an official capacity.

The line manager should ensure that the usual termination processes are followed and that the People & Culture Department receive the termination details in sufficient time for these to be passed to the payroll and Pensions Department at least 4 months in advance for NHS Pension Scheme members. Any outstanding accrued annual leave should be included in the last day of service as this is counted as pensionable pay.

The staff member should be written to following the meeting. The letter should include confirmation as to the date of their retirement, a reminder to print their pay slips off before leaving as they will not have access to this afterwards and any other relevant guidance such as returning Trust property.

7.1. Early Retirement

Early retirement may also be available in the following circumstances to staff who are eligible under the NHS Pension Scheme:

7.1.1. Ill Health Retirement

Separate NHS Pension Scheme provisions are applicable for early retirement on the grounds of ill health for employees with two or more years' membership of the NHS Pension Scheme.

There are two tiers of ill health retirement and the benefits you can receive will depend on whether or not you can undertake regular employment elsewhere. The minimum pension age does not apply in the case of ill health retirement.

To retire under ill health grounds, an employee who is a member of the NHS Pension Scheme has to be approved by the NHS Pension Agency Medical Assessors.

The Trust will also be required to demonstrate that suitable alternative employment within the Trust cannot be found. Further information is available in the Trust's Managing Sickness Absence Policy (available on the Intranet).

Once a member reaches NPA ill health retirement does not apply

NHS Pension Scheme regulations are complex and advice should be sought prior to any consideration of premature retirement from the Pensions Department. Applications have to be submitted to NHS Pensions for approval.

7.1.2. Redundancy

Members of the NHS Pension Scheme who are made redundant may choose to retire early with an unreduced pension as an alternative to receiving a redundancy payment lump sum. To qualify staff must have at least two years continuous NHS service, two years' qualifying membership of the scheme, and have reached the minimum pension age of 55.

7.1.3. Voluntary Early Retirement

Members of the 1995 section of the NHS Pension Scheme, who do not fall into the special classes described in section 6.2, may apply to take voluntary early retirement (VER) and receive benefits at, or any time after, age 50 (55 if they joined or returned to the scheme after 6 April 2006). Members of the 2008 section of the scheme can retire at 55.

In both cases it is important to be aware that, if taking voluntary early retirement, benefits will be reduced permanently to cover the extra cost of paying them for more years. You may also wish to seek independent financial advice. Members will receive an actuarially reduced pension because the pension will be paid earlier and for longer. Should the reduced pension be less than the Guaranteed Minimum Pension (GMP), VER will not be able to be taken.

Members of the 2015 pension scheme may claim payment of their pension if they meet the

following criteria:

- Have reached normal minimum pension age (currently age 55) but not yet reached Normal Pension Age (NPA)
- Have been in the Scheme long enough to qualify for pension benefits (currently two years)
- Have ceased all NHS employment

Where an Early retirement reduction buy out (ERRBO) has been bought, the payment of additional contributions will be taken into account before the application of the early retirement reduction.

8. Flexible Retirement:-

8.1 The Trust is eager to retain the valued skills and experience of staff as long as possible and is, therefore, working to promote and encourage flexible retirement options. These are designed to make it easier for employees to wind down gradually by reducing the number of hours worked, moving into a less demanding role, or coming back to work part-time when retired.

To apply for one of the flexible retirement options, an “Application for Flexible Retirement Form” (Appendix 1) must be completed by the employee and handed to the line manager giving notice to retire in accordance with their contract of employment. The employee’s contractual break will include the minimum pension breaks required as outlined in Section 8.6.

Employees wishing to consider flexible retirement should discuss this further with their line manager and complete the form provided (Appendix 1). The manager will then discuss the request with the relevant Head of Service, Service Director and with the locality People Business Partner /People Relations Advisor prior to any decision being made. For Medical Staff, this request must be discussed with the Medical Director and the People Business Partner – Medical, please refer to Appendix 4 for information on the process when retire and return to work request is approved.

A leaver form, must be completed by the employee and/or line manager at least 4 months (if they are a part of the NHS Pensions Scheme) prior to the date when flexible retirement is requested to allow sufficient time for their pension monies to be released. This must be signed by the line manager and forwarded to the People Relations Department for their records.

The flexible retirement options that may be available to staff depend on the part of the pension scheme they are in.

The main possible working options for flexible retirement for staff in the NHS Pension Scheme are listed as follows:

	1995 Section	2008 Section	2015 Scheme
Step down	✓	✓	✓
Wind down	✓	✓	✓
Retire and return	✓	✓	✓

Draw- down	×	✓	✓
Late retirement enhancement	×	✓	✓
Early retirement reduction buy out	×	×	✓

Once the request has been received, the manager will meet with the employee within 28 days to discuss his/her request to return to work after their retirement (sample letter attached - Appendix 2).

The outcome of the meeting will be communicated to the employee in writing as soon as it is reasonably practicable to do so after the meeting, and no more than 5 working days following the meeting. If the request is accepted, the letter should include any changes to employment working patterns, and confirmation of the new intended retirement date.

For further information and advice on the above options, please find full contact details at Appendix 3.

A leaver form will be completed by the employee with their intended date of retirement and include the relevant contractual and/or pensionable break plus any outstanding annual leave the employee has accrued.

In order to return to work on a full time/part time basis the employee will need to

8.2 Wind Down – reduce working hours within current role

After discussion with their manager, staff may have the option of working fewer days/hours in their current job, with a corresponding reduction in salary, annual leave entitlement and pension contribution. For members of the 1995 and 2008 Scheme, pensions for part-time staff are calculated on the whole time equivalent salary and not the actual salary. Therefore, the only impact this may have is on the length of the employee's membership, as it will take longer to build up future membership if staff are working less than full time hours.

Members of the 2015 Scheme can also reduce the number of hours or days they work. However, benefits built up in the 2015 Pension Scheme are based on actual pensionable earnings earned in each year rather than length of overall membership. Therefore, the pension earned for the duration of the reduced working hours/days will be based on the reduced pensionable pay.

8.3 Step Down – move into a less demanding role

If you have reached minimum pension age and choose to step down to a role where your new or remaining duties are less demanding and carry less responsibility than your previous duties, you may be able to apply for Voluntary Protection of Pay if your pay reduces by 10% or more.

It might be the pressure and responsibility of the current role that staff want to give up without leaving work altogether. If so, this option allows staff to move into an available less demanding role on lower pay, yet still make good use of their skills and experience. If a member of staff is in the NHS pension scheme and his/her manager sends written justification to the Pensions Agency, explaining how their skills will continue to benefit the service, they may be able to freeze their pension at the higher rate from the date on which they move into a lower grade role, and continue contributing to the scheme in the lower paid post.

8.4 1995 Scheme - Voluntary protection of pay (step down)

The 1995 section allows you to retire and take your pension between age 55 (60 for some members) and 75. You can choose the time that suits you best. Your benefits will be reduced if they are paid before your Normal Pension Age (NPA). There is also a facility to protect your pension if you wish to step down to a less demanding job.

More information about voluntary protection of pay can be found on the NHS pensions website at: www.nhsbsa.nhs.uk/nhs-pensions

8.5 Retire and Return

It may be possible for retired employees to return to work within the Trust after retirement and/or after they have started to draw their pension. It should be noted that there is no automatic right for an employee to retire and return on the same hours or different hours to the same role within the Trust.

Taking a pension does not mean staff have to stop working. Employees should note that if they retire before Normal Pension Age, their benefits will be reduced on account of them being paid early.

The effect of returning to work within the Trust after retirement depends on which Section of the NHS Pension Scheme you are a member of and what your last day of pensionable employment was.

If you retire from the 1995 section you may return to NHS employment but cannot continue to contribute to any of NHS Pension Schemes, unless you retire on ill health grounds and are under the age of 50. You may however, be able to join an alternative pension scheme under auto enrolment. If you are a member of the 1995 Section, you can work no more than 16 hours per week in the first calendar month to avoid your pension being suspended.

If you retire from the 2008 section or the 2015 scheme, you may return to NHS employment and will be able to continue contributing to the NHS Pension Scheme.

8.6 Retire and Return – minimum 14 calendar daybreak requirements in relation to continuity of service with the Trust

Where an employee wishes to retire and return to work within the Trust, they must take at least a 14 continuous calendar days break (excluding any periods of annual leave) from the date of retirement to the date of re-engagement.

This will constitute a break in continuity of service with the Trust as it applies to the employee's contractual relationship with the Trust. This is separate to the breaks described in paragraph 8.7.

Should an employee decide to retire and return to work within the Trust, any future redundancy entitlement will be affected. This is in line with Agenda for Change Terms and Conditions Handbook which states that where an employee has previously been given pension benefits, any employment that has been taken account for the purposes of those pension benefits will not be counted as reckonable service for the purposes of the NHS redundancy payment. This means that any potential future redundancy payment would only take into account the post-retirement service.

Additionally a break in employment will end any continuity of service for the purpose of any pay protection. Any future entitlement to pay protection will only be based on the post-retirement service.

Any outstanding annual leave must be taken prior to the retirement date as it cannot be carried over to the new contract of employment but all previous periods of service (aggregated as appropriate), in line with the Trust's Annual and Special Leave Policy, will be counted towards the staff member's annual leave entitlement.

Previous periods of service will count towards a staff member's entitlement to sick leave where there has been a break or breaks in service of 12 months or less.

Please refer to the Management Guidance outlined in Appendix 4.

8.7 Retire and Return – minimum pension break requirements to avoid suspension in pension payments. Please note these breaks are included within the the minimum 14 calendar day break as outlined in 8.6.

Detailed below are the minimum breaks that are required in order to avoid pension payments being suspended.

NHS Pension Scheme – minimum breaks to avoid pension payments being suspended:

- Members of the 1995 section – need to take a 24-hour break before returning back to employment and work 16 hours or less a week in the first calendar month before returning to NHS employment.
- Members of the 2008 section – who have taken all their pension entitlement need to take a 24-hour break before returning to NHS employment.
- Members of the 2015 scheme – who have taken all their pension benefits will need to take a 24-hour break

NHS Pension Abatement Rules mean that the combination of the Pension and salary upon return must not exceed previous earnings (Special Class / MHO and Ill Health) . Where the member of staff retiring and returning is going to suffer a financial loss due to the Pension Abatement Rules the Trust will convert the value of the financial loss to additional annual leave. Where the additional annual leave creates a total annual entitlement of more than 40 days staff will 'bank/ accrue' the leave under the 'holiday of a lifetime' scheme.

8.8 Draw Down

This is only open to members of the 2008 section and 2015 Pension Scheme. This option allows members to take part of their pension benefits while continuing in NHS employment.

Members can take 20 to 80 per cent of their pension entitlement and continue to build up future membership.

Members can draw down on up to two occasions before retiring completely. It is to be noted that any benefits drawn down before the employee's Normal Pension Age (NPA) will be reduced to take account of their early payment.

If employees are aged over their NPA and their pay is reduced by at least 10 percent, employees can also partially retire and take some pension benefits. The pensionable pay must be reduced for at least a year or you will cease to be eligible for the pension you have drawn down. This option can be attractive if employees need to supplement their income in the run up to full retirement.

8.9 Late Retirement Enhancement

If employees continue working past NPA and have not drawn down from their pension at all, the employee's pension benefits will be increased by the application of late retirement factors. Employees can benefit from working longer to achieve an increase in pension benefits when they draw their pension.

This option is available to members of the 2008 section and the 2015 scheme.

Employees are advised to refer to the NHS Pension Scheme Guide for further information relating to the 1995, 2008 and 2015 sections for all of the above mentioned flexible options.

8.10 Early Retirement Reduction Buy Out (ERRBO)

This new provision to the 2015 pension scheme arrangement allows staff and/or their employer to make additional contributions to the scheme that will allow you to retire earlier than their NPA without any early retirement reduction (although not more than three years earlier than their NPA and not allowing for a retirement age of less than 65 years old). It is known as 'buying out' the early retirement reduction that would otherwise apply.

There are strict time limits on when you can enter into such a buy-out arrangement. Staff can find out more information on the NHS Pensions website. Not sure why this is in the retirement policy because should a member wish to retire then it would be too late to purchase an ERRBO.

More information about Early Retirement Reduction Buy Out can be found on the NHS pension's website at: www.nhsbsa.nhs.uk/nhs-pensions

8.11 Right to Appeal

An employee will have the right to appeal against the decision not to allow them to return to work following retirement. Written notice of the appeal should be lodged with the Service / Locality Director within 15 working days of the date of the letter confirming the manager's decision. The grounds of appeal should be included in the letter. The appeal may be based on one more of the following grounds:-

- Failure to follow the application process
- Evidence of inconsistencies in the considerations that were taken into account as part of the decision making process

- The member of staff is unable to return to their substantive post, due to a restructure or change in the requirements of the role which may require the staff member to work as a part of a job share or one of the arrangements outlined in the Work-Life Balance Policy.

This should include an explanation of the factors under the grounds for appeal that the employee felt were not taken into consideration.

The Service Director will be required to hold a meeting with the manager and the employee within 14 days after the employee has advised that they want to appeal. A choice of dates for the meeting will be offered to the employee and if the employee fails to confirm their preference without good reason, the meeting will go ahead on the first date listed and a decision may be made in the employee's absence if they fail to attend. The Service Director will write to the employee saying what the decision is within 14 days of the meeting.

The appeal panel will comprise of a Service Director or a Senior Manager not previously associated to the case and the decision as well as a People Business Partner/People Relations Advisor. The employee will have the right to be accompanied by a trade union representative or a work colleague not acting in an official capacity.

The outcome of the appeal will be communicated to the employee in writing within 5 working days of the meeting. The decision made at this time will be final.

9. Pre-Retirement Seminars

All employees retiring from the Trust should attend a pre-retirement seminar. It is designed for staff that are thinking of retiring in the next few years. The programme content includes: The transition into retirement, the NHS pension scheme, financial planning and wills and powers of attorney. Details of planned seminars can be found on the Trust's intranet or obtained from the Training and Development Department.

10. Post-Retirement Activities – NHS Retirement Fellowship

The NHS Retirement Fellowship was set up principally to provide welfare support and social outlets for retired people. Members of staff who retire are encouraged to join their local branch (See Appendix 3).

Some of the larger trade unions also have a retired members section and information on this is available from the appropriate Regional Office.

11. Pensions Auto Enrolment

The Government has introduced a new law that requires all employers to automatically enrol certain workers. The Government requires all employees who are aged 22 or over, earn over *£10,000 a year and are under State Pension age to be enrolled into a qualifying workplace pension scheme, if they are not already in one.

The Trust has a duty to automatically re-enrol employees into a qualifying pension scheme every three years. Employees can opt out within a month of the Trust adding the employee onto the scheme and employees will get back any money they've put into the scheme.

If employees are not eligible to join the NHS Pension Scheme for any reason then employees will be enrolled into an alternative qualifying pension scheme, such as the National Employee Savings Trust (NEST).

- *The auto enrolment threshold as at 2019/2020

What does joining the NEST Pension Scheme mean for you?

The minimum payments* into your pension will be:

- Your contribution – 5% of qualifying earnings, this will be taken directly from your pay.
- Trust contribution – an amount equal to 3% of qualifying earnings.

Employees can opt out of the NEST during their opt-out period which is usually one month from the date of the initial enrolment. More information is available on the NEST website (www.nestpensions.org.uk).

*From 6th April 2019 onwards

Where do I find out more information about the NEST Pension Scheme?

Further information about the NEST Pension Scheme is available on the scheme website at www.nestpensions.org.uk or by telephoning the member helpline on 0300 020 0090.

Appendix 1

Application for Flexible Retirement

SECTION A: EMPLOYEE TO COMPLETE	
Name	
Job Title	
Department	
Proposed Date of Retirement	
Current working arrangements	
Proposed new working arrangements	
<p>I would like to apply to amend my contract of employment in line with the Trust's Retirement Policy <i>(Include details here of what you would like to do: wind-down, step down, or retire and come back. Which date would this change be effective from?)</i></p>	
<p>I would like to change my terms and conditions of employment in this way because: <i>(You do not need to put anything here but it will assist your manager if you include some details of why.)</i></p>	

This application is possible because *(include details here about how your application could be met in practice, including the recruitment of extra workers to replace any hours that may be lost, any cover that may be required, how the service your department offers could be rearranged to accommodate your request)*

- If this application is approved, I agree that I shall abide by the terms of my arrangements agreed with my manager.
- If this application is approved, I agree that I shall abide by the terms of the Retirement policy and procedure.
- I am aware that if this application is approved, any potential future redundancy payment would only take into account my post-retirement service.
- I am aware that if this application is approved, any potential future entitlement to pay protection will only be based on my post-retirement service.
- I agree to take a break in my continuity of service with the Trust by taking at least a 14 calendar day break between the date of retirement and the date of re-engagement.
- I am aware that any reduction in my hours will result in a lower salary and reduced entitlements to annual leave and public holidays.
- I am aware that a reduction in hours will have an impact on my pension.
- I am aware that I will need to contact the Recruitment Team to ensure that they have received a copy of my completed paperwork in order that the relevant ID checks and a new starter form can be processed in advance of my return to work.

Signed:

Date:

SECTION B: MANAGER TO COMPLETE

Date of Meeting with Employee

Decision:

The decision to retire and re-engage has been:

Agreed

Refused

If the request has been agreed, how long is the contract for?

What are the new working arrangements (job title, hours etc)

Has this been discussed with the Service Director?

Yes

No

Has this been discussed with the People & Culture Department?

Yes

No

Signed:

Name of line manager

Date:

Signed:

Name of Service Director:

Date:

If the request is approved, a signed copy should be sent with the new starter form (to the recruitment team) when a provisional start date has been agreed.

Appendix 2

Sample Letter – Response to request to return/continue to work after retirement

Dear

Thank you for submitting your form requesting to continue/return to work after your retirement.

In line with the Trust's Retirement policy I would like to invite you to attend a meeting to discuss your request in more detail. The meeting has been arranged for <date> at <time> at <venue>.

I will be conducting this meeting and I will be accompanied by <People Relations Advisor >. You have the right to be accompanied by a trade union representative, or colleague not acting in a professional capacity to the meeting. In the event of your representative being unable to attend, you may request to rearrange the meeting for an alternative date and time that is within 5 working days from the day after the original meeting was scheduled to take place.

A decision will be made following the meeting, taking into account your request and the general needs of the service. The outcome will be communicated to you in writing as soon as it is reasonably practicable to do after the meeting, and no later than 5 working days following the meeting. You will have the right to appeal against a decision if your request to continue/return to work is not granted.

Please contact me to confirm that you and your representative will be able to attend the meeting at the suggested time, or to arrange an alternative date.

Yours sincerely

Line Manager

Job Title

cc: People Relations Department

Appendix 3

Useful Contact Details

For any further information regarding flexible retirement, your NHS Pension or any queries related to retirement you can contact:

- Jason Medley: –Trust Pensions Officer within the Payroll Department
Telephone:- 0121 371 7498
Email: – 363Pensions@uhb.nhs.uk
- NHS Pensions Helpline: 0300 3301 346 or 0191 279 0571
- NHS Pensions Website – www.nhsbsa.nhs.uk/pensions
- NHS Working Longer Group - www.nhsemployers.org/wlg
- Department of Works and Pension – State Pension Calculator -
<https://www.gov.uk/calculate-state-pension>
- NHS Retirement Fellowship
Telephone: 01305 361 317
Email: info@nhsrf.org.uk
Website: www.nhsrf.org.uk
- NEST Pension Scheme
Telephone - 0300 020 0090
www.nestpensions.org.uk

Appendix 4

Management Guidance when a retirement and return to work request is approved

Where it has been agreed that an individual can retire to receive their pension and then return to the Trust, the employee will complete their own leaver form to remove their details from the payroll. The manager needs to complete the Manager's section of the form in Appendix 1 and forward this along with a copy of the employee's application for retirement along with a copy of the leaver form to the Recruitment Team as soon as the request for retirement has been granted. The Recruitment Team will contact the employee to ensure that all the necessary forms (Starter checklist, New Starter Form) and relevant recruitment checks are completed (ie ID and DBS).

Where an employee wishes to retire and return to work within the Trust, they must take a 14 calendar day break (excluding any periods of annual leave) between the date of retirement and the date of re-engagement. The minimum pensionable break is considered to be part of the 14 calendar day break and will constitute a break in continuity of service with the Trust.

Should an employee decide to retire and return to work within the Trust, any future redundancy entitlement will be affected. This is in line with Agenda for Change Terms and Conditions Handbook which states that where an employee has previously been given pension benefits, any employment that has been taken account for the purposes of those pension benefits will not be counted as reckonable service for the purposes of the NHS redundancy payment. This means that any potential future redundancy payment would only take into account the post-retirement service.

Similarly, the break in employment will end any continuity of service for the purpose of any pay protection. Any future entitlement to pay protection will only be based on the post-retirement service,

Please note this break applies to the employee's contractual relationship with the Trust. This is different and separate to the breaks described under the NHS Pension Scheme which outlines the minimum breaks to be taken to avoid pension payments being suspended. The NHS Pension breaks are detailed below for completeness but all staff who retire from, and return to, the Trust will be required to take a minimum break of 14 continuous calendar days from the date of retirement to the date of re-engagement.

NHS Pension Scheme – minimum breaks to avoid pension payment being suspended:

- Members of the 1995 section – need to take a 24-hour break before returning back to employment and work 16 hours or less a week in the first calendar month. This means that their employment will be terminated following their resignation; and then re-commenced on a new contract of employment.
- Members of the 2008 section (including those who transferred to this section at the time of the Choice Exercise) – who have taken all their pension entitlement need to take a 24-hour break to qualify for all their retirement benefits. Eligible members of the 2008 scheme who wish to continue working while drawing some of their pension must reduce their pensionable pay by at least 10%.
- Members of the 2015 scheme – who have taken all their pension benefits will need to take a 24-hour break

Please note it is not possible to claim your NHS pension unless you retire from work. If you continue in work beyond the retirement age of the pension scheme but do not 'retire and return', you are not eligible to receive your pension.

What does joining the NEST Pension Scheme mean for you?

The payments into your pension will be:

- Your contribution – 1% of qualifying earnings, this will be taken directly from your pay.
- Trust contribution – an amount equal to 1% of qualifying earnings.

Employees can opt out of the NEST during their opt-out period which is usually one month from the date of the initial enrolment. More information is available on the NEST website (www.nestpensions.org.uk).

Where do I find out more information about the NEST Pension Scheme?

Further information about the NEST Pension Scheme is available on the scheme website at www.nestpensions.org.uk or by telephoning the member helpline on 0300 020 0090.

Appendix 5 – NHS Pension Schemes: An Overview

NHS Pensions
provided by...



NHS Pension Schemes: An Overview

The information in this statement has been prepared by the NHS Business Services Authority.

It represents our interpretation of the 2015 NHS Pension Scheme as at August 2014 and should not be treated as a complete and authoritative statement.

Whilst we have made every effort to ensure this document is accurate you should be aware that the information given is subject to change as a result of the proposed 2015 government reforms to public sector occupational schemes. All changes to the Regulations governing the NHS Pension Scheme require approval by Parliament. In the event of any conflicting information, the Scheme Regulations will prevail.

Feature or Benefit	NHS Staff Practice and Approved Employer Staff		Practitioners (NHS Medical and Ophthalmic Practitioners)		All NHS workers and Approved Employer Staff
Scheme	1995	2008	1995	2008	2015
Member Contributions	Tiered Contribution Rates				
Type of Scheme	Final salary based on the best of the last 3 years pensionable pay	Final salary based on the average of the best three consecutive years within the last 10 years	Earnings Accrual. The final value of pensionable earnings after adding all years' earnings and applying revaluation factors	Earnings Accrual. The final value of pensionable earnings after adding all years' earnings and applying revaluation factors	Career Average Re-valued Earnings based on a proportion of pensionable earnings in each year of membership

Feature or Benefit	NHS Staff Practice and Approved Employer Staff		Practitioners (NHS Medical and Ophthalmic Practitioners)		All NHS workers and Approved Employer Staff
	1995	2008	1995	2008	2015
Pension	A pension worth 1/80 th of pensionable pay per year and pro rata for any part year of membership	A pension worth 1/60 th of reckonable pay per year and pro rata for any part year of membership	A pension based on 1.4% of total up-rated earnings	A pension based on 1.87% of total up-rated earnings	A pension worth 1/54 th of each years' pensionable earnings, re-valued at the beginning of each following scheme year in line with the Consumer Price Index plus 1.5 % whilst in active membership
Retirement Lump Sum	3 x pension. Option to exchange part of pension for more cash up to 25% of capital value	Option to exchange pension for a lump sum, up to 25% of capital value. Certain members may have a compulsory amount of lump sum	3 x pension. Option to exchange part of pension for more cash up to 25% of capital value	Option to exchange pension for a lump sum, up to 25% of capital value. Certain members may have a compulsory amount of lump sum	Option to exchange part of pension for a lump sum up to 25% of capital value
Normal Pension Age	60 (55 for Special Class/MHO)	65	60	65	Equal to an individuals' State Pension age
Maximum Age	75	75	75	75	75
Maximum Membership	Non Special Class/MHO 45 years in total. Special Class/MHO 40 years at age 55 & 45 years overall	45 years		45 years	No limit

Feature or Benefit	NHS Staff Practice and Approved Employer Staff		Practitioners (NHS Medical and Ophthalmic Practitioners)		All NHS workers and Approved Employer Staff
	1995	2008	1995	2008	2015
Minimum Pension Age	Age 50 if joined pre 06/04/2006 and not had a break of 5 years or more Otherwise Age 55	Age 55	Age 50 if joined pre 06/04/2006 and not had a break of 5 years or more Otherwise Age 55	Age 55	Age 55
Actuarially Reduced Early Retirement	Yes	Yes	Yes	Yes	Yes
Late Retirement	No late retirement factors applied	Late retirement factors applied to pension earned before Age 65	No late retirement factors applied	Late retirement factors applied to pension earned before Age 65	Late retirement factors applied to all pension earned until retirement
Pensionable Re-employment following payment of pension	Only available to eligible members who retire from active membership following ill health retirement who re-join prior to age 50	Yes if eligible	Only available to eligible members who retire from active membership following ill health retirement who re-join prior to age 50	Yes if eligible	Yes if eligible
Partial Retirement	No	Yes	No	Yes	Yes
Ill Health Tier 1	Accrued benefits paid without reduction	Accrued benefits paid without reduction	Accrued benefits paid without reduction	Accrued benefits paid without reduction	Accrued pension paid without reduction

Feature or Benefit	NHS Staff Practice and Approved Employer Staff		Practitioners (NHS Medical and Ophthalmic Practitioners)		All NHS workers and Approved Employer Staff
	1995	2008	1995	2008	2015
Ill Health Tier 2	Tier 1 plus an enhancement of 2/3rds of prospective membership to NPA	Tier 1 plus an enhancement of 2/3rds of prospective membership to NPA	Tier 1 plus an enhancement of 2/3rds of prospective membership to NPA	Tier 1 plus an enhancement of 2/3rds of prospective membership to NPA	Tier 1 plus an enhancement of 1/2 of prospective pension to NPA
Increasing your Pension	Purchase of Additional Pension in units of £250	Purchase of Additional Pension in units of £250	Purchase of Additional Pension in units of £250	Purchase of Additional Pension in units of £250	Purchase of Additional Pension in units of £250