

## **Nene Clinical Commissioning Group**

### **RETIREMENT POLICY**

#### **NENE CCG: HR25**

Version:	4
Ratified by:	CCG Governing Body
Date ratified:	1 October 2013
Name of originator / author:	Andrew Utley, Senior Solicitor, DAC Beachcroft LLP / Stephen Wright, Deputy Head of Human Resources Business Partners, GEM CSU
Name of responsible committee/individual:	CCG Corporate Services
Date of issue:	February 2014
Review date:	January 2016
Target audience:	All Staff

## ASSISTANCE WITH THE APPLICATION OF THIS POLICY AND UPDATES

This policy has been prepared so as to reflect the law as at 1 June 2013. The policy will require periodic review to reflect subsequent changes to the law. Changes to employment law have generally been made on 1 February, 1 April and 1 October in any given year.

For advice and assistance in relation to the application of this policy and to obtain updates please contact:

Your line manager in the first instance or Corporate  
Services, Nene Clinical Commissioning Group, Francis  
Crick House, Summerhouse Road, Moulton Park,  
Northampton, NN3 6BF

### VERSION CONTROL SHEET

VERSION No.	DATE	WHO	STATUS	COMMENT
1	09.07.13	Stephen Wright	Draft	
2	14.08.13	Julie Fitzpatrick	Draft	
3	30.12.13	Julie Fitzpatrick	Final	Post Union Consultation
4	03.02.14	Julie Fitzpatrick	Final	Post equality review

<b>Contents</b>	<b>Page</b>
1. Policy Statement	4
2. Purpose of the Policy	4
3. Discussing your future plans	4
4. Flexible Retirement and the NHS Pension Scheme	5
5. Giving notice of Retirement	6
6. Due Regard	6
7. Equality Statement	6

## 1. POLICY STATEMENT

- 1.1 **Nene Clinical Commissioning Group (CCG)** has no fixed retirement age. We acknowledge that retirement is a matter of choice for individuals and we will not pressurise employees into resigning because they have reached, or are approaching, a certain age. The purpose of this policy is to ensure that CCG members are treated fairly and consistently and that due regard is paid to individual circumstances.
- 1.2 Employees are free to retire whenever they choose or to seek alternative roles or working patterns (for example, pre-retirement wind down from existing post and pre-retirement step down). For further information about alternative working patterns, see our Flexible Working Policy. The employee should put their request in writing to their line manager, clearly outlining their proposed work pattern, start date and retirement date. Requests will be considered in line with the procedure in the Flexible Working policy, and judged on the basis of business needs.
- 1.3 We are proud to employ people of all ages and consider that age diversity is beneficial to the organisation. We are committed to not discriminating against employees because of age and adhere to the principles set out in our Equality, Inclusion and Human Rights policy.

## 2. PURPOSE OF THE POLICY

- 2.1 This policy aims to create a framework for workplace discussions, enabling you to express your preferences and expectations with regard to retirement and enabling us to plan for our business.
- 2.2 This policy does not form part of your contract of employment and we may amend it from time to time as we consider appropriate.

## 3. DISCUSSING YOUR FUTURE PLANS

- 3.1 You or your manager may want to discuss your short, medium and long-term plans, as the need arises. If your circumstances change, you may want a different working pattern or to stop work altogether. We need to plan for the business, and so may indicate to staff from time to time that it would be helpful to know what their plans are. There is no obligation for us or you to hold workplace discussions about your future plans, but it may be mutually beneficial to do so.
- 3.2 We will not make generalised assumptions that performance will decline with age, whether due to competence or health issues. If we

think there are problems with your performance or ill-health, these will be dealt with in the usual way, through the Capability Procedure or Sickness Absence Policy which are available from Corporate Services

- 3.3 If a workplace discussion takes place for the purposes described in paragraph 3.1 above, we will aim to make it as informal as possible.
- 3.4 During any workplace discussion:
  - 3.4.1 we will not assume that you want to retire just because you are approaching a certain age, such as state pension age, or that you do not wish to retire because you have yet to reach that age; and
  - 3.4.2 we will not make discriminatory comments, suggesting that you should move or stay on due to age.
- 3.5 If you indicate that you are thinking of retiring, you are free to change your mind at any time until you have actually given notice to terminate your employment.
- 3.6 Your employment or promotion prospects will not be prejudiced because you have expressed an interest in retiring or changing work patterns.
- 3.7 If you express an interest in moving to a more flexible working pattern (as set out in our Flexible Working Policy, we will confirm that this is what you want before any action is taken which could affect your employment, such as a change to your current role or responsibilities.

#### **4. FLEXIBLE RETIREMENT AND THE NHS PENSION SCHEME**

- 4.1 When considering retirement options employees should bear in mind the potential impact on their pension. The NHS Pension Scheme regulations enable individuals to have flexible retirement options whilst, protecting benefits and in some cases enhancing these.
- 4.2 This policy is concerned only with retirement from employment, and not with pension matters. It is not the intention of this policy to detail the entitlements of members of the NHS Pension Scheme on retirement, or the process of applying for payment of that pension.
- 4.3 This policy does not alter, but preserves the rights of individuals to retire at an agreed age in accordance with the NHS Pension Scheme and National regulations. For example, the rights of the “Special Classes” under the Pension Scheme.

- 4.4 It is important that before taking any decision about entering into flexible retirement that the individual is made aware of how this may affect his/her pension benefits. For all matters relating to the NHS Pension Scheme please contact an HR representative, the Pension Officer or the NHS Pensions website [www.nhsbsa.nhs.uk/pensions](http://www.nhsbsa.nhs.uk/pensions).

## 5. GIVING NOTICE OF RETIREMENT

- 5.1 If you have decided to retire, we would appreciate as much notice as possible, although you should give the CCG at least the notice you are obliged to give under your contract of employment.

## 6. DUE REGARD

- 6.1 This policy has been reviewed in relation to having due regard to the Public Sector Equality Duty (PSED) of the Equality Act 2010 to eliminate discrimination, harassment, victimisation; to advance equality of opportunity; and foster good relations.

## 7. EQUALITY STATEMENT

Nene Clinical Commissioning Group (CCG) aims to design and implement policy documents that meet the diverse needs of our services, population and workforce, ensuring that none are placed at a disadvantage over others. It takes into account current UK legislative requirements, including the Equality Act 2010 and the Human Rights Act 1998, and promotes equal opportunities for all. This document has been designed to ensure that no-one receives less favourable treatment due to their reassignment, sexual orientation, marriage and civil partnership, race, religion or belief, pregnancy and maternity. Appropriate consideration has also been given to gender identity, socio-economic status, immigration status and the principles of the Human Rights Act.

In carrying out its functions, Nene CCG must have due regard to the Public Sector Equality Duty (PSED). This applies to all the activities for which Nene CCG is responsible, including policy development, review and implementation.