

Retirement Policy

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Committee Approved:	Senior Management Team
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Target Audience:	Council of Members, Governing Body and its Committees and Sub-Committees, CCG Staff, agency and temporary staff & third parties under contract
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The on-line version is the only version that is maintained. Any printed copies should, therefore, be viewed as 'uncontrolled' and as such may not necessarily contain the latest updates and amendments.

POLICY AMENDMENTS

Amendments to the Policy will be issued from time to time. A new amendment history will be issued with each change.

New Version Number	Issued by	Nature of Amendment	Approved by & Date	Date on Intranet
0.1	HR Team, eMBED Health Consortium	New Policy	N/A	N/A
0.2	HR Team, eMBED Health Consortium	Consultation with Staff	N/A	N/A
1.0	HR Team, eMBED Health Consortium	To SMT For Approval and then SPF for Approval	27 November 2017	February 2018

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1.0 Introduction

- 1.1 NHS Harrogate and Rural District CCG is committed to assisting employees who are considering or have taken the decision to retire from service and outlines the options available and support that can be expected from management. The CCG wish to encourage employees to work as long as they wish to do so, enabling the CCG to retain necessary skills and experience of employees. NHS Harrogate and Rural District CCG therefore do not have a compulsory organisational retirement age.
- 1.2 The CCG also recognise that retirement is a life-changing event and wished to facilitate a smooth retirement process for staff, whilst also recognising the commitment and loyal service they have provided.
- 1.3 The purpose of this policy is therefore:
- To be a signpost for staff considering retirement in the short or medium term
 - A signpost for managers to help them support employees
 - To offer options for flexible retirement for employees to consider
 - To facilitate the change from working to not working over a period of time to suit individual needs, whilst helping the CCG retain valuable skills and experience
 - To encourage staff to consider their work-life balance when nearing the time they may wish to retire
 - To encourage managers to be supportive of employees' needs.

2.0 Engagement

- 2.1 This policy has been developed by the eMBED Health Consortium HR Team in partnership with employees, managers and trade unions and approved at the Social Partnership Forum.

3.0 General Data Protection Regulation (GDPR)

- 3.1 The CCG is committed to ensuring that all personal information is managed in accordance with current data protection legislation, professional codes of practice and records management and confidentiality guidance. More detailed information can be found in the CCGs Data Protection and Confidentiality and related policies and procedures.

4.0 Impact Analyses

- 4.1 Equality Impact Assessment
In applying this policy, the CCG will have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

An Equality Impact Assessment is attached at Appendix 1. This policy should be carefully monitored following implementation through the local annual staff survey and the annual monitoring data and to assess whether any particular protected groups are positively or negatively affected in terms of outcomes and accessibility

5.0 Scope

5.1 This policy will apply to all employees of the CCG.

6.0 Policy Purpose and Aims

6.1 The CCG does not operate a compulsory retirement age.

6.2 When considering retirement options employees should bear in mind the potential impact on their pension.

6.3 The provisions of Section 16 of NHS Terms and Conditions will apply to employees retiring early on grounds of redundancy.

6.4 The minimum retirement age for members of the NHS Pension Scheme – 1995 section is 50, except for staff who joined on or returned to the scheme after 6 April 2006 for whom the minimum retirement age is 55. The minimum retirement age for members of the 2008 section is 55.

6.5 The normal retirement age for members of the NHS Pension Scheme – 1995 section is 60 and age 65 for members of the 2008 section.

6.6 Employees considering retirement, particularly flexible retirement, should discuss their plans initially with their line manager.

6.7 Information on retirement options and benefits is available from an HR representative or the NHS Pensions website www.nhsbsa.nhs.uk/pensions.

6.8 Employees should bear in mind that NHS Pensions requires 3 months notice of any request for payment of pension benefits.

6.9 Flexible retirement requests will be considered in line with the procedure set out in the Flexible Working policy.

6.10 Advice and support on the application of this policy is available from the eMBED Health Consortium HR Team.

7.0 Role / Responsibilities / Duties

7.1 Managers

Responsible for ensuring that this policy is applied fairly to all, and to have discussions in line with the guidance in the policy with staff concerning retirement.

7.2 Employees

Responsible for ensuring they are aware of the policy and request retirement options in accordance with it.

Requesting a pension forecast and the completion of appropriate paperwork when planning to retire, giving a minimum of 4 months' notice to the CCG. Contact should be made with the pensions agency in order to discuss retirement processes and request relevant paperwork.

7.3 Workforce Team

Responsible for providing advice and guidance where necessary for line managers and individuals on all aspects of retirement and flexible retirement in accordance with this policy.

8.0 Implementation

8.1 This policy will be communicated to staff via team meetings/team brief and will be available for staff on the internet.

8.2 Breaches of this policy may be investigated and may result in the matter being treated as a disciplinary offence under the CCG's disciplinary procedure.

9.0 Training and Awareness

9.1 A copy of the policy will be available on the CCG internet. Training needs will be identified via the appraisal process and training needs analysis.

10.0 Monitoring and Audit

10.1 The implementation of this policy will be audited on an annual basis by the CCG and reported to CCG Governing Body.

11.0 Policy Review

11.1 This policy will be reviewed in 4 years. Earlier review may be required in response to exceptional circumstances, organisational change or relevant changes in legislation/guidance, as instructed by the senior manager responsible for this policy.

12.0 References

12.1 NHS Pensions website www.nhsbsa.nhs.uk/pensions

13.0 Associated Documentation

- Flexible Working Policy
- Redeployment Policy
- Absence Management Policy

14.0 Procedure

14.1 Employees who have decided that they wish to retire or are considering retirement, particularly flexible retirement, should discuss their plans initially with their line manager.

14.2 Employees wishing to request to retire and return should be made in writing, to their line manager, as far in advance as possible. The request must include the proposed retirement date and when, and in what capacity, the individual would like to return to work afterwards. Requests would be considered in line with the Flexible Working Policy

14.3 **NHS Pension Scheme**

Guidance on the NHS Pension Schemes, 1995, 2008 and 2015, is available by accessing:

[http://www.nhsbsa.nhs.uk/Documents/Pensions/SD_Guide_\(V16\)_04.2016_-_Digital.pdf](http://www.nhsbsa.nhs.uk/Documents/Pensions/SD_Guide_(V16)_04.2016_-_Digital.pdf)

This document runs through the variety of options available to employees who pay into any of the NHS Pension Schemes

15.0 **Premature Retirement and Retirement in the Interests of Efficiency**

15.1 If you are retired prematurely because of redundancy or in the interests of the efficiency of the service, pension benefits may be paid immediately. Employees must have:

- at least two years' continuous membership
- reached the minimum pension age
- two years' continuous employment with the employer who is prematurely retiring you
- contractual terms and conditions which entitle you to claim the redundancy pension as an alternative to receiving, either in whole or in part, the cash redundancy payment from your employer.

15.2 Section 16 of Agenda for Change, paragraphs 16.1 – 16.7 inclusive set out the terms and conditions of early retirement on the grounds of redundancy for employees entitled to pension benefits.

15.3 Section 16 of Agenda for Change, paragraphs 16.26 – 16.29 inclusive set out the terms and conditions of early retirement in the interests of the efficiency of the service.

15.4 If an employee has more than one job in the NHS they may either:

- take the benefits in respect of all the pensionable NHS jobs. If an employee chooses to do this, the employee must leave all jobs for at least one day unless they total no more than 16 hours per week; or
- take the benefits only in respect of the employment from which they are retiring prematurely.

In either case the employee can remain in or re-join the 2015 NHS Pension Scheme if the employee continues or subsequently returns to NHS employment.

16.0 **Appendices**

16.1 Appendix A: Equality Impact Assessment

Equality Impact Assessment

1. Equality Impact Assessment	
Policy / Project / Function:	Retirement Policy
Date of Analysis:	August 2017
This Equality Impact Assessment was completed by: (Name and Department)	eMBED HR Team
What are the aims and intended effects of this policy, project or function?	This policy is designed to assist employees who are considering or have taken the decision to retire from service and outlines the options available and support that can be expected from management.
Please list any other policies that are related to or referred to as part of this analysis?	<ul style="list-style-type: none"> • Flexible Working policy. • Redeployment policy • Absence Management Policy
Who does the policy, project or function affect? Please Tick ✓	Employees <input checked="" type="checkbox"/> Service Users <input type="checkbox"/> Members of the Public <input type="checkbox"/> Other (List Below) <input type="checkbox"/>

2. Equality Impact Assessment: Screening

	Could this policy have a positive impact on_____		Could this policy have a negative impact on_____		Is there any evidence which already exists from previous (eg from previous engagement) to evidence this impact
	Yes	No	Yes	No	
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered – Neutral Impact
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered – See assessment test
Sexual Orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered – Neutral Impact
Disabled People	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered – See assessment test
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered – Neutral Impact
Transgender People	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered – Neutral Impact
Pregnancy and Maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered – Neutral Impact
Marital Status	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered – Neutral Impact
Religion and Belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Considered – Neutral Impact
Reasoning					
If there is no positive or negative impact on any of the Nine Protected Characteristics go to Section 7 Equality Impact Analysis Findings					

3. Equality Impact Analysis: Local Profile Data

Local Profile/Demography of the Groups affected as at October 2016

General	Total number of employees in the CCG is 54
Age	81.49% are aged 30-55 12.96% of staff are over 55 5.56% of staff are under 30
Race	87.04% of staff employed are White 7.41% of staff have are not stated/undefined their ethnicity 3.70% of staff employed are Black 1.85% of staff employed are Asian
Sex	33.33% staff employed are male 66.67% staff employed are female
Gender reassignment	No information at this stage
Disability	79.63% of staff employed declared themselves as having no disability 20.37% of staff employed did not declare / undefined 0% of staff employed have declared a disability
Sexual Orientation	74.07% of staff employed described themselves as heterosexual 25.92% of staff employed did not wish to respond / undefined
Religion, faith and belief	Christianity is the largest religious group declared by staff in the CCG (48.15%) 35.19% of staff employed were undefined or did not wish to declare 12.96% of staff employed declared themselves Atheist 1.85% of staff employed declared themselves Buddhists 1.85% of staff employed declared themselves as Other religion
Marriage and civil partnership	75.93% of employees are married. No employees are in a civil partnership. 0% of staff were undefined The remainder (24.07%) are single/divorced/legally separated or widowed
Pregnancy and maternity	No information yet as the CCG has not been established long enough to build meaningful data

4. Equality Impact Analysis: Equality Data Available

<p>Is any Equality Data available relating to the use or implementation of this policy, project or function?</p> <p>Equality data is internal or external information that may indicate how the activity being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1. Application success rates <i>Equality Groups</i> 2. Complaints by <i>Equality Groups</i> 3. Service usage and withdrawal of services by <i>Equality Groups</i> 4. Grievances or decisions upheld and dismissed by <i>Equality Groups</i> 5. <i>Previous EIAs</i> 	<p>Yes <input checked="" type="checkbox"/> Staff Profile Data</p> <p>No <input type="checkbox"/></p> <p>Where you have answered yes, please incorporate this data when performing the <i>Equality Impact Assessment Test</i> (the next section of this document).</p>
<p>List any Consultation e.g. with employees, service users, Unions or members of the public that has taken place in the development or implementation of this policy, project or function</p>	<p>Consultation has taken place both locally and nationally with Trade Unions and staff</p> <ul style="list-style-type: none"> • CCG Employees • Senior Management Team (approval)
<p>Promoting Inclusivity How does the project, service or function contribute towards our aims of eliminating discrimination and promoting equality and diversity within our organisation</p>	<p>This Policy does not directly promote inclusivity; however it is designed to assist employees who are considering or have taken the decision to retire from service and outlines the options available and support that can be expected from management. Applied equitably, it should contribute to the elimination of discrimination.</p>

5. Equality Impact Analysis: Assessment Test

What impact will the implementation of this policy, project or function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Protected Characteristic	No Impact	Positive Impact	Negative Impact	Evidence of impact and if applicable, justification where a <i>Genuine Determining Reason</i> exists
Gender (Men and Women)	X			This policy will be applied consistently regardless of gender and therefore should have no impact on this protected characteristic.
Race (All Racial Groups)	X			This policy will be applied consistently regardless of race and therefore should have no impact on this protected characteristic.
Disability (Mental and Physical)		X		Potential for positive impact where members of the NHS pension scheme with qualifying year's membership retire on the grounds of ill health or for members to step down/retire and return which may contribute to support for employees to maintain some work as an adjustment.
Religion or Belief	X			This policy will be applied consistently regardless of religion or belief and therefore should have no impact on this protected characteristic.
Sexual Orientation (Heterosexual, Homosexual and Bisexual)	X			This policy will be applied consistently regardless of sexual orientation and therefore should have no impact on this protected characteristic.
Pregnancy and Maternity	X			This policy will be applied fairly and consistently regardless of this protected characteristic. Employees will continue to pay their NHS pension scheme contributions during paid and unpaid periods of maternity leave (based on their reduced earnings)

				or can make the contributions on their return to work so that their pensionable service is not broken and there is no impact on pension on retirement.
Transgender	X			This policy will be applied consistently and therefore should have no impact on this protected characteristic.
Marital Status	X			This policy will be applied consistently regardless of marital status and therefore should have no impact on this protected characteristic.
Age		X		This policy may have a positive impact on this protected characteristic as the CCG does not operate a compulsory retirement age. Employees can make a choice as to when to retire and how once they reach the age at which they can retire and may choose to retire and return or step down in order to continue working.

6. Action Planning

As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010*?

Identified Risk	Recommended Actions	Responsible Lead	Completion Date	Review Date
NONE IDENTIFIED				

7. Equality Impact Analysis Findings

Analysis Rating: Red Red / Amber Amber Green X

		Actions	Wording for Policy / Project / Function
<p>Red</p> <p>Stop and remove the policy / stop the project / stop the function</p>	<p>Red: As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i>. It is recommended that the use of the policy be suspended until further work or analysis is performed.</p>	<p>Remove the policy Stop the project Stop the function</p> <p>Complete the action plan above to identify the areas of discrimination and the work or actions which needs to be carried out to minimise the risk of discrimination.</p>	<p>No wording needed as policy / project / function stopped</p>
<p>Red / Amber</p> <p>Continue the policy / Continue the project / Continue the function</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason may exist that could legitimise or justify the use of this policy and further professional advice should be taken.</p>	<p>The policy / project / function can be published with the EIA</p> <p>List the justification of the discrimination and source the evidence (i.e. clinical need as advised by NICE).</p> <p>Consider if there are any potential actions which would reduce the risk of discrimination.</p> <p>Another EIA must be completed if the policy is changed, reviewed or if further discrimination is identified at a later date.</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i>. However, a genuine determining reason exists which justifies the use of this policy and further professional advice.</p> <p><i>[Insert what the discrimination is and the justification of the discrimination plus any actions which could help what reduce the risk]</i></p>

<p>Amber</p> <p>Adjust the Policy / adjust the project / adjust the function</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p>	<p>The policy / project / function can be published with the EIA</p> <p>The policy can still be published but the Action Plan must be monitored to ensure that work is being carried out to remove or reduce the discrimination.</p> <p>Any changes identified and made to the service/policy/ strategy etc. should be included in the policy.</p> <p>Another EIA must be completed if the policy is changed, reviewed or if further discrimination is identified at a later date.</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p> <p><i>[Insert what the discrimination is and what work will be carried out to reduce/eliminate the risk]</i></p>
<p>Green</p> <p>No major change</p>	<p>As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>	<p>The policy / project / function can be published with the EIA</p> <p>Another EIA must be completed if the policy is changed, reviewed or if any discrimination is identified at a later date</p>	<p>As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.</p>