



St Nicholas
Hospice Care

A Registered Charity No. 287773

Staff Retirement Policy

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Personnel Director

Review date: November 2009

Revision date: January 2013

Approved by: Personnel Committee

Date of meeting: November 2009

Name of Chair: Adrian Williams

Approved by: Board of Trustees

Date of meeting: November 2009

Name of Chair: Alastair Robinson

Contents

1. Introduction	3
2. Responsibilities and Accountability	3
3. Procedures and Implementation	3
3.1 <i>Age of Retirement</i>	3
3.2 <i>Request To Work Beyond Retirement Age</i>	4
3.3 <i>Management Considerations Before Agreeing To Extend Retirement Date</i>	4
3.4 <i>Preparation For Retirement</i>	5
3.5 <i>Early Retirement</i>	5
3.6 <i>Ill-Health Retirement</i>	5
4. Related Policies / Guidelines	5
5. Monitoring and Review	5
6. Statutory Compliance	6
7. References	6
8. Appendices	6

Policy Statement

St Nicholas' Hospice is committed to the equal treatment of all employees and will ensure that this is applied to staff approaching or considering early retirement or the possibility of working beyond the default retirement age of 65.

This policy aims to clarify to staff the situation regarding options available to staff facing retirement. The Hospice aims to be a flexible employer, but will normally expect a retirement age of no more than 65.

1. Introduction

St Nicholas Hospice Care is an independent charity delivering specialist palliative care to patients and their families within the communities of West Suffolk and Thetford – covering a population of 250,000 people. Care is delivered by a specially trained multidisciplinary team supported by a large team of volunteers to patients within our Sylvan Ward, Community, Day Hospice and outpatient settings. The organisation also includes a Fundraising Department that manages a range of fundraising activities and a retail section with several shops in the local community staffed by paid staff and volunteers.

Employees approaching retirement age need the opportunity to prepare for the considerable change in lifestyle this involves and the Hospice will look to provide employees with support and guidance. In addition the Hospice looks to provide employees with choice and flexibility. St. Nicholas' Hospice undertakes to communicate the details of its retirement policy and ensure that it is fairly applied.

The organisation needs to succession plan, to retain or transfer skills and knowledge that would otherwise be lost through retirement, as an integral part of this process. This will include an evaluation of the loss to the organisation of skills and abilities and a plan of how these will be replaced.

Individuals will be given as much choice as possible, including the use of flexible retirement schemes and making pre-retirement support available to individuals

2. Responsibilities and Accountability

The Personnel Department is the first point of contact for internal queries and information and will liaise with external Pension Providers within the terms of this policy and procedure. Line managers are responsible to ensure positive, timely discussion with staff facing retirement. All staff facing retirement should ensure they are familiar with this policy, its procedures and requirements.

3. Procedures and Implementation

3.1 Age of Retirement

In line with the Employment Equality (Age) Regulations 2006 all employees may continue in employment to the age of 65 years provided they are able to undertake the full duties of the post in which they are employed.

Employees will be given written notice of the date of their intended retirement no earlier than 12 months but no later than 6 months before reaching the age of 65 and informed of their right to request to work beyond retirement age.

Employees should be encouraged to contact their pension provider to check their personal pension entitlement on retirement. It is advised that such information should be sought in

S:\ORGANISATION\Policy Files\CURRENT \Personnel\Staff Retirement	Page 3 of 8
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writing at an early stage, in order that an informed decision can be made on whether to continue working beyond the age of 65.

3.2 Request To Work Beyond Retirement Age

Under the Employment Equality (Age) Regulations 2006 employees have the right to request to work beyond the retirement age of 65; in accordance with the legislation, St Nicholas is entitled to refuse the request.

Employees should make their request to work beyond the age of 65 in writing and by completing a 'Request Not to Retire' form, which will be attached to the letter sent informing them of their retirement date. This form should be returned no earlier than 12 months and no later than 3 months prior to reaching the age of 65 years. Failure to return this form in time could mean that the employee would lose their statutory right to have their request considered and would be automatically retired.

The employee will be invited to meet with the appropriate member of the Senior Management Team and the Personnel Manager in order to discuss the request for an extension of employment beyond the age of 65. The employee has the right to be accompanied by a Trade Union Representative or Work Colleague who are permitted to address the meeting and confer with the employee during the meeting but cannot answer questions on behalf of the employee.

The relevant Member of the Senior Management Team will confirm the outcome of the meeting in writing. If it is decided that the employment will not be extended beyond the age of 65 this will be a dismissal for reasons of retirement and therefore the statutory dismissals procedure will not apply.

The employee has a right to appeal within 2 weeks of receiving the decision. Any appeal should be addressed to the Chief Executive* but individuals should be aware that any appeal hearing might have to take place after retirement has taken effect.

Where an extension of employment is granted beyond the age of 65, the retirement procedure will be repeated on an annual, or more frequent basis, dependent on the length of extension agreed.

*If the employee requesting to work beyond retirement age reports directly to the Chief Executive then the Chair of Personnel Committee will be appointed to hear any appeal.

3.3 Management Considerations Before Agreeing To Extend Retirement Date

Should a member of staff wish to continue beyond the recommended retirement age of 65, the following factors should be considered:

- There is a need for the role to continue.
- There is a recognised skill/expertise shortage in a particular field
- The work being undertaken by the existing post holder has a specific completion date

Extensions to contracts should only be made for a maximum of 12 months and reviewed again following the procedure detailed in 3.2 **REQUEST TO WORK BEYOND RETIREMENT AGE** . Extensions to contract may also be subject to:

- Satisfactory occupational health assessment which may require the employee to agree to attend a medical assessment.
- Satisfactory attendance and performance – through normal review processes.

3.4 Preparation For Retirement

As soon as a retirement date has been agreed, discussion on retirement planning will be offered to assist employees in the process of planning for retirement, this may include;

- Pre-retirement training courses/information
- Alternative employment options (including phased retirement/part time working etc)
- Voluntary work
- Retirement celebration - the recognition of an individual's retirement may be marked by a modest celebration on site / (managers should be sensitive to the needs and feelings of individuals and respect their wishes re this)
- Keep in touch arrangements
- Meeting with Pensions provider at least 3 months prior to retirement who will advise on:
 - Pensions estimates
 - Completion of papers for retirement

3.5 Early Retirement

St Nicholas Retirement Policy in no way affects an employee's right to retire at an earlier age than 65 years. In such circumstances, the employee will be required to give written notice to the Hospice, in line with their contract of employment.

Employees wishing to take early retirement should contact their pension provider, to seek advice on how their pension would be affected by early retirement.

3.6 Ill-Health Retirement

Ill-health retirement may be appropriate for those employees who are unable to carry out their duties or any other employment within St Nicholas Hospice Care due to permanent ill health.

In such cases employees who are members of the NHS Pension Scheme may apply to have their benefits paid early. Ill health retirement applications under the NHS Pension Scheme require the support of the employee's General Practitioner/Consultant and/or St Nicholas Hospice Care Occupational Health Adviser.

Employees with other pension arrangements should be encouraged to consult with their personal pension provider in these circumstances

4. Related Policies / Guidelines

Equal Opportunities Policy.
Occupational Health Policy

5. Monitoring and Review

This procedure will be reviewed by the Hospice at 2 yearly intervals, unless an earlier review is required e.g. due to changes in legislation; the review to be conducted by the

S:\ORGANISATION\Policy Files\CURRENT \Personnel\Staff Retirement	Page 5 of 8
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Personnel Director and any amendments to be endorsed by the Senior Management Team and the Board of Trustees.

6. Statutory Compliance

Employment Equality (Age) Regulation 2006.
European Employment Directive (Council Directive 2000/78/EC)
Equal Pay Act 1970
Equality Act 2006
Human Rights Act 1998

7. References

ACAS Guide – Age and the Workplace.
Age Positive.gov.uk
The NHS Pensions Helpline can offer detailed information. Contact details as below (They will require the members National Insurance number or Pensions Reference):
Telephone: 01253 774440
Open: Monday to Thursday, 8.30am-5.00pm
Friday, 8.30am – 4.30pm
Information can also be obtained from the Pensions Agency via their website:
www.nhspa.gov.uk

Beckett Financial Services can be contacted on 01284 754500, www.beckettinvest.com

8. Appendices

1. 'Request Not to Retire'
2. Flow Chart – Retirement Process

Request Not to Retire**Name:****Date:****Department:****Job Title:****Contracted Hours:**

I am writing to request not to retire on my expected date of [date previously quoted by Personnel Department in notification letter)]. I am making this request under paragraph 5 of Schedule 6 to the Employment Equality (Age) Regulations 2006.

I propose that my employment should continue [you must specify one of the following]:

- indefinitely
- for [insert a specific period e.g. twelve months]
- until [insert a specific date].

[If you wish to you can include information in support of your request, such as examples of how allowing you to continue working could benefit the Hospice.]

I look forward to hearing from you with your suggested time for a meeting to discuss my request.

Yours sincerely,

.....

N.B. This request must be made at least 3 months before the expected date of retirement and no more than 12 months before.

Retirement Procedure Flowchart

