

RETIREMENT POLICY

(including retire & return to work)

(H34)

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Fixed Term Contract Policy (H5)			

Amendment History

Issue	Status	Date	Reason for Change	Authorised
1.1	Approved	October 2018	Inclusion of Cost Centre in Appendix 7	-
1.2	Approved	November 2019	Retirement certificate – produced centrally in HR	HR Advisor
1.3	Approved	April 2021	Updating contact details	People Hub
1.4	Approved	February 2022	Change of contact details for gift	People Hub
1.5	Approved	August 2022	Generic email for retirement certificate requests	People Hub
1.6	Approved	December 2022	Electronic retirement gift request process	People Hub
1.7	Approved	July 2023	Break in service changed for retire and return General review.	Employee Relations team
1.8	Approved	March 2024	Clarification regarding retirement gift when taking partial retirement (point 13.4)	Employee Relations team

Rapid (E)quality Impact Assessment (EqIA) *(for use when writing policies)*

Policy Title (and number)	Retirement Policy	Version and Date	1.8 – March 2024
Policy Author	Employee Relations team		
An (e)quality impact assessment is a process designed to ensure that policies do not discriminate or disadvantage people whilst advancing equality. Consider the nature and extent of the impact, not the number of people affected.			
Who may be affected by this document?			
Patients/ Service Users	<input type="checkbox"/>	Staff	<input checked="" type="checkbox"/>
Other, please state...		<input type="checkbox"/>	
Could the policy treat people from protected groups less favorably than the general population?			
<i>PLEASE NOTE: Any 'Yes' answers may trigger a full EIA and must be referred to the equality leads below</i>			
Age	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Gender Reassignment	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Race	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Disability	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Gender	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Pregnancy/Maternity	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Sexual Orientation			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Religion/Belief (non)			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Marriage/ Civil Partnership			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is it likely that the policy could affect particular 'Inclusion Health' groups less favorably than the general population? (substance misuse; teenage mums; carers ¹ ; travellers ² ; homeless ³ ; convictions; social isolation ⁴ ; refugees)			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please provide details for each protected group where you have indicated 'Yes'.			
VISION AND VALUES: Policies must aim to remove unintentional barriers and promote inclusion			
Is inclusive language ⁵ used throughout?			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>
Are the services outlined in the policy fully accessible ⁶ ?			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>
Does the policy encourage individualised and person-centered care?			Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>
Could there be an adverse impact on an individual's independence or autonomy ⁷ ?			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>
EXTERNAL FACTORS			
Is the policy a result of national legislation which cannot be modified in any way?			Yes <input type="checkbox"/> No <input type="checkbox"/>
What is the reason for writing this policy? (Is it a result in a change of legislation/ national research?)			
To provide a consistent and equitable process for staff retiring from Torbay & South Devon NHS Foundation Trust (the Trust).			
Who was consulted when drafting this policy?			
Patients/ Service Users	<input type="checkbox"/>	Trade Unions	<input checked="" type="checkbox"/>
Protected Groups (including Trust Equality Groups)		<input type="checkbox"/>	
Staff	<input type="checkbox"/>	General Public	<input type="checkbox"/>
Other, please state...		<input type="checkbox"/>	
What were the recommendations/suggestions?			
Does this document require a service redesign or substantial amendments to an existing process? <i>PLEASE NOTE: 'Yes' may trigger a full EIA, please refer to the equality leads below</i>			Yes <input type="checkbox"/> No <input type="checkbox"/>
ACTION PLAN: Please list all actions identified to address any impacts			
Action	Person responsible	Completion date	
AUTHORISATION:			
By signing below, I confirm that the named person responsible above is aware of the actions assigned to them			
Name of person completing the form	ER Team Lead		
Validated by (line manager)	ER Service Manager		

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1 Policy Statement

- 1.1 This policy has been written with reference to the NHS Pension Scheme regulations and requirements.

2 Purpose

- 2.1 The aim of this policy is to provide a consistent and equitable process for staff retiring from Torbay & South Devon NHS Foundation Trust (the Trust).

3 Scope

- 3.1 This policy applies to all staff employed by Torbay & South Devon NHS Foundation Trust, together with those on a joint contract with the organisation and another employer.

4 Equality and Diversity Statement

- 4.1 The Trust is committed to preventing discrimination, valuing diversity and achieving equality of opportunity. No person (staff, patient or public) will receive less favourable treatment on the grounds of the nine protected characteristics (as governed by the Equality Act 2010): sexual orientation; gender; age; gender re-assignment; pregnancy and maternity; disability; religion or belief; race; marriage and civil partnership. In addition to these nine, the Trust will not discriminate on the grounds of domestic circumstances, social-economic status, political affiliation or trade union membership.
- 4.2 The Trust is committed to ensuring all services, policies, projects and strategies undergo equality analysis.

SECTION ONE

5 Roles and Responsibilities

5.1 Manager Responsibilities

- Providing the employee with written acknowledgement of their intention to retire on the agreed date and arrange where applicable a retirement gift and certificate.
- Providing written notification to Payroll Services of the employee's intention to retire. Where an employee wishes to claim their NHS Pension this notification must be provided at least 4 months before the intended date of retirement.
- Completing the required termination form.
- Arranging where required Pre-retirement courses.
- Where the employee wishes to pursue a flexible retirement option the manager should put the request to the Vacancy Panel for approval.

5.2 Employee Responsibilities

- Employees are expected to give adequate notice to their manager of their intention to retire. If an employee wishes to take their NHS Pension notice should be provided at least 4 months before the intended date of retirement to ensure the pension is available upon retirement.

5.3 Pensions Department

- Will be responsible for overseeing the completion of the NHS Pension application form and administrative process.
- Providing NHS Pension advice to managers, employees and human resources.

5.4 Cashier's Department

- Will be responsible for obtaining the retirement gift voucher upon receipt of the electronic Retirement Gift Voucher Application (appendix 7).

6 Retirement Age

- 6.1 There is no longer a 'default retirement age' and the employee can make their own decision when to retire from employment with the Trust.

7 NHS Pension Scheme

- 7.1 There are two NHS Pension Schemes, the 1995/2008 Scheme and the 2015 Scheme. The 1995/2008 scheme is closed to new entrants; however, some members retain the right to membership of this scheme. The 1995/2008 Scheme is divided into two sections; the 1995 section and the 2008 section.

- 7.2 The 1995 section closed to new members from 31 March 2008 and the 2008 section closed to new entrants from 31 March 2015. All new entrants will now join the 2015 Scheme.

- 7.3 Employee who are members of the NHS Pension Scheme are entitled to retire from the scheme, draw a pension and cease work at different times. The age at which an individual is entitled to retire will be dependent upon which section of the NHS Pension Scheme they are in and whether they have 'special class' status. For further information please see the NHS Pensions website at www.nhsbas.nhs.uk

- 7.4 The normal retirement ages dependent upon each scheme are as follows:

- 1995 section of the NHS Pension Scheme - normal retirement age is 60.
- 2008 section of the NHS Pension Scheme - normal retirement age is 65
- 2015 section of the NHS Pension Scheme – individual's State Pension Age

7.5 Protection arrangements for members of the 1995/2008 Scheme

- 7.5.1 Full protection – members who were within 10 years of their Normal Pension Age (NPA) as at 1 April 2012 will remain in their current section until they retire or otherwise leave the scheme and will not automatically move to the 2015 Scheme.

- 7.5.2 Tapered protection – members who were more than 10 years, but less than 13 years and 5 months from their NPA as at 1 April 2012 are entitled to tapered protection. This means they will move to the 2015 Scheme at a date later than 1 April 2015.

- 7.5.3 No protection – members who, as at 1 April 2012, were more than 13 years and 5 months from their NPA have no protection and will move to the 2015 Scheme on 1 April 2015.

8 NHS Pension Scheme ‘Special Classes’

- 8.1 Certain employee who were members of the NHS Pension scheme before 6th March 1995 are classified as being within the schemes ‘special classes’ and are entitled to retire at the age of 55 without a deduction to the benefits they may receive. This applies to an employee in the role of Nurse, Physiotherapist, Midwife or Health Visitor.

9 NHS Pension Scheme Early Voluntary Retirement

- 9.1 An employee who is eligible for an NHS pension may choose to take ‘voluntary early’ retirement and receive reduced benefits before their normal retirement age.
- 9.2 For employees in the 1995 section of the scheme this is from the age of 50 and for employees in the 2008 and 2015 sections of the scheme this is from the age of 55.

10 Automatic Enrolment – Alternative Provider

- 10.1 Nest is the Trusts Alternative Pension Provider. If a member retires from the 1995 section of the Pension Scheme and returns to work they are not eligible to re-join the NHS Pension Scheme. If the member meets the eligible criteria they will be automatically enrolled into NEST. The member does not have to remain in the Nest pension and can opt out at any time.
- 10.2 If the member retires from either the 2008 scheme or the 2015 scheme they can re-join the NHS Pension scheme.

11 Notification of Intention to Retire

- 11.1 An employee wishing to retire must provide their manager with written confirmation of their intention to retire together with their proposed retirement date.
- 11.2 Where an employee wishes to take their NHS Pension they should give at least 4 months’ notice to enable adequate time for the pension application to be processed.
- 11.3 In circumstances where an employee is not claiming an NHS Pension then normal contractual notice periods apply.
- 11.4 The manager should ensure they provide written acknowledgement of the retirement and complete the electronic termination form, including where applicable advising Payroll Services of the employee’s intention to make an application for their NHS Pension.
- 11.5 The manager should determine whether the employee is eligible for a retirement gift and/or Retirement Certificate and complete the Retirement Gift Voucher Application at appendix 7 and Retirement Certificate appendix 8

12 Retirement Certificate

- 12.1 Staff with more than 10 years' service upon their retirement will be presented with a certificate acknowledging the services of the individual. Managers should ascertain the employee's wishes regarding the public or private presentation of this certificate.
- 12.2 All aggregated NHS or Local Authority service is counted.
- 12.3 The retirement certificate form (Appendix 8) should be completed and emailed to tsdft.retirementcertificates@nhs.net

13 Retirement Gift

- 13.1 A retirement gift is available to all staff members who have completed 10 or more year's continuous service with the Trust, or relevant continuous service with any other NHS organisation or Local Authority.
- 13.2 The gift applies equally to employees working full and part time hours.
- 13.3 An employee taking early retirement or ill-health retirement is entitled to the same provision.
- 13.4 Employees eligible for a retirement gift must be retiring from the Trust and not merely resigning. Employees retiring and returning are eligible for the retirement gift at this time and would not be entitled to a further gift when fully retiring at a later date. Staff members taking partial retirement (as per NHS Pensions arrangements) are not eligible for a retirement gift card (or certificate) until they retire fully.
- 13.5 The Retirement Gift is payable as follows:
 - 10 to 13 years' service - £100
 - 14 to 16 years' service - £120
 - 17 to 20 years' - £150
 - 21 to 24 years' service - £180
 - 25 years' service and over - £200

The award is presented in the form of a Marks and Spencer gift card. No cash award is payable.
- 13.6 For those staff **under** 20 years' service the retirement award is viewed by the HMRC as a taxable benefit, as such the Trust is required to notify the HRMC and this may impact on your tax free allowance the following year.
- 13.7 The cost of the retirement gift is met from the pay budget to which the employee is charged.
- 13.8 The Retirement Gift Voucher Application Form should be completed by using the electronic form - <https://forms.office.com/r/bxWcTPm2VP>
- 13.9 Any queries regarding the retirement gift request process should be directed to the Cashier's Office at tsdft.cashiers@nhs.net or 01803 656555.

14 Flexible Retirement

- 14.1 Flexible retirement is defined as flexibility regarding the age at which an employee retires, the length of time an employee takes to retire or the nature and intensity of work in the lead-up to retirement.
- 14.2 The NHS Pension Scheme offers a range of flexible retirement options. It is recommended that an employee considering a flexible retirement option seeks advice from the Trust's Pensions Department.
- 14.3 The following flexible retirement options are available to staff depending on which part of the scheme they are in:

Option	1995 Section	2008 Section	2015 Section
Step Down	YES	YES	YES
Wind Down	YES	YES	YES
Retire & Return*	YES	YES	YES
Draw Down	NO	YES	YES
Late Retirement Enhancement	NO	YES	YES
Early Retirement Reduction Buy Out	NO	NO	YES

14.4 Step Down

Staff can 'step down' to a different role, for example to reduce their level or responsibility while remaining in NHS employment. This supports the Trust to retain the individual's skills and experience while supporting the staff member to approach retirement.

14.5 Wind Down

14.5.1 Staff can 'wind down' to retirement by remaining in their current post but reduce the number of hour or days they work.

14.5.2 Approval of an employee's request to either step down or wind down is at the Trust's discretion and the decision will be based on the Trust's need to retain operationally-critical skills.

14.6 Draw Down (or partial retirement)

Members can take part of their pension benefits and continue in NHS Employment. This means that staff continue working while benefiting from being able to partially draw down their pension benefits and supplement their income.

14.7 **Late Retirement Enhancement**

If a member chooses to retire later than their normal pension age, their pension benefits will be increased by the application of late retirement factors.

14.8 **Early Retirement Reduction Buy Out**

Members or their employer can pay additional contributions to buy out, or reduce, the actuarial reduction that would be applied to their pension were they to retire before their normal pension age.

SECTION TWO

15 Retire & Return to Work

15.1 The aims of 'retire and return' are to:

- Enable the Trust to retain the skills, knowledge and experience necessary to deliver safe patient care;
- Help support the health and wellbeing of older staff as they approach retirement and wish to continue working;
- Ensure that overall workforce costs are managed in line with budgets.

15.2 There may be opportunities for employees to retire from the Trust and return to work within the same Care Group, either in their current role/an alternative vacant post and/or with reduced hours, after a designated break. Employees may also choose to register for the staff Bank by taking retirement, then opting to work on an 'as and when' basis, giving them an opportunity to pick and choose their working hours.

15.3 Applications to return to work following retirement will not be automatically approved and should take account of current and future workforce requirements, succession planning and equality requirements.

15.4 Consideration should also be given to affordability, financial plans and cost improvement plans along with service delivery. The checklist at appendix 2 refers.

15.5 The employee making the request should be made aware that the application to return to work following retirement will be considered in line with the above principles.

15.6 When considering the request, considering the criteria above, in some circumstances a fixed term return to work may be considered appropriate.

15.7 A fixed term employee is defined as a person with a contract of employment which is due to end when a specified date is reached, a specified event does or does not happen or a specified task has been completed. Fixed-term contracts will generally be offered where:

- It is known in advance that a particular job will come to an end on a specific date;
- The work is for the purpose of completing a particular task.
- The work is for the purpose of replacing an employee who is to be absent from work for a period of time (for example on maternity leave);
- The post is dependent on external funding and it is thought likely that the funding will be available for only a temporary period of time.
- The funding for the post is only for a short period or the return is to allow for service redesign and/or achieve service financial plans.

The above list is not intended to be exhaustive. Further information is available in the Fixed Term Contract Policy (H5).

- 15.8 The manager can approve the request in principle however the final decision will be made following submission to the Vacancy Panel.

16 Application Process

- 16.1 An employee wishing to request to retire and return should complete appendix 1 - Employment after Retirement Application Form. The employee's request should be made six months ahead of their intended retirement date. This notice is required so that the employee's application to return to work can be given thorough consideration against any opportunities for service redesign as per the Establishment Control process, and in order to provide the necessary four months' notice for release of the employee's pension by NHS Pensions.
- 16.2 The employee's line manager will arrange to meet with the employee to discuss their request. The employee's line manager can seek advice from the Employee Relations team on the implementation of this policy and other legislation or local guidance that may influence their decision should they need to. The employee is entitled to be accompanied at this meeting by a trade union representative or work place colleague.
- 16.3 Approval of a request to retire and return is at the discretion of the organisation. The decision will be based on the organisational need to retain operationally-critical skills and will require the approval of the appropriate Manager or Director and Vacancy Panel.
- 16.4 The tenure of the post will be dependent upon the needs of the organisation and line managers should seek advice from the Employee Relations team should they need to.
- 16.5 The employee will be provided with written confirmation of their approved request to retire and return (appendix 3) and the terms and conditions of the role into which they are to be re-engaged. The manager should arrange a retirement gift voucher and certificate where appropriate (see appendices 7 and 8).
- 16.6 Any employee whose request to retire and return is accepted must have a minimum of 24 hours break between their retirement date and the date of their re-engagement with the organisation.
- 16.7 The Payroll Services department should be notified of the employee's retirement on a termination form and re-engagement, on a staff appointment form including the dates of the fixed term period, if appropriate.
- 16.8 If the request is not approved the manager will complete appendix 4 - Employment after Retirement Application Rejection Form

17 Appeal Process for Retire and Return Requests

- 17.1 An employee has the right to appeal when a request to retire and return is not approved, if an element of the retire and return request cannot be accommodated or another flexible retirement request has not been approved. An appeal must be submitted to the

appropriate senior manager within 14 calendar days of the letter confirming the decision. (appendix 5 - Employment after Retirement Appeal Form refers)

- 17.2 The appeal meeting will be the employee's final opportunity to make their case to the organisation. Prior to the appeal meeting the senior manager hearing the appeal should have a good understanding of the line manager's rationale for not approving the employee's request in order to reach a considered and balanced decision.
- 17.3 If a decision can be reached on the day, the employee will be informed of the outcome of their appeal at the meeting. However, the senior manager hearing the appeal will consider the case put forward by the employee and if therefore unable to reach a conclusion on the day, the employee will be provided with written notification of the outcome of their appeal within 5 working days of the meeting date. (See appendix 6 - Employment after Retirement Appeal Reply Form)
- 17.4 The decision of the appeal is final.
- 17.5 In accordance with section 16.6 of the NHS Terms and Conditions of Service Handbook, continuous service in respect of which an employee is in receipt of NHS pension benefits, will not be counted as reckonable for redundancy purposes or the mutually agreed resignation scheme (MARS) upon the employee's re-engagement. Reckonable service will begin from the date on which the employee is re-engaged.

18 Further Information

- 18.1 Line managers can discuss all aspects of an employee's retirement with a member of the Employee Relations team should they need to.
- 18.2 The Trust's Pensions department is available to give specific advice to individuals.

19 Training and Awareness

- 19.1 Advice and support will be provided by the Employee Relations team to support staff and managers in using this policy and their understanding of dealing with retirement and retire and return requests.
- 19.2 The Employee Relations team will raise awareness of this policy through the publication of information on ICON and to advise staff of changes to the policy through the staff bulletin and ratification processes.

20 Contact Details

- 20.1 Any queries regarding this policy should be directed to the Employee Relations team within the People Directorate:

Employee Relations Advice Line – at tsdft.humanresources@nhs.net or 01803 655754 (ext. 55754).

21 Monitoring, Audit and Review Procedures

- 21.1 This policy will be monitored and audited on a regular basis. A full review will take place every two years by the People Directorate unless legislative changes determine otherwise.

22 Appendix 1– Retire and return application form

Note to the Employee

You can use this form to make an application for employment after retirement. You should note that it may take up to 14 weeks to consider a request before it can be implemented and possibly longer where difficulties arise. You should therefore ensure that you submit your application to your manager 6 months before you wish the request to take effect.

It will help us to consider your request if you provide as much information as you can about your desired working pattern. It is important that you complete all the questions as otherwise your application may not be valid. When completing sections 3 & 4, think about what effect your change in working pattern will have on both the work that you do and on your colleagues. Once you have completed the form, you should immediately forward it on to your manager (you might want to keep a copy for your own records). Your manager will then have 28 days after the day your application is received in which to arrange a meeting with you to discuss your request. If the request is granted this will be confirmed in writing.

Note to the manager

This is a formal application for employment after retirement and the duty on employers is to consider applications seriously. You have 28 days after the day you receive this application in which to either agree to the request or arrange a meeting with your employee to discuss their request. You should confirm receipt of this application using the attached confirmation slip. Please refer to the checklist (appendix 2) when considering this application.

1. Personal Details

Name: Payroll No:
 Manager: Job Title:

To the manager

I would like to apply to work after retirement and I confirm that I shall be retiring 6 months from the date of this request

2a. Describe your current working pattern (days/hours/times worked):

2b. Describe the working pattern you would like to work after retirement (days/hours/times worked): (you may continue on a separate sheet if necessary)

2c. I would like this working pattern to commence from: Date:

3. Impact of the new working pattern

I think this change in my working pattern will affect my employer and colleagues as follows:

4. Accommodating your request

I think the effect on my employer and colleagues can be dealt with as follows:

Cut this slip off and return it to your employee in order to confirm your receipt of their application.

Dear:

I confirm that I received your request to change your working pattern

I shall be arranging a meeting to discuss your application within 28 days following this date.

From:

23 Appendix 2 – Retire and return application - manager's checklist

- An employee's request to retire and return will be judged on its own merits but possible considerations include:
 - Will a vacancy be created following retirement of the member of staff?
 - Can the vacancy be covered by existing staff working differently?
 - Does it need to be a like for like replacement?
 - Are there any anticipated service changes which may affect this vacancy?
 - Is this vacancy suitable for displaced staff?
 - Are there any other vacant operationally-critical posts that this employee has the necessary skills or experience to undertake?

- Possible reasons for the refusal of an employee's request to retire and return include:
 - Inadequate performance in the role which is currently under formal review under the appropriate Trust policy
 - The skills, knowledge and experience to undertake the role is readily available in the employment market
 - The need to refresh skills through turnover to aid succession planning
 - Continuity of care will not be adversely affected if the person retires
 - Current or anticipated organisational change necessitating the displacement of staff
 - Opportunity to develop new ways of working and delivery of services

- The following checklist is aimed at supporting the decision-making process:

Criteria	Details
Cost Improvement: How will filling the post on a 'retire and return' basis contribute to cost improvement plans?	
Equality Requirements: Will there be any discriminatory impact e.g. on the grounds of age, sex, disability etc?	
Standard of work and attendance: Do the levels of the employee's attendance and quality of work support retire and return arrangements?	
Competence: Does the employee have the required skills, knowledge and experience for the post?	

<p>Hours:</p> <p>Can the hours proposed be accommodated/meet service needs?</p>	
<p>Workforce Planning:</p> <p>Does the return fit with longer term workforce/service plans and succession planning for the post?</p>	
<p>Type of contract:</p> <p>If the contract is to be for a fixed term, is this to allow for service redesign or other short-term requirements. Please specify.</p>	

24 Appendix 3 – Employment after retirement acceptance form

Note to the manager

You must write to your employee within 28 days following the meeting with your decision. This form can be completed when accepting an application to work after retirement. If you cannot accommodate the requested working pattern you may still wish to explore alternatives to find a working pattern suitable to you both.

Please note that the Application Rejection Form should be used if the employee's working pattern cannot be changed, and no other suitable alternative can be found.

Dear:

Payroll No:

Following receipt of your application and our meeting on: Date:
I have considered your request for employment after retirement.

I am pleased to confirm that I am able to accommodate your application.

I am unable to accommodate your original request. However, I am able to offer the alternative pattern which we have discussed and you agreed would be suitable to you.

Your new working pattern will be as follows:

Your new working arrangements will begin from: Date:

Note to the employee

Please note that the post retirement working arrangements will be a permanent change to your terms and conditions of employment and will be subject to annual review by your manager.

If you have any questions on the information provided on this form please contact me to discuss them a.s.a.p.

Name: Date:

Signature: Job Title:

25 Appendix 4 – Employment after retirement application rejection form

Note to the manager

You must write to your employee within 28 days following the meeting with your decision. This form can be completed when declining an application. Before completing this form, you must ensure that full consideration has been given to the application. You must state the business ground(s) as to why you are unable to agree to employment after retirement and the reasons why the ground(s) apply in the circumstances.

Dear:

Payroll No:

Following receipt of your application and our meeting on: Date:

I have considered your request for employment after retirement.

I am sorry but I am unable to accommodate your request for the following business ground(s):

The grounds apply in the circumstances because:

(You should explain why other work patterns you may have discussed are also inappropriate. Please continue on a blank sheet if necessary).

If you are unhappy with the decision you may appeal against it. Details of the appeal procedure are set out below.

Name:	<input type="text"/>	Date:	<input type="text"/>
Signature:	<input type="text"/>	Job Title:	<input type="text"/>

The Appeal Process

To the employee

If your manager turns down your request for employment after retirement, you have the right to appeal against the decision. If you wish to appeal, you must write to your Senior Manager, setting out the grounds for your appeal, within 14 days after receiving written notice of your manager's decision. A form has been provided for you to appeal against the decision.

To the manager

If you reject your employee's request for employment after retirement, your employee has the right to appeal against your decision to the senior manager.

If your employee appeals against your decision to refuse a request for employment after retirement, the senior manager must consider the appeal within a reasonable timeframe after receiving the appeal letter/form.

They must write to your employee within 14 days to notify them of the outcome of the appeal using the appropriate form a copy of which will be provided for your files.

Now return this form to your employee and keep a copy for the individual's personal file

26 Appendix 5 – Employment after retirement appeal form

Note to the employee

If your application has been refused, you may appeal against your manager's decision to the Senior Manager. You can use this form to make your appeal. You should set out the grounds on which you are appealing, and do so within 14 days of receiving written notice that your application for employment after retirement has been turned down.

Note to the Senior Manager

This is a formal appeal against the rejection to apply for employment after retirement. You have 14 days following your receipt of this form in which to arrange a meeting with your employee to discuss their appeal. A representative should accompany you at the appeal from the Employee Relations team.

An Appeal Reply Form to use when responding to this appeal has been provided.

Dear:

I wish to appeal against the decision to refuse my application for employment after retirement. I am appealing on the following grounds:

Name:

Date:

Signature:

Job Title:

Now return this form to your manager. (You may wish to keep a copy for your own records).

Cut this slip off and return it to your employee in order to confirm your receipt of their application.

Dear:

I confirm that I received your appeal request on: Date:

I shall be considering your appeal within 14 days following this date.

27 Appendix 6 – Employment after retirement appeal reply form

Note to the Senior Manager

You may complete this form when replying to an appeal that an application to work after retirement has not been properly considered. You must return this form to your employee, giving notice of your decision, within 14 days after the meeting at which you both discussed the appeal. If you decide to turn down the appeal, you must state the grounds for your refusal.

Dear: Payroll No:

Following your appeal application on Date:

I have considered your appeal against the decision to refuse your application for employment after retirement.

I accept your appeal against the decision. I am therefore able to accommodate your original request as follows:

Your new working arrangements will begin from: Date:

Note to the employee

Please note that the change in your working arrangements will be a permanent change to your terms and conditions of employment and will be subject to annual review by your manager.

I am sorry but I must reject your appeal for the following ground(s):

The ground(s) apply because:

(please continue on a separate sheet if necessary).

Name: Date:

Signature: Job Title:

Now return this form to your employee and keep a copy for the individual's personal file

28 Appendix 7 – Retirement gift voucher application

A retirement gift is available to all staff members who have completed 10 or more year's continuous service with the Trust, or relevant and previously approved continuous service with any other NHS organisation or Local Authority.

The award is payable as follows:

10 to 13 years' service	£100
14 to 16 years' service	£120
17 to 20 years'	£150
21 to 24 years' service	£180
25 years' service and over	£200

Employees eligible for the award must be retiring from the service and not merely resigning.

The award is not reduced pro-rata for employees working part-time hours. The cost of the retirement award is met from the pay budget to which the employee is charged.

Instruction for Managers

Having established that the employee is eligible, the request for a Retirement Gift Voucher Application Form should be completed using the electronic form found <https://forms.office.com/r/bxWcTPm2VP>

Any queries regarding the retirement gift request process should be directed to the Cashier's Office at tsdft.cashiers@nhs.net or 01803 656555.

Any member of staff retiring with more than ten years of NHS service will receive a certificate of acknowledgment. The request for the retirement certificate is available at appendix 8.

29 Appendix 8 – Request for Retirement Certificate

From: _____

Telephone: _____

To: **Retirement Certificate team**

Date: _____

Subject: **RETIREMENT CERTIFICATE**

Request for a retirement certificate as follows:

Employee's name: _____
As you wish it to appear on the certificate

Length of service: _____ years

Retirement date: _____

Date certificate required by: _____
(At least 10 working days' notice required)

Please send the retirement certificate to:

- Requesting manager, or
- Retiring individual, at

Name: _____

Address: _____

Please return completed form to tsdft.retirementcertificates@nhs.net