

<b>TRUST CORE GUIDELINE</b> <b>RETIREMENT PROCEDURE</b>
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<b>APPROVING COMMITTEE(S)</b>	Trust Policy Committee	Date approved:	Chair's action: 18/10/13
<b>EFFECTIVE FROM</b>	Date of approval		
<b>DISTRIBUTION</b>	Policy Working Group, Interim Partnership Board		
<b>RELATED DOCUMENTS</b>	Recruitment and Selection Policy		
<b>STANDARDS</b>	NHS Pensions		
<b>OWNER</b>	Director of HR and Organisational Development		
<b>AUTHOR/FURTHER INFORMATION</b>	HR Team Manager, Employee Relations		
<b>SUPERCEDED DOCUMENTS</b>	Retirement Policy (Whipps Cross)		
<b>REVIEW DUE</b>	3 years after approval		
<b>KEYWORDS</b>	Retirement; Pension		
<b>INTRANET LOCATION(S)</b>	<a href="http://bartshealthintranet/Policies-and-Guidelines/Index.aspx">http://bartshealthintranet/Policies-and-Guidelines/Index.aspx</a>		

<b>CONSULTATION</b>	<i>Barts Health</i>	Policy Working Group, Interim Partnership Board, Trust Policy Committee
	<i>External Partner(s)</i>	Capital Hospitals Ltd via the New Hospital Programme Control Team

<b>SCOPE OF APPLICATION AND EXEMPTIONS</b>	<b>Included in procedure:</b> <i>For the groups listed below, failure to follow the procedure may result in investigation and management action which may include formal action in line with the Trust's disciplinary or capability procedures for Trust employees, and other action in relation to organisations contracted to the Trust, which may result in the termination of a contract, assignment, placement, secondment or honorary arrangement.</i>	
	All Trust staff on a contract of employment	
	<b>Exempted from procedure:</b> <i>The following groups are exempt from this procedure: staff on honorary contracts, students, agency workers, bank (only) staff, contractors working within the Trust</i>	

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## RETIREMENT GUIDELINE

### 1 INTRODUCTION AND AIMS

- 1.1 Barts Health NHS Trust values the loyalty and commitment given to the NHS by members of its staff and believes that support should be available for all employees retiring from the service to enable them to cope with this transition.
- 1.2 This procedure sets out the Trust's arrangements for retirement, and ensures that managers and staff are aware of flexible retirement options available to them.
- 1.3 The Trust recognises the benefit in retaining experienced members of staff and encourages staff and management to consider the flexible retirement options outlined in this procedure.
- 1.4 The Trust acknowledges the service that retirees have given to both the Trust and the NHS as a whole, and recognises their contribution to delivering patient care.
- 1.5 The procedure provides guidance on retirement for both managers and staff and aims to support the Trust to meet service needs and ensures that the Trust is compliant with the Equality Act 2010.
- 1.6 The statutory retirement age of 65 was abolished with effect from 1<sup>st</sup> October 2011. The Trust does not operate a compulsory retirement age process.

### 2 VISIONS, VALUES AND BEHAVIOURS

- 2.1 In order to establish a sense of organisational community during the development of Barts Health, the 'Creating our Future together Campaign' was established. The Campaign engaged patients, carers, staff and partners to identify a set of values and behaviours we can all share to make Barts Health a great organisation. Our vision is to change lives.
- 2.2 Our values define what is important in the way we deliver this vision. Our core behaviours set out how all of us will work regardless of the role we hold in the organisation. These behaviours consistently carried out will help embed the values in our everyday working lives and ultimately consistently 'doing the right thing' will affect our organisation's culture. Every time individually we do the right thing it makes it easier for others to follow our example.

Our Values:

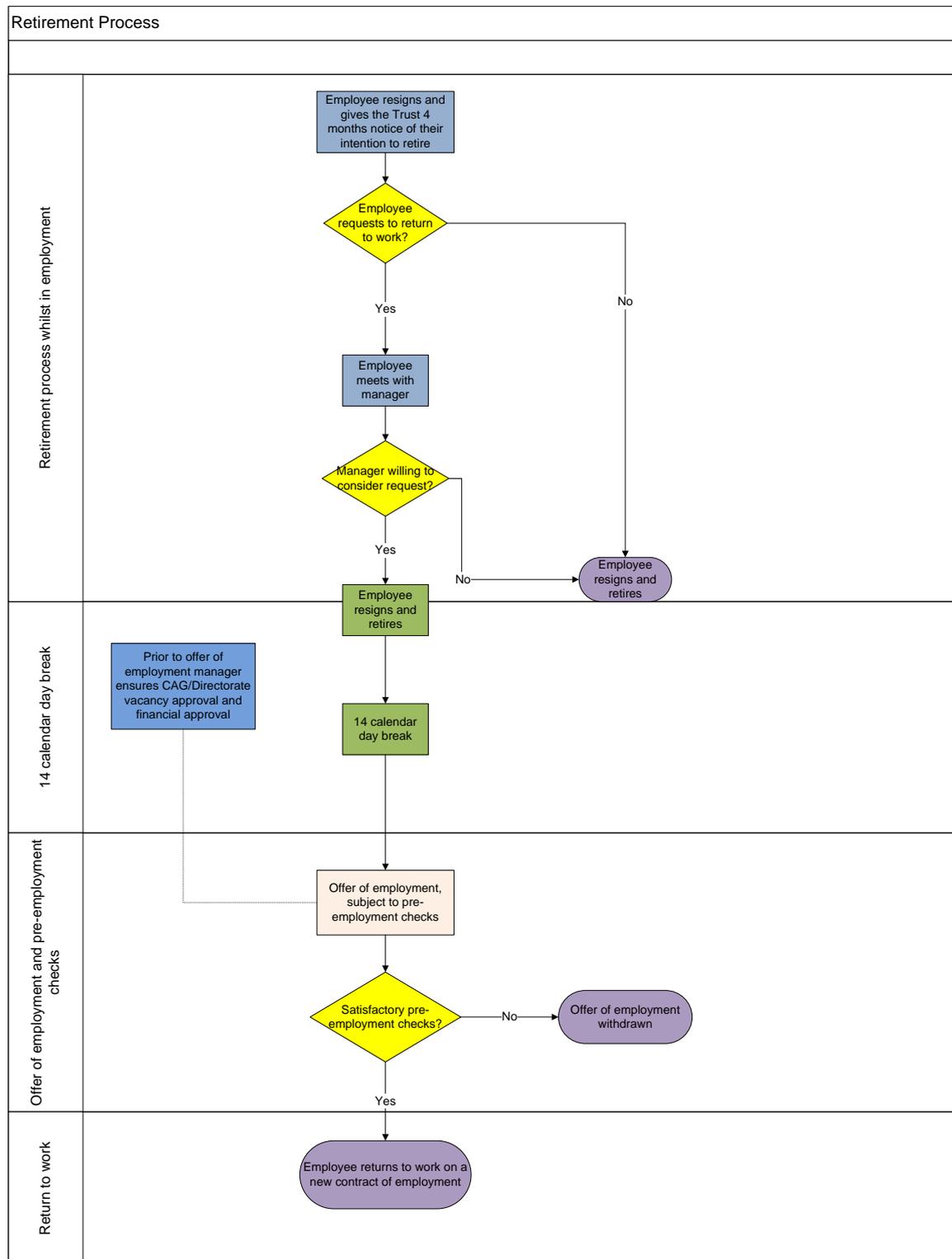
- Caring and compassionate with patients, each other and our partners
- Actively listening, understanding and responding to patients, staff and our partners
- Relentlessly improving and innovating for patient safety

- Achieving ambitious results by working together
  - Valuing every member of staff and their contribution to the care of our patients.
- 2.3 At Barts Health we champion dignity, compassion and respect, putting the individual at the heart of all decisions, striving to get it right for every person, every time.
- 2.4 As Managers and staff we must ensure we implement the principals held by the values and behaviours so we can support the achievement of our vision to 'Change Lives'.
- 2.5 All of us, managers and staff are responsible for ensuring the values and behaviours are integral to how we implement this procedure. Through this implementation together we can affect the organisational culture and change lives.

### 3 DUTIES AND RESPONSIBILITIES

Managers	To consider any requests to retire and return fairly To ensure that employees understand that retirement is a resignation and that there is no right to retire and return to Barts Health
Employees	To provide the Trust with 4 months' written notice of their intention to retire. This should be made to the individual's line manager. To discuss their retirement options with the Pensions Department. Where appropriate to seek independent financial advice.
Human Resources	To advise managers and employees on the application of this procedure
Pensions	To provide guidance on retirement options to individuals who are considering retirement

## 4 PROCESS



4.1 Where an employee wishes to retire, this should be confirmed in writing with at least 4 months notice of the intended date of retirement.

- 4.2 Staff should be aware that a retirement is a resignation and terminates the employment contract. There is no automatic right for staff to return to employment with Barts Health NHS Trust following retirement.
- 4.3 It will typically take three months for payroll and pensions to process an application for retirement.
- 4.4 Where staff are retiring and returning to work, the Pension scheme rules require that there must be at least a 24 hour break between payroll assignments. However, it is Barts Health policy is to require a 14 day break (see section 5).
- 4.5 Pension rules also stipulate that staff are limited to 16 hours work per week for the first month following retirement, if they are retiring and returning to work. Beyond the the first month following retirement, staff may work their agreed hours.

## **5 RE-APPOINTMENT OF STAFF FOLLOWING RETIREMENT**

- 5.1 Where staff wish to retire and return to work, they should make their manager aware of this request at the time of their intention to retire.
- 5.2 The Trust already has an agreed Recruitment Policy, together with the Human Rights, Equality and Diversity Policy. These make it clear that when a vacancy arises, as is the case when an employee chooses to take retirement voluntarily, that posts should be subject to open and fair competition. **The default position under this procedure is to refuse requests to retire and return, in order to enable posts to go to open competition.**
- 5.3 Where a request to retire and return is approved, the individual will not be subject to a recruitment process. However, pre-employment checks will be undertaken.
- 5.4 Staff are encouraged to join the staff bank should they wish to continue working. Where a member of staff wishes to join the staff bank this should be indicated on the leaving form.
- 5.5 Until registration is completed with staff bank, staff should not complete any bank shifts.
- 5.6 However, there may be occasions when management wish to re-engage staff following retirement. This could be:
- In order to retain specialist knowledge or expertise
  - To cover a hard to fill vacancy
  - To cover an interim period before the new incumbent joins
  - To retain members of staff in shortage occupations

This is not an exhaustive list

5.7 When considering a request to continue working, managers will need to consider:

- The performance of the individual
- The requirement of the role to continue
- Cost Improvement Programmes (CIPs)
- The labour market i.e. is the profession in short or over-supply
- The CAG/Directorate Workforce Plan

This is not an exhaustive list.

5.8 The length of re-engagement will be dependent upon the requirement of the role. Where there is a genuine need for the role to be for a limited term, a fixed-term contract will be offered. Where the requirement for the role is on-going, a permanent contract will be offered.

5.9 Any re-appointment is subject to a formal offer of employment from recruitment services and standard pre-employment checks.

5.10 In all cases continuous service must be broken. Whilst the NHS Pension Scheme only requires a break of one day, service related NHS contractual redundancy rights should be reset to zero by a break of **at least 14 calendar days**.

5.11 Therefore, any formal offer of employment must be made **at least 14 calendar days after the last day service**. Whilst discussions can take place prior to retirement, no formal offer of employment can be made whilst the employee is still in the employ of Barts Health NHS Trust.

5.12 Under the national agreement, doctors are only entitled to Clinical Excellence Awards (CEAs) for their current contract. Retirement and agreement of a new employment contract means any CEA payments must cease, and prospective retirees should be made aware of this.

5.13 Prior to an offer of employment for an employee to return on on a substantive contract (fixed-term or permanent), the Trust's standard vacancy approval process **must** be followed via Recruitment. This will include CAG/Directorate vacancy approval and financial approval.

**6 MONITORING THE EFFECTIVENESS OF THIS PROCEDURE**

<b>Issue being monitored</b>	<b>Monitoring method</b>	<b>Responsibility</b>	<b>Frequency</b>	<b>Reviewed by and actions arising followed up by</b>
The number of employees retiring	Breakdown of retirees across the CAGs	Workforce Information	Bi-annual	Staff Partnership Group
Age Profile of Employees Retiring	Age profile of retirees across the Trust	Workforce Information	Bi-annual	Staff Partnership Group

**END**

**Appendix 1: Change Log**

<b>Change Log – Retirement Procedure</b>		
<b>Substantive changes since previous version</b>	<b>Reason for Change</b>	<b>Author &amp; Group(s) approving change(s)</b>

**Appendix 2 – Impact assessments**

Equalities impact checklist - must be completed for all new policies



Barts Health Equality  
 Analysis Retirement Pc

**Appendix 3 – Additional guidance and information**

<http://www.nhsbsa.nhs.uk/pensions>