

September 2008

**AMENDMENT TO SECTION B20 – MODEL RETIREMENT POLICY**

**(Replacement page B20/4 attached)**

16. Where employees fail to respond to the correspondence sent by HR it will be assumed that they intend to retire on their 65<sup>th</sup> birthday (subject to reasonable care being taken to ensure that the employee has actually received the correspondence).

### **Right of Appeal**

17. The [ ] Board is under no statutory obligation to agree an application to work beyond the normal retirement age nor, if such an application is rejected, to explain why. Where an application is rejected, this will be confirmed in writing, the date of retirement restated and details of the statutory right of appeal included.

Note: Whether to do so is entirely at the discretion of each individual Board although it is considered good practice to provide a reason.

18. An employee has the statutory right of appeal in respect of a decision not to agree the application or where the [ ] Board has proposed a new intended date of retirement which is less than that originally requested.
19. An employee wishing to appeal should write formally to the Head of HR, giving full details of the grounds of appeal, within 10 days of being notified of the decision not to agree the application or to amend the requested intended retirement date.
20. HR will arrange for the appeal to be heard by the relevant ACO/Director, or, where appropriate, the Chief Officer, within 15 working days of receipt of the appeal. The senior officer hearing the appeal will be advised by a representative of HR and the employee may be accompanied by a Trade Union representative or workplace colleague.
21. If the appeal is upheld, the employee should be notified of this in writing together with confirmation of how long the employee's employment will continue - indefinitely or for a stated period of time.
22. In compliance with the statutory provision, there is no further right of appeal.

### **Flexible Retirement**

23. The possibility of flexible retirement exists within the Local Government Pension Scheme. An employee who, rather than continuing to work full-time until the normal retirement age, wishes, for example, to move to part-time working or to a lower graded post, may, subject to the [ ] Probation Board's consent, elect to draw any pensions benefits already accrued whilst still receiving a salary in respect of the reduced hours or changed