



Workforce

Retirement Policy: guide for employees

This guide will help employees understand the process to be followed when employees wish to:

- make an application to retire
- access a phased retirement
- retire and return

The following guide forms part of the standard for workforce policies. These policies apply to all eligible staff within NHSScotland, regardless of the Board they are employed by. The guide covers:

What is the purpose of the Retirement Policy?	3
Who is covered by this policy?	3
Initial early conversation	3
Formal notification of retirement with no request to return.....	4
Employees who are not a member of the NHS pension scheme....	5
Phased retirement.....	5
Standard office hours	Error! Bookmark not defined.
Part-time hours.....	Error! Bookmark not defined.
Long shift arrangements.....	Error! Bookmark not defined.
Retire and return	8
Receiving a request to retire and return	8
Considering a retire and return request	9
Authorisation of a retire and return request	9
Refusal of a retire and return request	10
Appeal process	10
Outcome	11
Partial retirement - accessing your pension while remaining in work	11
Useful links.....	12

What is the purpose of the Retirement Policy?

The Retirement Policy will support employees to transition from work to retirement. It will also support employees who wish to retire and return to employment.

The policy covers 4 areas:

- standard retirement process
- phased retirement arrangements
- retire and return applications
- partial retirement

You should be aware that there is no requirement for employees to retire at the normal retirement age.

Who is covered by this policy?

The Retirement Policy applies to all employees. Bank staff should follow the standard process outlined in the policy for retirement. However, they are not eligible for phased retirement or retire and return. The Retirement Policy does not apply to agency staff.

Initial early conversation

You should advise your manager of your intention to retire with 6 months' notice. If you are accessing an NHS pension, you should submit your form as early as possible following the discussion. This is to make sure that Payroll can complete the necessary documentation to make sure that SPPA receives it 4 months in advance of the date of your retirement.

There may be occasions when it is not possible to give 6 months' notice. Your manager should try to be flexible and make every effort to support you to achieve your desired retirement date. In this situation, you should be aware that there may be implications for the payment of your pension.

Early conversations about your retirement plans are important. This is especially the case if your plans include the ability to retire and return or access phased retirement.

Informing your manager at the earliest opportunity allows for all retirement options to be explored and even confirmed, particularly where you would like to return. It also allows time for processing of pension and for your manager to start the recruitment process or arrange cover for a phased retirement.

These conversations are an opportunity to explore the various options related to your retirement, including timing, phased retirement, the right to request to return, and partial retirement.

You should discuss the options available to you directly with the Scottish Public Pensions Agency (SPPA).

Formal notification of retirement with no request to return

When you have made your decision to retire, you should submit your resignation in writing to your manager.

If you are in the NHS pension scheme, you must complete a form if you intend to access your pension benefits. You should contact the SPPA for advice.

You should speak to your manager, human resources, or your staff side representative if you require help to access the appropriate [retirement form](#).

There are 2 different forms:

- Retirement application - NHS:RET - general form which applies to most employees
- Retirement application (Practitioners only) - PRAC:RET

Both forms can be accessed in the [NHS forms section of the SPPA website](#).

Forms must be completed and submitted with sufficient time for payroll to provide pay information. The SPPA must have the relevant form at least 4 months before the retiral date.

If you are making an application to retire, the conversation with your manager should include these topics:

- when you wish to retire
- planning your outstanding annual leave to ensure it is all taken before the retirement date
- agreement on the specifics of your phased retirement plan if you have requested this

You may wish to have a discussion with your manager about accessing pre-retirement courses. Time off and funding should be available to support this. For information, you can also contact [NHS Retirement Fellowship](#).

Employees who are not a member of the NHS pension scheme

You may not be a member of the NHS pension scheme but want a phased retirement. In that case, you should still give 6 months' notice. If you do not want a phased retirement, the notice period will be in line with your contract of employment. However, access to retirement courses will still apply.

Phased retirement

Phased retirement is an entitlement of NHSScotland employment. It is an important part of retirement and supports employees in adjusting from employment to retirement or retirement and return.

You should provide at least 6 months' notice of your intention to access phased retirement. This is to allow your manager to plan for any potential cover requirements.

There may be occasions where you are unable to provide this level of notice. Your manager should be flexible and make every effort to support a phased retirement.

Phased retirement offers you a gradual reduction in working days. During the phased period, you will continue to receive payment as if at work. This will include any enhancements or on-call payments you normally receive. To ensure continuity of service, you must agree clear arrangements for the reduction in working days and tasks that will be undertaken with your manager in advance.

Working additional hours during the phased retiral period is not in keeping with the intent of the policy.

A phased retiral is only available once. You can take the period of phased retirement in the lead up to your retirement date. Otherwise, it can form part of your retire and return agreement.

Phased retirement allows you to reduce your working week by the following amount:

- third month before retiral – 20% of contracted hours
- second month before retiral – 40% of contracted hours
- last month before retiral – 60% of contracted hours

Examples of how this might work are outlined below:

Standard office hours

A full-time employee who works 5 days a week at 7.4 hours per shift is retiring on 31 March.

January - the employee will reduce their contracted hours by 20%. 20% of 37 hours is 7.4 hours. The employee will, therefore, work 4 days per week in January.

February - the employee will reduce their contracted hours by 40%. 40% of 37 hours is 14.8 hours. The employee will, therefore, work 3 days per week in February.

March - the employee will reduce their contracted hours by 60%. 60% of 37 hours is 22.2 hours. The employee will, therefore, work 2 days per week in March.

Part-time hours

A part-time employee who works 3 days a week at 6 hours per shift is retiring on 31 August. The employee's contracted hours are 18 per week.

June - the employee will reduce their contracted hours by 20%. 20% of 18 hours is 3.6 hours. The employee will, therefore, work 2 days of 6 hours and one day of 2.4 hours per week in June.

July - the employee will reduce their contracted hours by 40%. 40% of 18 hours is 7.2 hours. The employee will, therefore, work one day of 6 hours and one day of 4.8 hours per week in July.

August - the employee will reduce their contracted hours by 60%. 60% of 18 hours is 10.8 hours. The employee will, therefore, work one day of 6 hours and one day of 1.2 hours per week in August.

Alternatively, the reduction could be over 2 or 4 weeks, using the percentage of 36 or 72 hours. This would allow fuller days to be taken rather than some part days. Otherwise, the same number of days could be worked but fewer hours, for example, 4.8, 3.6, and then 2.4 for the final month.

Long shift arrangements

A full-time employee who works long shifts of 11.5 hours per shift is retiring on 31 December. The employee's contracted hours are 37 per week, but the number of shifts will vary. A total of 150 hours comprised of 13 shifts which are worked over 4 weeks.

October - the employee will reduce their contracted hours by 20%. For reference, 20% of 150 hours is 30 hours. The employee will, therefore, work 10 shifts of 11.5 hours and one shift of 5 hours over the 4 weeks in October.

November - the employee will reduce their contracted hours by 40%. For reference, 40% of 150 hours is 60 hours. The employee will, therefore, work 7 shifts of 11.5 hours and one shift of 9.5 hours over the 4 weeks in November.

December - the employee will reduce their contracted hours by 60%. For reference, 60% of 150 hours is 90 hours. The employee will, therefore, work 5 shifts of 11.5 hours and one shift of 2.5 hours over the 4 weeks in December.

Alternatively, the reduction could be to the hours of each shift – 9.2 in October, 6.9 in November and 4.6 in December.

Employees should aim to take all of their annual leave before their phased retirement starts. If the employee has any leave outstanding, they will only be required to take leave for the days they should be working. For example, an employee who is a 5-day worker on a 40% reduction would only need to take 3 days annual leave for a week.

Any unused annual leave will not be paid in lieu. This is because any additional payment would have pension and retirement date

implications. Using annual leave during a phased retirement to bring forward their last working day is not permitted.

Retire and return

The retire and return process may be beneficial to you for financial or social reasons. It also supports workforce supply issues, retention, and sharing of specialist knowledge and skills. The intent behind this option is to have a simple, consistent approach that enables flexibility around returning to work.

If your pension plans are dependent on further work, you should explore the opportunity to retire and return as early as possible and no later than when you apply for your pension.

You have no automatic right to return to work following your retirement. However, if a return can be facilitated, there is an accelerated route to follow, which can be mutually beneficial.

Receiving a request to retire and return

When you request to retire and return, you should complete the [Retire and return application form](#). You will also need to give written notification of resignation from your current post.

You must state on the form on what basis you would like to retire and return. The options are as follows:

- return to your current post
- return to another post within the same job family
- apply for another post within a different job family
- retire and undertake shifts on the staff bank

In most circumstances, employees will request to retire and return part-time. However, you can request to return full-time. You will need to make sure you understand the implications of returning to work.

You should contact the SPPA to discuss the implications of your retirement plans. Further information is available on [returning to work after accessing a pension](#).

On your return a new contract of employment will be issued, and any previous entitlement to protection will end. All annual leave from the previous contract needs to be taken prior to the retiral date, or it will be lost. You can, on returning, re-join the 2015 Pension Scheme.

The process for medical and dental staff wishing to retire and return has some restrictions due to recruitment regulations. If you wished to return on a permanent basis, your appointment would need to be made in line with these regulations. Alternatively, you could return on a locum basis. If you return on a locum basis, you will not be eligible for discretionary points.

Considering a retire and return request

Your request to retire and return should be supported by your manager where possible. A request should only be refused for sound service or organisational reasons.

Your manager, when deciding the outcome of your application to retire and return, will consider this fairly and objectively. They will consider:

- your request on its own merit and that your request is not automatically approved or declined
- the needs of the post and the service
- current and future workforce requirements
- your skills, knowledge, and experience for the post you wish to return to
- whether the appointment represents value for money - could the budget be better used
- whether the appointment meets a service need
- any planned service redesign and the timing of these
- the availability of posts to support redeployment
- the minimum number of hours or on-call requirements

It is particularly important to note that your manager must consider individuals on redeployment covered by the [Equality Act 2010](#). The post may be a suitable alternative for them. They should be considered before agreeing to your retire and return request. For example, the post may be a suitable alternative for an employee with a disability. In this scenario, a disabled employee would take priority over you.

Authorisation of a retire and return request

Only a manager with sufficient seniority to understand broader workforce implications and plans can authorise your application to retire and return.

If your request to retire and return is authorised, you need to be aware that:

- your original post will terminate
- a new contract will be issued
- any protection linked to your original post will cease

If there is no intention for you to return within one month of retirement, a decision will be made by your manager whether the service can support the request. The length of time between you retiring and returning to post may dictate that new pre-employment checks are required.

In some instances, it may be that your manager is happy to approve the request, but needs to:

- [identify a job share partner](#)
- explore the availability of vacancies in the same job family

In these scenarios, it is important that your manager responds promptly to the you and provides regular updates.

Refusal of a retire and return request

Your request to retire and return should be supported where possible. If your specific request is not agreed to after full consideration, you should explore all options including:

- job sharing
- an alternative post
- a bank contract
- applying for advertised posts

If your manager refuses your request, they must confirm their decision and rationale in writing.

Appeal process

You have the right to appeal the decision within 14 calendar days of receiving the outcome. You must provide the reason for your appeal.

It would normally be your manager's manager who will hear the appeal, supported by an HR adviser who has not been involved in the process to date. They will inform you that your appeal has been received.

The appeal panel will consider:

- the reasons your manager gave for refusing the request
- any alternative options explored
- other points discussed and documented in the outcome letter

The Chair will make sure you and your manager are advised in writing of the arrangements for the hearing no later than 14 calendar days before the hearing date.

Your manager will be asked to provide a written statement detailing their considerations and decision. If you have not provided your statement of case when you lodged your appeal, you should provide this also. These documents should be submitted no later than 7 calendar days before the appeal hearing. They will be shared with all other parties.

Outcome

Following the hearing, the Chair will write to all parties with the outcome of the appeal hearing. This letter will be issued within 7 calendar days following the appeal hearing.

If your appeal is successful, the outcome letter will specify the agreed changes and the date these will take effect.

Where the appeal is unsuccessful, the outcome letter will provide clear and detailed explanation of the reasons for the decision. The outcome of the appeal will be final.

Your manager, will be responsible for completing the appropriate paperwork to instruct any changes, including termination documents. They will also make sure the relevant HR systems are updated.

Partial retirement - accessing your pension while remaining in work

You could consider partial retirement as an alternative to retire and return. Partial retirement allows members of the NHS pension scheme to claim some or all of their pension without:

- leaving their job
- having a break in service

Further information on partial retirement is available from [SPPA](#).

To qualify, you will need to reduce your pensionable pay by at least 10% for the first 12 months. This could impact on service provision if you wish to reduce your contracted hours by more than 10%. You should complete the temporary reduced working hours section on the [Flexible working request form](#).

If agreed, you must complete the relevant SPPA paperwork. It should be submitted to the appropriate departments with enough time to allow the pension to be paid. To reduce your hours, your manager will need to process a change using your local system. If you are taking partial retirement, you have no right to a phased retiral as you are not leaving your post.

Useful links

Additional resources related to this policy are listed as follows:

- [The Ageing Workforce – A Resource for Managers | Scottish Terms and Conditions Committee](#)
- [Contact us | SPPA](#)
- [Going back to work | SPPA](#)