



PS 155 Retirement Options

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G2029 Flexible Retirement Application Form

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## SECTION 1 VERSION CONTROL

Version No.	Date	Post Holder / Author	Post	Reason for Issue
1.0	February 2013	Sue Peckham	Senior HR Partner	
1.1	January 2015	James Lunn	Senior HR Manager	LGPS 2014
1.2	April 2022	Sue Sullivan	Policy and Wellbeing Partner	General updates

## SECTION 2 BACKGROUND

Nottinghamshire Police and the Office of Police and Crime Commissioner (OPCC) recognises that working patterns are changing, individuals have different expectations of both retirement and work and there is more flexibility over how and when we retire.

These trends are allied to legislative changes which provide for the exercising of individual choice in respect of the date of retirement and to the extension of working life in line with revisions to the State Retirement Age (SRA).

Nottinghamshire Police and the Office of Police and Crime Commissioner (OPCC) are committed to providing individuals with choices regarding when they can retire so that we can create a service that works for local people, engage with our communities and become an employer of choice.

## SECTION 3 AIMS / OBJECTIVES

The aim of the policy is to provide greater flexibility and choice for individuals to achieve a work life balance and transition into retirement.

Nottinghamshire Police and the Office of Police and Crime Commissioner (OPCC) acknowledges the opportunities which these changes present for flexible retirement

options for police staff and staff of the OPCC. The policy and its supporting procedure provide a framework which will allow that retirement for police staff and staff of the OPCC is planned and managed with a transparent, equitable, fair and consistent approach.

This policy is applicable to all Police staff and staff of the OPCC.

## **SECTION 4 DETAILS**

### **4.1 Key Principles**

- Nottinghamshire Police's provision for flexible retirement for police staff and staff of the OPCC is consistent with its aspiration to be an employer of choice and its commitment to supporting employees through the transition from work to retirement.
- The policy is compliant with prevailing legislation and the Local Government Pension Scheme (LGPS) Regulations.
- Retirement is a personal choice and Nottinghamshire Police is unable to provide retirement advice. Employees should ensure they obtain quotations and any other required information from the LGPS.
- This framework provides information about the options available to employees to support them in making an informed choice about their retirement plans.
- This framework is designed to ensure a fair, transparent and equitable approach to flexible retirement for police staff and staff of the OPCC reflective of recognised equality and diversity best practice.
- Individual flexible retirement applications will be afforded all reasonable consideration, taking into account the personal circumstances of the employee, any operational and service delivery requirements; the impact upon others and any pension strain costs.
- Individuals have the right of appeal to the Head of People Services & OD should a flexible retirement application not be supported.

### **4.2 Options for retirement under the LGPS**

- Employees can voluntarily retire and draw retirement benefits at any age on or after age 55 and before age 75, provided they have met the 2 years vesting period\* in the Scheme. \*The vesting period is the length of time you must be an active member of the LGPS to qualify for benefits in the scheme.

#### **4.2.1 Retirement at 65 years of age (Normal Pension Age)**

- Voluntary retirement for normal pension age. You can voluntarily retire and draw your pension benefits in full at your normal pension age. For benefits built up from April 2014 your normal pension age is linked to your state pension age. If you've built up membership in the LGPS before April 2014 then you will have membership in the final salary scheme. These benefits have a different pension age which for most is age 65.

#### **4.2.2 Retirement before the Normal Pension age**

- Employees who meet the vesting period\* in the scheme are eligible to retire and receive their pension benefits from age 55 onwards without requiring the Force's

agreement.

- Actuarial reductions will be applied to the Employee's pension benefits paid before their normal pension age.

#### **4.2.3 Protected membership of the scheme (85-year rule)**

- Employee's, who were members of the scheme on 30<sup>th</sup> Sept 2006, may apply for early retirement without a reduction to some or all of their benefits if they meet the protected membership criteria. The 85-year rule is satisfied if your age at the date you draw your benefits and your scheme membership (in whole years) adds up to 85 year or more. Please note, that not all membership may count towards the 85-year rule. For information on this contact the LGPS. If you meet the protected membership criteria, this is subject to employers' approval.

#### **4.2.4 Continuing to work beyond the age of 65**

- Employees may continue to work and contribute to their pension, building up further benefits, until their chosen date of retirement or before their 75<sup>th</sup> birthday, whichever is the sooner.

You must draw your pension no later than age 75.

#### **4.2.5 Flexible retirement provisions**

- Employees may request a reduction in their hours of work and/or a change of role to a less senior position from the age of 55 years.
- The employee is responsible for making an application for flexible retirement.
- Flexible retirement applications will be afforded all reasonable consideration applying objective, transparent and equitable criteria on a case by case basis.
- The employee has the right of appeal to the Chief Constable's Chief Financial Officer, should their request not be supported.
- Employees retiring on a flexible basis may draw some or all of their accrued pension benefits, subject to the Force's agreement.
- If you take flexible retirement before your normal pension your benefits will normally be reduced for early payment.
- Employees retiring on a flexible basis may continue to make pension contributions whilst drawing benefits.
- Employees electing to reduce their hours and/or change their role, will be remunerated for the hours worked and/or the new role undertaken and future benefits will accrue proportionately.

#### **4.2.6 Returning to work after retirement**

- Employees who have retired and are in receipt of a pension on any grounds save for ill health, are, subject to a break in service, eligible to apply for employment with the Force as an external candidate.

#### **4.2.7 Retirement as a result of organisational change**

- There may be opportunities for employees to request voluntary retirement as a result of organisational change, but the Force is under no obligation to invite such requests or to agree to any requests which are made.
- Employees subject to compulsory or voluntary redundancy at or over the age of 55 years of age can access their pension benefits with no actuarial reduction.

#### **4.2.8 Retirement as a result of ill health**

- If an employee is unable to continue in their role due to ill health, they may be eligible for consideration of retirement on the grounds of permanent incapacity.
- While the Independent Registered Medical Practitioner (IRMP) will be responsible for determining whether or not an employee is fit to undertake the expected duties of their role at that time and in the future, it is a Force determination whether the employee is retained, in service or not.

### **SECTION 5 LEGISLATIVE COMPLIANCE**

This document has been drafted to comply with the general and specific duties in the Equality Act 2010; Data Protection Act; Freedom of Information Act; European Convention on Human Rights; Employment Act 2002; Employment Relations Act 1999; and other legislation relevant to policing.

This policy and its supporting operating procedure are also compliant with the Local Government Pension Scheme (LGPS) and attendant discretionary payment legislation and mandatory employer duties.