

Retirement – Police Officers and Police Staff POLICY & PROCEDURE

OFFICIAL

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Policy

National Context

[Authorised Professional Practice](#) (APP) is produced by the College of Policing as the official source of professional practice on policing. All officers and staff are expected to have regard to APP in discharging their responsibilities. Essentially, our “policy” is to comply with APP as it develops to cover all areas of policing.

Rationale

Merseyside Police is committed to equal opportunities for all staff, and recognises the contributions of a diverse workforce, including the skills and experience of older employees. It believes that staff should, wherever possible, be permitted to continue working for as long as they wish to do so.

It is now a matter of individual choice when Police Staff and Officers retire from the Force.

Aims

To comply with the Employment Equality (Repeal of Retirement Age Provisions) Regulations 2011

To provide clarification on processes in relation to Police staff retirement following the abolition of the Default Retirement Age (DRA) and the associated statutory retirement procedure from 6th April 2011.

To provide guidance in relation to Police Officers following changes to the Police Pension Scheme. After 31 March 2022 the provisions of the regulations governing PPS 1987 and NPPS 2006 are no longer applicable to the ongoing service of officers, who will only be eligible to accrue benefits in the 2015 CARE Scheme. This therefore means that with effect from 1 April 2022, Compulsory Retirement Ages (CRAs) will no longer be applied.

Objectives

- To enable Police Staff and Police Officers to retire when they are ready to do so.
- To provide a fair and consistent approach when dealing with retirements.
- To avoid discrimination on the grounds of age.

Application and Scope

All police officers and police staff, including the extended police family and those working voluntarily or under contract to Merseyside Police must be aware of, and are required to comply with, all relevant policy and associated procedures.

Outcome Evaluation

Outcomes will be evaluated as a result of regular monitoring with exception reports provided when requested to relevant forums to ensure objectives have been achieved. These will include:

- The number of retirements processed in accordance with the procedure ensuring compliance with legislative requirements.
- Monitoring the age profile of the Force.

The ACC People Services is responsible for overseeing this policy to ensure compliance with Force and national standards.

Procedure

Version History

Version Number	Date	Detailed rational behind amending/updating policy or procedure.	Policy Owner Details	Policy Author Details
1.0	25/04/12	Approved at BMG		
1.1	07/08/12	Addition of encouragement to use AL's, RD's, TOIL prior to leaving		
1.2	18/11/13	Policy Update		
1.3	03/06/15	Policy Update		
1.4	07/09/15	Policy Update		
1.5	24/09/19	Amended to reflect structural and process changes		
1.6	19/05/26	Amended to reflect changes to naming conventions (full review pending)	Head of People Operations and Service Delivery	People Partner
			Head of PO & SD	Policy Manager

1. Police Staff

1.1 Retirements

- 1.1.1 Police staff can voluntarily retire at a time of their choosing from the age of 55 and draw any occupational pension they are entitled to in line with the pension scheme rules. This will increase to age 57 from 6th April 2028.
- 1.1.2 Prior to the 6th of April 2011 retirement was deemed as one of the potentially fair reasons for dismissal under the Employment Act 1996. As the default retirement age no longer exists retirement as a potentially fair reason for dismissal has also been removed.

1.1.3 Police Staff may now only be fairly dismissed for one of the 5 reasons set out in the Employment Rights Act 1996:

- Capability or qualifications including ill health
- Conduct
- Redundancy
- Contravention of a statutory enactment
- Some other substantial reason

The above are well defined in case law. Further advice can be obtained from People Services.

1.2 Process

1.2.1 When a member of staff has decided that they wish to retire, they should inform their line manager in writing as far in advance as possible and, in any event, in accordance with their notice period as set out in the contract of employment. This should be made via completion of the automated retirement form on SmartForce Oracle. Early notification will assist the Force with its succession planning.

1.2.2 Once completed staff will receive an email confirming that their request has been submitted to People Services.

1.2.3 People Services will process the application and send an email to the relevant BCU/Command Lead asking them to acknowledge the application.

1.2.4 The BCU/Command Lead will liaise with the line manager who will arrange a meeting with the member of staff to discuss arrangements for retirement, including the intended retirement date, succession and handover plans, pension details and phased retirement, if applicable.

1.2.5 Following authorisation by the BCU/Command Lead, People Services will process the Retirement application and will contact the member of staff as part of the completion of the request.

1.2.6 Staff can track the progress of their request by logging onto SmartForce Oracle.

1.2.7 People Services will be responsible for sending the individual an exit questionnaire via email to the work address or if appropriate via Royal Mail to the home address.

1.2.8 People Services will deal with the transactional processes, re payroll; pensions, awards and annual leave entitlements etc.

1.2.9 People Services will write to the individual informing them of their outstanding annual leave and any arrangements for payment or payback of overpayment.

- 1.2.10 Where applicable, People Services will write to the individual to make arrangements for any awards gifts, or certificates and arrange a meeting with Chief Officer if requested.

1.3 Flexible Retirement

- 1.3.1 Flexible retirement is a facility to enable qualifying Police Staff to ease into retirement by gaining immediate access to all, or a part, of their Local Government Pension Scheme benefits whilst remaining in employment with the Force.
- 1.3.2 Flexible retirement is an option available for members of the LGPS who satisfy the qualifying criteria to apply to the Force for the early release of accrued pension benefits whilst continuing to work either at a lower grade or on reduced hours.
- 1.3.3 Whilst each flexible retirement request will be considered on its individual merits, approval will normally only be granted where there are demonstrable economic and/or business interests to the Force in doing so.

Further details can be obtained via the Flexible Retirement Policy on iForce.

1.4 Early Retirement

- 1.4.1 Police Staff can choose to retire from age 55 and receive pension benefits immediately, although benefits will be actuarially reduced for early payment. However, it's also possible to retire from age 55 and receive full benefits immediately, provided you are made compulsory redundant or retired in the interests of business efficiency. The age at which staff can retire is increasing to age 57 from 6th April 2028.

1.5 Pre-retirement Adjustment of Hours

- 1.5.1 Pre-retirement leave amounting to one day per week during the last year of work before a planned retirement date shall be granted to qualifying staff who must have completed 20 years' service as a Police Staff member, as per the Local Conditions of Service.
- 1.5.2 Staff that wish to apply for pre-retirement leave should complete [Pre-Retirement Adjustment Application](#) on iForce.

1.6 1.7 Contractual Notice

- 1.7.1 A member of Police Staff who wishes to retire voluntarily will be required to give the Force the necessary period of contractual or statutory notice, in the same way as for a normal resignation.
- 1.7.2 If a member of staff changes their mind after giving formal notice of their intention to retire, management is under no obligation to allow them to withdraw their notice. However, if

a member of staff informs management during discussions that they are planning to retire, they may change their mind before formal notice is given.

1.7 Pension and insurance benefits

- 1.7.1 All staff are encouraged to consider their pension provision and take independent financial advice before making any decision in relation to retirement.
- 1.7.2 The abolition of the Default Retirement Age does not affect the occupational pension scheme.
- 1.7.3 Police Staff who are members of the occupational pension scheme and who have decided to retire on a specific date may request details of their pension entitlement from People Services.

2. Police Officer

2.1 Retirement

- 2.1.1 Since 31 March 2022 the provisions of the regulations governing PPS 1987 and NPPS 2006 are no longer applicable to the ongoing service of officers, who will only be eligible to accrue benefits in the 2015 CARE Scheme. This therefore means that **with effect from 1 April 2022**, compulsory retirement ages for police officers ceased.

2.2 Process

- 2.2.1 Officers who wish to retire must complete the automated Leavers form on SmartForce Oracle.

2.3 Medical Appeals

- 2.3.1 Upon receiving notification of an appeal on medical grounds People Services will ascertain the extent of the contradictory medical opinion and liaise with a Chief Officer as to whether or not the procedures for a medical appeal are required. Where this is the case, the matter will be referred to the Force Medical Officer (FMO) for reconsideration.
- 2.3.2 A medical appeal will be allowed if an extension of service is refused solely on the basis of a medical and the officer contests this by producing another medical practitioner's opinion directly contradicting the opinion of the FMO.
- 2.3.3 In the event that the FMO opinion remains unaltered the Occupational Health Unit will be responsible for liaising with the other medical practitioner and appointing a third medical practitioner whose decision will be final.

- 2.3.4 The final decision and completed documentation will be forwarded to People Services who will notify the officer of the decision in writing within 7 days of the meeting. There are no further avenues of appeal.

3. All Staff

3.1 Managing intentions in relation to retirement

- 3.1.1 As part of the ePDR process, line managers are responsible for discussing staff performance, development and training needs as well as the Force and staff's future aims and expectations. As the Force no longer operates a compulsory retirement age, such discussions are important to enable the manager to plan for future needs. It is good practice to ask all staff about their future plans and aspirations, where they see themselves in the next few years and how they see their contribution to their BCU/Strand. Having this discussion will enable the Line Manager to establish if and when an individual is thinking about retirement. However, management must take care to ensure that all discussions are conducted in a general way, any direct questions such as 'are you planning to retire in the near future?' are best avoided as such direct questions may lead to a claim of age discrimination.

3.2 Succession planning

- 3.2.1 Staff who are to retire will often have considerable knowledge in relation to their role and responsibilities. Merseyside Police may require the member of staff's assistance and cooperation for future succession planning.

Prior to retirement, staff may be asked to assist the Line Manager, by:

- providing full written details of the status of work projects and future steps;
- developing a job description, including key competencies and skills required for the role;
- ensuring a smooth handover of work; and
- assisting in training any successor

3.3 Pre-retirement Courses

- 3.3.1 Pre-retirement courses are available for all staff that are within 12 months of their intended retirement date. These courses address a number of issues such as financial advice, pensions, writing C.V.'s etc. Further details can be obtained via e-mail from the Academy Training Administrators.

3.4 Outstanding leave entitlements

- 3.4.1 Staff should be encouraged to utilise their entitlement to any outstanding annual leave, accrued flexi hours, rest days in lieu (RDL) and time off in lieu (TOIL) prior to an agreed retirement date. Any outstanding RDL's/TOIL/Flexi at the time of leaving will be lost as no provision will be made for payment.