



Flexible Retirement Policy

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DOCUMENT CHANGE HISTORY

Initiated by	Date	Author (s)
People Services	August 2020	HR Project Manager
Version	Date	Comments
V1.1	August 2024	Reviewed, modernised, and updated by Head of HR Policy. Reviewed and updated by Deputy Head of Payroll and Shared Services Manager on 5 August 2024.
V1.2	6 August 2024	Additional changes made by Head of HR Policy (NHS Employers as the source).
V1.3	September 2024	Reviewed and updated by Finance and HR Support Services
V1.3	7 October 2024	Reviewed and updated by HR Policy Subgroup
V1.4	7 November 2024	Approved at SPF
V2.0	25 November 2024	Approved at CRG

POL100 – Flexible Retirement Policy

FOLIO – HEXIBLE RELITEMENT FOILCY				
Document Reference	People Services			
Recommended at	SPF			
Date	7 November 2024			
Approved at	CRG			
Date	25 November 2024			
Valid Until Date	30 November 2027			
Equality Analysis	Completed 7 October 2024			
Linked procedural	Flexible Working Policy			
documents	Attendance and Sickness Absence Policy			
Dissemination requirements	All Trust employees by intranet			
Part of Trust's publication scheme	Yes			

The East of England Ambulance Service NHS Trust (EEAST) has made every effort to ensure this policy does not have the effect of unlawful discrimination on the grounds of the protected characteristics of age, disability, gender reassignment, race, religion/belief, gender, sexual orientation, marriage/civil partnership, pregnancy/maternity. The Trust will not tolerate unfair discrimination on the basis of spent criminal convictions, Trade Union membership or non-membership. In addition, the Trust will have due regard to advancing equality of opportunity between people from different groups and foster good relations between people from different groups.

All Trust policies can be provided in alternative formats.



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1. Introduction

- 1.1 Here at EEAST we recognise that choosing to work flexibly may improve work life balance for some employees, and accessing pension benefits can support their financial wellbeing.
- 1.2 If you want to adjust your working pattern and manage your finances in the approach to retirement, flexible retirement options can be mutually beneficial because they:
 - allow you to access your pension benefits while remaining at, or returning to work, with EEAST / NHS employment,
 - give you the option to build up further pension if you wish,
 - help us to retain valuable skills and experience which can be passed onto other staff ensuring high quality care for patients.

2. Purpose

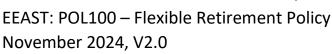
- 2.1 Flexible retirement allows both you and EEAST to be flexible about:
 - the age at which you retire,
 - the length of time you take to retire,
 - the nature and pattern of work in the lead up to final retirement.
- 2.2 The aim of this policy is to let you know what flexible retirement options are available under the NHS Pension Scheme, how to access further information, including eligibility, and how to make a request.

3. Scope

3.1 This policy applies to all staff who are members of the NHS Pension Scheme (**members**) and should be read in conjunction with the Flexible Working Policy.

4. Duties

- 4.1 Line managers are responsible for:
 - building a culture where informal conversations regularly take place with their team members about their needs, including flexible retirement options,





- ensuring that they are using fair, consistent, and objective approaches when deciding whether requests can be agreed,
- where applicable, discuss flexible retirement flexibilities with staff to reach mutual agreement on the most feasible option, and how this will be applied,
- keeping accurate records of flexible working retirement requests, and in accordance with the Flexible Working Policy, including those declined, appealed, and/or agreed,
- arranging completion of HR2a Change of Details Forms (HR2a) and/or HR3 Leavers Form in line with this policy.
- 4.2 Employees are responsible for:
 - familiarising themselves with this policy and the flexible retirement options available to them,
 - considering and assessing which option is right for them, and seeking their own advice,
 - having informal conversation(s) with their manager about how flexible retirement will support them,
 - liaise with our payroll pensions specialist at every step of the process to ensure completion of all relevant forms prior to taking any/all of your pension benefits,
 - making any requests for flexible retirement in accordance with this policy and the Flexible Working Policy,
 - attending meetings arranged in line with the Flexible Working Policy,
 - signing an HR2a Change of Details Form completed in line with this policy.
- 4.3 Line managers, HR and Trade Union Representatives are responsible for providing advice and guidance to employees on the application of this policy.

5. Normal Pension Age (NPA)

5.1 Normal pension age is the earliest age that you can usually retire / receive your pension without reduction for early payment.

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5.2 NPA is:

- 60 years old in the 1995 section
- 65 years old in the 2008 section
- The same as your state pension age, or age 65 if that is later, in the 2015 Scheme.
- 5.3 You can choose to retire / receive your pension before your NPA, but if you do, your pension is usually reduced to allow for it to be paid early and for a longer period.

6. Flexible retirement options

You can find out which section or scheme you are in by checking your Total Reward Statement or Annual Benefit Statement (available via 'View My TRS' (Total Reward Statements) on the MyESR app). Alternatively look in Appendix A for further information on the TRS.

6.1 The following retirement options are available to you depending on which part of the NHS Pension Scheme that you have benefits in (you may be a member of more than one scheme):

NHS Pension Scheme retirement flexibilities	1995 section	2008 section	2015 scheme
Partial retirement	\checkmark	\checkmark	\checkmark
Retire and return	\checkmark	\checkmark	<
Step down	\checkmark	\checkmark	~
Wind down	\checkmark	\checkmark	~
Late retirement enhancement	×	~	~
Early retirement reduction buy out	×	×	~

- 6.1.1 All retirement flexibilities are subject to discussion and agreement between you and your line manager (**see Section 7**).
- 6.1.2 Further information, including examples of how flexible working works in practice, is available on NHS Employers website (**see Appendix A**).

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You should always seek your own independent advice when considering and assessing which option is right for you.



6.2 **Partial retirement (draw down)**

- 6.2.1 Partial retirement can support you to continue working whilst benefitting from being able to draw down your pension benefits and supplement your income ahead of retirement.
- 6.2.2 If you are over age 55 you can choose to take part, or all, your pension benefits and continue working for EEAST / NHS employment. You can also continue to build up further benefits in the 2015 Scheme if you wish.
- 6.2.3 Depending on your start date you may be able to take all your 1995 Section benefits from the age of 50.
- 6.2.4 If you are eligible, and you choose the option of partial retirement, some reduction in pensionable pay is required as this is a reasonable way of assessing if you are taking steps towards retirement. As such:
 - your pensionable pay must be reduced by at least 10 per cent for 12 months starting from your chosen partial retirement date. After this time, you can increase your pensionable pay again if you wish.
 - you must have a contractual change in your terms and conditions of employment to reflect your reduction in pensionable pay; the rest of your terms and conditions remain the same.

If the 10 per cent reduction in your pensionable pay is not maintained during the first 12 months after taking partial retirement, abatement will apply, and your pension payments will be stopped until your pensionable pay reduces again.

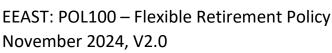
6.2.5 What would not be a breach of the reduction

The following would not count towards a breach in your reduction to pensionable pay:

- Annual pay awards and pay increases that you receive as you move through your pay band or pay scales,
- Overtime payments, as these are non-pensionable.

6.2.6 What would be a breach of the reduction

The following would count towards a breach in your reduction to pensionable pay:





• Pay increases resulting from a contractual change, such as a promotion, an increase to your hours, or an increase to your working commitments.

If you have reduced your contractual hours and are considering working additional hours, please seek advice from HR Support Services as this may affect your pension payments.

6.2.7 You can draw down on up to two occasions before retiring completely. However, if your benefits are paid before normal pension age, the benefits would be reduced as they are being paid early.

6.3 **Retire and return**

- 6.3.1 If you have reached the minimum pension age you can request to retire, claim all your pension benefits, and return to work for EEAST / NHS employment.
- 6.3.2 There is no automatic right to return to work in your current role, and your manager will need to consider:
 - the requirement for the post to be filled, including for example any cost improvement pressures, long-term workforce / service plans,
 - whether any proposed changes to your hours can be accommodated, and they meet service requirements, in line with the Flexible Working Policy (see Section 8),
 - your attendance levels at work, in line with the Attendance and Sickness Absence Policy,
 - your competency (skills, knowledge, and experience) against the requirements of the post, e.g., whether you are being performance managed in line with the Performance and Capability Policy,
 - any requirements under the Equality Act.
- 6.3.3 If your request under this option has been approved, you must take a break in service of at least 24 hours. However, this may need to be longer as full pre-employment checks must be completed successfully prior to you returning.

Full recruitment checks are mandatory under both employment legislation and NHS Employers requirements.



- 6.3.4 You will receive a P45 and will return to work on a new contract of employment, with a new employee number, and with new reckonable service dates. This will also affect rights to redundancy pay and will cease any pay protection paid prior to retirement.
- 6.3.5 You have the option to join the 2015 Scheme on returning to work and carry on building up more pension if you wish.

6.4 Step down

- 6.4.1 This flexible retirement option is choosing to step down to a different role, for example, to reduce your level of responsibility while remaining in EEAST employment.
- 6.4.2 This may help you change the intensity of work on the approach to retirement and may also support us by retaining valuable skills and experience.
- 6.4.3 If this option has been approved, you would also need to apply and be successfully recruited to an advertised vacancy.
- 6.4.4 Some members opting to step down may be eligible to have their higher level of pensionable pay protected, which might mean that their final salary benefits are not affected. You should contact our payroll pension specialist for further information.
- 6.4.5 If you are stepping down due to a medical condition, injury at work or as an alternative to redundancy, please refer to the relevant policies, i.e., Change Management, Redeployment Policy and Procedure, Attendance and Sickness Absence Policy.

6.5 Wind down (reduction in hours)

- 6.5.1 This option allows you to request to wind down to retirement by remaining in your current post but reducing the number of hours or days that you work.
- 6.5.2 Reducing working commitments will reduce pensionable pay and a lower pension in the 2015 scheme will build up in the future compared to working full-time. However, any final salary benefits earned in the 1995 or 2008 sections will continue to be based on whole-time equivalent pensionable pay and protected from changes in working patterns.

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6.5.3 This option may be used where we wish to retain experience and skills within the team, and you wish to reduce your hours as you approach retirement.

6.6 When to retire (including late retirement enhancements)

- 6.6.1 You will have a NPA based on the scheme or section that you are a member of (**see Section 6**), when you can retire and claim pension benefits without reduction.
- 6.6.2 The NHS Pension Scheme enables you to be flexible about the age at which you retire to suit your plans, allowing you to retire earlier or later with a corresponding reduction or increase to your pension benefits, where applicable.
- 6.6.3 You can choose to:
 - take early retirement before your NPA, if you have reached the minimum pension age set by the scheme or section that you are part of. This may result in a reduction to pension benefits as you will be paid longer.
 - retire later than your NPA and your pension benefits may increase by the application of late retirement factors. Late retirement enhancement is available to you if you are in the 2008 section and 2015 scheme.

6.7 Early retirement reduction buy out (ERRBO)

- 6.7.1 In recognition of the raised NPA, the 2015 Scheme regulations include an optional feature, which allows you to pay additional contributions to remove, or lower, the reduction that would normally be applied to your pension if you choose to retire before your NPA.
- 6.7.2 An ERRBO agreement can be arranged to allow you to retire earlier with unreduced benefits, up to three years before your NPA, but no earlier than age 65.

For example, if your NPA is age 68 you may buy an ERRBO agreement to remove a three-year early reduction, so that you can retire at age 65 with unreduced pension benefits.



- 6.7.3 After joining the 2015 scheme, there will be a three-month window to take out an agreement with a buy-out period beginning with your first day of pensionable service.
- 6.7.4 Alternatively, you will have three months after the beginning of each subsequent scheme year to take out an agreement (between 1 April and 30 June), with the buy-out period and contributions backdated to the beginning of the scheme year.

6.7.5 Cost Sharing Arrangements

A national ERRBO cost-sharing arrangement has been agreed for all operational ambulance staff with direct patient contact. Under the arrangement, you and EEAST will each pay half the additional ERRBO contributions. The cost-sharing arrangement is available if you are employed in all variations of the following roles:

- operational roles, including emergency care assistants, emergency medical technicians, paramedics,
- patient transport staff,
- emergency operations centre roles,
- clinically qualified managers spending at least 60 percent of their time delivering direct patient care.

You should contact our payroll pension specialist for further information, e.g., completing an expression of interest, potential impact in relation to future career changes, etc.

7. How to prepare for (flexible) retirement

- 7.1 You should aim to start conversations with your line manager well ahead of your normal pension age so they can support you with planning ahead.
- 7.2 It is encouraged that you and your line manager explore flexible retirement options through informal conversations ahead of you submitting a formal request.
- 7.3 Before you make a decision to retire, we also encourage you to:
 - talk to our payroll providers specialist for further information, including how to request a pension forecast / estimate,



- view information available on the NHS Business Services Authority member hub (see Appendix A). This may include live member events, recordings of live member events, and/or webinars which provide information on your retirement options,
- seek independent financial advice.

8. How to request flexible retirement

8.1 If you choose to make a request a flexible retirement arrangement, you should refer to and make a request for this to be considered and processed in line with our Flexible Working Policy.

The NHS Pension Scheme can take a few months to arrange payment of your pension benefits. We therefore recommend that any request should be made at least 6 months before your planned retirement / flexible retirement, wherever possible.

- 8.2 When you complete your Flexible Working Request you should:
 - select the 'Flexible Retirement' option,
 - describe your current working pattern,
 - describe your proposed future working pattern, i.e., which flexibility you are requesting (see Section 6), what changes you would like to make, any other relevant information to support your request,
 - confirm when you would like your flexible retirement working pattern to commence.
- 8.3 Your line manager will consider and process your request in line with the Flexible Working Policy and take HR / payroll advice where appropriate.
- 8.4 If your line manager is finding it difficult to agree your request, they will follow the same escalation process detailed in the Flexible Working Policy. If your request has not been agreed, you can also choose to follow the same appeal procedure.
- 8.5 If your flexible retirement arrangement has been agreed, including any contractual changes such as reduced hours / changed shift patterns, you and your line manager / HR representative must complete the Retirement Benefits Claim Form AW8 (which is available from our



payroll provider) plus any other relevant supplementary forms, and return them to payroll.

Remember to liaise with our payroll pensions specialist at every step of the process, to ensure completion of all relevant forms.

8.6 Your line manager will complete any relevant HR form required, and submit to HR Payroll Forms:

Retirement Flexibility	HR form to complete
Partial retirement	HR2a Form
Retire and return	HR3 Form
Step down	See Section 8.8
Wind down	HR2a Form
Late retirement enhancement	N/A – seek payroll advice
Early retirement reduction buy out	N/A – seek payroll advice

You must sign the HR2a Form and return to your line manager as soon as possible to meet payroll timescales (see Section 8.7).

- 8.7 Your line manager will authorise and submit HR forms to HR Payroll Forms by the next payroll cut-off date wherever possible. HR3 forms must be submitted at least two weeks before the intended leaving date, in line with the Leavers Policy, so that the change can be updated on our payroll records (ESR).
- 8.8 If you choose the option to step down, you would be applying for a new role through the Trac system. The Recruitment Team will complete the HR2A form to move you to your new role as part of this process, and you should follow their instructions for signing and returning it in time for payroll cut-off.

9. Additional information

9.1 You can find other sources of information, including links to organisations who provide guidance on pensions and retirement, in **Appendix A.**

10. Policy review

10.1 This policy will be reviewed on a three yearly basis or amended in the light of new employment legislation and/or relevant case law.



Appendix A - Additional information

- By law NHS Pensions and Pension Officers cannot provide financial advice to Scheme members. The NHS Business Services Authority (NHSBSA) has therefore provided links to independent financial advisors: Where can I get financial advice about my NHS Pension? · Customer Self-Service (nhsbsa.nhs.uk)
- If you cannot access the MyESR app you can find more information about accessing your Total Reward Statement (TRS) through the NHSBSA -<u>Category · Customer Self-Service (nhsbsa.nhs.uk)</u>
- **The NHSBSA** are responsible for administering the NHS Pension Scheme in England and Wales, and provide information within their member hub:
 - Your options for a flexible retirement | NHSBSA
 - ✤ Member events | NHSBSA
 - NHS Pensions Podcast | NHSBSA
- NHS Employers have a dedicated page for flexible retirement options, including examples of each retirement flexibility: <u>Flexible retirement |</u> <u>NHS Employers</u>
- The Money and Pensions Service offer support to help people understand their pensions from the start of their working life right through to retirement: <u>Pensions | Money and Pensions Service (maps.org.uk)</u>
- MoneyHelper offer free guidance on a range of options, including pensions and retirement: <u>Pensions and retirement | Help with pensions</u> <u>and retirement | MoneyHelper</u>
- For an informal discussion about your options, you can contact your line manager, an HR representative and/or union representative
- Employee Assistance Programme (Tel: 0808 196 2374) provides advice and support, including financial advice.



Appendix B

Equality Impact Assessment

EIA Cover Sheet						
Name of process/policy Flexible Retirement Policy						
Is the process new or existing? If existing, state policy reference number	Existing (POL100)					
Person responsible for process/policy	HR					
Directorate and department/section	People Services					
Name of assessment lead or EIA assessment team members	HR Policy Subgroup					
Has consultation taken place?	Internal consultation through HR Polic	су				
Was consultation internal or	Subgroup members					
external? (please state below):						
	Guidelines					
	Written policy involving staff and patients	x				
	Strategy					
The assessment is being made on:	Changes in practice					
0	Department changes					
	Project plan	Х				
	Action plan					
	Other (please state)					



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What is the aim of the policy/procedure/practice/event?

This policy aims to let staff know what flexible retirement options are available under the NHS Pension Scheme, how to access further information, including eligibility, and how to make a request.

Who does t	the pol	icy/procedure/pra	ictice	/event impact on?	
Race		Religion/belief		Marriage/Civil Partnership	
Gender		Disability		Sexual orientation	
Age		Gender re- assignment		Pregnancy/maternity	

Who is responsible for monitoring the policy/procedure/practice/event? **HR**

What information is currently available on the impact of this policy/procedure/practice/event?

An EQI Assessment was completed <u>Civil Service Pensions 2015 Remedy</u> ('McCloud') consultation – Equality Impact Assessment - GOV.UK (www.gov.uk) which concludes that based on the analysis report and because the scheme regulations are needed to support legislation to address direct age discrimination and indirect race and sex discrimination, the Scheme Manager has not identified any evidence to indicate that any of the protected characteristics groups will be negatively affected.

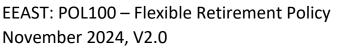
Having reviewed and updated the policy and completed a full consultation process, no negative impact was raised, and with the evidence available there is no negative impact.

Do you need more guidance before you can make an assessment about this policy/procedure/ practice/event? **No**

Do you have any examples that show that this policy/procedure/practice/event is having a positive impact on any of the following protected characteristics? Yes/No, if yes please provide evidence/examples:

Race	Religion/belief	Marriage/Civil Partnership	
Gender	Disability	Sexual orientation	
Age	Gender re- assignment	Pregnancy/maternity	

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Please prov	ide ev	idence:		,	
This policy is based on the NHS Pension Scheme retirement flexibilities, and the application and approval process under the associated Flexible Working Policy is designed to be inclusive of all staff.					
negative im	pact o	-		rocedure/practice/event could haracteristics? Yes/No, if so, pl	
Race		Religion/belief		Marriage/Civil Partnership	
Gender		Disability		Sexual orientation	
Age		Gender re- assignment		Pregnancy/maternity	
Please prov	ide ev	idence:			
-	negat	ive impact was ra	-	and completed a full consulta and with the evidence availab	
Action Plan	/Plans	s – SMART			
S pecific					
Measurable	9				
A chievable					
R elevant					
T ime Limite	ed				
Evaluation	Monit	oring Plan/how w	ill thi	s be monitored?	
Who – see	Monito	oring Table			
How					
Ву					
Reported to	0				
			17		



Appendix C - Monitoring Table

What	Who	How	Frequency	Evidence	Reporting arrange- ments	Acting on recommen- dations	Change in practice and lessons to be shared
Audit of data collected / reports on flexible retirement requests and outcomes, including by protected characteristics.	Head of PS Informatics Team / Business Excellence Team.	Monitor ESR data, including Flexible Working Requests for Flexible Retirement	Annually	ESR Flexible Working / Retirement reports, including by protected characteristics.	Reported to and discussed at People Committee where required.	Deputy Head of People Services will address any actions or changes required.	 Any change in practice will be identified and: process / policy updated with Business Excellence Team / HR People Partnering team. HRBP / line manager training implemented policy updated where required.

