



Camphill School Aberdeen

Retirement Statement and Procedure

Purpose

To guide and advise employees as they approach retirement and to help them plan for the end of their employment with CSA. This will also act as a key reference point for all supervisors and managers.

Scope

This document encompasses all employees whether in full or part-time work.

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Record of Approval				
R3	December 2016	Lorraine Smith	(for Executive)	(for Board of Trustees)
Rev	Date	Author	Recommended	Approved

1. Definitions and Abbreviations

CSA

Camphill School Aberdeen Limited

The Community

Camphill School Aberdeen and all those involved in its daily operation, encompassing all three CSA Estates.

Employee

For the specific purposes of this document, this refers to any individual working for CSA who is of **employed** status.

IRD

Intended Retirement Date

NRA

Normal Retirement Age, 65 years of age. Because of the physical nature of many employed posts at CSA, an NRA is in place that will enable CSA, and the employee, to properly risk assess and objectively consider, the fitness to work (physically and emotionally) of the employee.

2. Responsibilities

2.1 *Employee*

- 2.1.1 Respond appropriately and within the specified time to the letter from the HR Manager detailing his/her IRD. The response should indicate whether the employee intends to retire or to request to continue working beyond the age of 65 (NRA) and should be received no later than 3 months prior to the IRD.
- 2.1.2 In a request to work beyond the stated IRD, the employee must state whether he wishes to work for a stated period of time, until a certain date, or indefinitely. Only one of these options can be requested.
- 2.1.3 Attend arranged meetings with his/her line manager and/or the HR Manager in the weeks preceding retirement to ensure that proper support is being received.
- 2.1.4 When permission to work beyond NRD is agreed, attend review meetings as required.

2.2 *Line Manager*

- 2.2.1 Support the employee by having regular support and supervision sessions providing any guidance that may be appropriate as requested or thought necessary.

2.3 *HR Manager*

- 2.3.1 Write to the employee to advise him/her of his/her anticipated retirement date detailing his right to request to work beyond then.
- 2.3.2 Meet with the employee to discuss his/her impending retirement or request to work beyond NRA, giving appropriate guidance or information as requested.

- 2.3.3 Meet with the line manager to discuss the employee's impending retirement or request to work beyond NRA, discuss the succession planning, health and safety for the team and give guidance or relevant information as requested.
- 2.3.4 Support the employee by helping to identify and arrange attendance on relevant pre-retirement courses to prepare the employee for life after work.

3. CSA Statement on Retirement

Following introduction of the Employment Equality (Age) Regulations 2006, default retirement age has been phased out (for both men and women). Many employed positions at CSA require the incumbent to be physically fit and able to lift, carry, participate in active movement and, in some posts, manage the challenging behaviour of physically able and strong children and young adults. For these reasons, CSA adopts this as its own Normal Retirement Age (NRA). This is not a mandatory age for retirement but the age at which we may, without justification, require an employee to retire. The ending of an individual's employment at our NRA is now termed in law as being the 'dismissal' of the employee. All employees approaching our NRA have the right to request to continue working beyond their 65th birthday. All requests will be considered using the procedure set out in this document.

Should an employee decide to retire on his/her NRA, CSA will ensure that he/she has access to support and guidance during his/her remaining time in employment.

4. CSA Procedure

4.1 Notice of Retirement

Between six and nine months in advance of the employee's 65th birthday, CSA will give the individual written notice of his/her anticipated retirement date. This will be accompanied by information advising him/her of the right to lodge a request to continue working beyond that date. Should the employee lodge such a request, he/she must do so a minimum of three months before his/her anticipated date of retirement. CSA has a legal "duty to consider" each request.

4.2 Notice to CSA of Intention to Retire Before the Age of 65

Should an employee wish to retire before the age of 65, he/she should write to the HR Manager, stating his/her intention, no less than 4 months before the date he/she would like their employment to end. The HR Manager will discuss the request with the employee's line manager and relevant member(s) of the Management Team before responding, in writing, to the individual advising him/her if the request is accepted or not. The employee will receive a decision within 14 days of his/her request.

Where the request to retire earlier than the age of 65 is accepted, sections 4.4 and 4.5 of this policy apply.

When the request to retire earlier than the age of 65 is rejected, the employee has the right to appeal this decision by writing to the Executive Director, stating the reason(s) for the appeal. The Executive Director will respond to the employee, in writing, within 14 days of receiving the letter stating the outcome of the appeal in to the decision. This decision is then final.

4.3 Duty to Consider Procedure

Should a employee request that he/she continues to work beyond the NRA, CSA will:

- 4.3.1 Hold a meeting with the employee within a reasonable period of time to discuss the possibility of continued work including the possibility of working different hours
- 4.3.2 Grant the employee the right to bring along a colleague of his/her choice, if he/she wishes
- 4.3.3 Provide a decision in writing as soon as is reasonably practicable after the meeting
- 4.3.4 Allow a right of appeal against any refusal to agree to the employee's request
- 4.3.5 If the employee does appeal the outcome, CSA will arrange an appeal meeting for him/her with a senior employee and member of the Management Team within a reasonable period of time. Again, the employee has the right to be accompanied by a colleague at this meeting.
- 4.3.6 Communicate the final decision in writing.
- 4.3.7 CSA will set a new IRD for all employees who work beyond their 65 birthday. This IRD will be the trigger for this process beginning again, unless the new date is less than 6 months after the original IRD.

4.4 Pre-Retirement Leave

For those employees who will retire on their IRD, CSA offers pre-retirement leave with pay. This leave is intended to allow the employee to attend appointments/meetings/training sessions that will help equip him/her for life beyond his/her retirement and to gradually 'acclimatise' to a potentially different pace of life. Based on a five day working week, this leave is staggered over the last three months of employment as follows:

- In the **third** month prior to retirement, the employee will be given one day off per week
- In the **second** month prior to retirement the employee will be given two days off per week
- In the month **prior** to retirement the employee will be given three days off per week

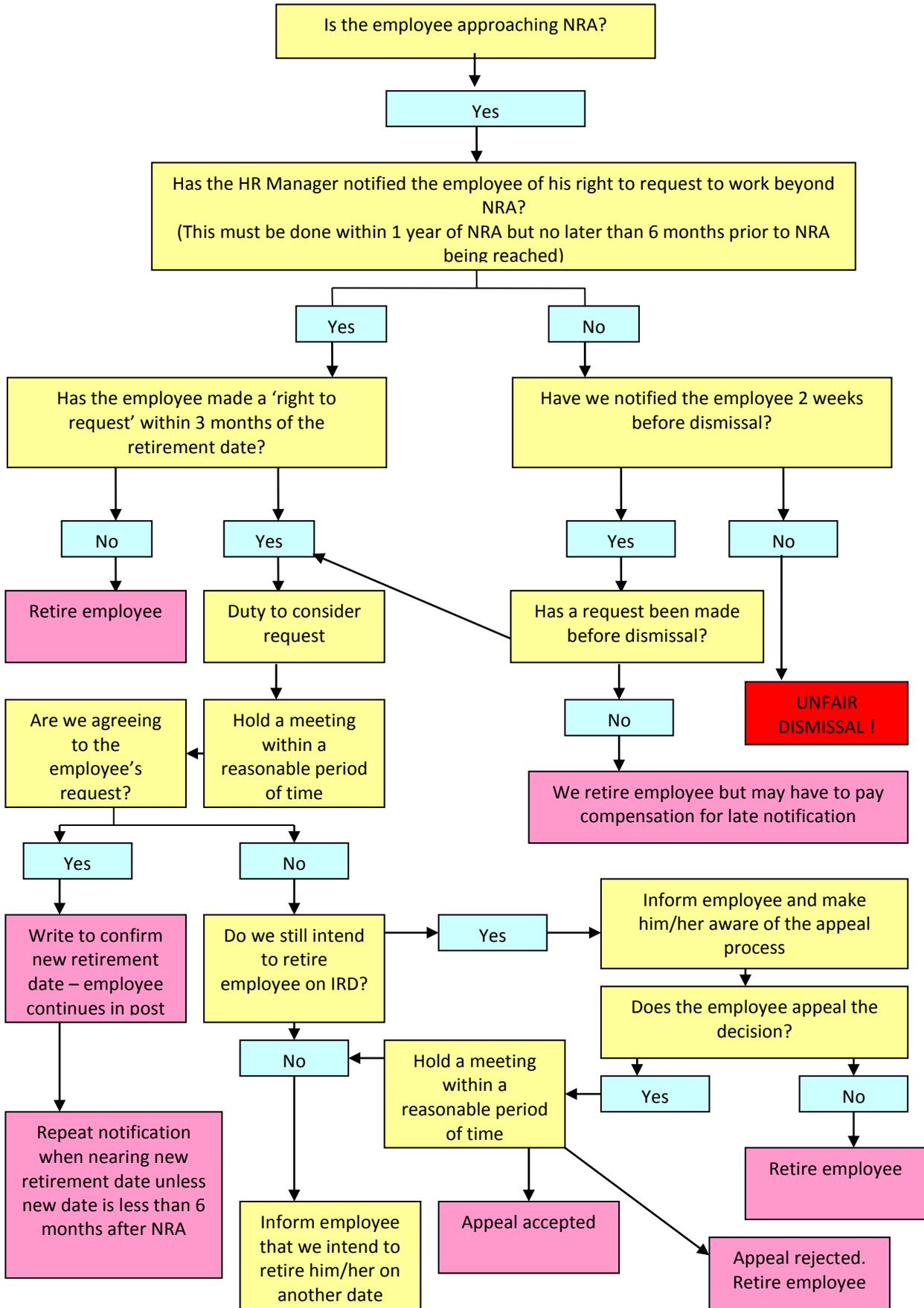
Part time workers will receive a pro-rated amount of time off.

Access will be offered to pre-retirement courses highlighting such issues as benefit entitlement, hobbies, health, travel concessions, etc..

4.5 Voluntary/ Ad-hoc Work

Should a employee who has chosen to retire wish to continue to support the work of CSA on a voluntary or ad-hoc basis, CSA will happily consider this offer of support. Where there is a need and the health of the individual will not be compromised by the work being done, these offers will be considered on an individual basis.

5. CSA Retirement Flowchart



6. Further Reading and Associated Documents

- Terms and Conditions of Service
- Employment Equality (Age) Regulations 2006
- Age and the Workplace (ACAS guide for employers)

7. Appendices

NB – All letters will be tailored to the individual on each occasion

7.1 Template of text informing employee of his/her retirement date

Dear _____,

I am writing to inform you that your retirement date will be (insert date) and that you have the right to request not to be retired.

CSA will give careful consideration to any request you may make to work beyond this date and will inform you if we cannot let you. We are not required by law to give a reason.

Your request not to be retired must be returned to me no later than three months before the date stated in this letter. Failure to do so will mean that you lose your statutory right to have your request considered and you will be retired on the retirement date above.

Yours sincerely

Lorraine Smith
HR Manager

7.2 Template of text informing employee of a meeting to discuss a request not to retire

Dear _____,

I am writing to inform you that after receiving your request not to be retired there will be a meeting to discuss your request.

This meeting will be held on (insert date) at (insert time) at (insert location). You have the right to bring a fellow colleague with you. Your companion can address the meeting but not answer any questions on your behalf although you may confer with your companion during the meeting.

After the meeting if it is decided to continue your employment beyond the intended retirement date of (insert date) you will receive written notification reflecting the agreed changes to your contract.

If no agreement is reached you will receive further notification confirming your intended retirement date and informing you of your right to appeal.

Yours sincerely

Lorraine Smith
HR Manager

7.3 Template of text confirming retirement on the intended date

Dear _____,

I am writing to inform you that after our meeting held on (insert date) to discuss your request not to be retired, CSA still intends to retire you on (insert IRD).

You have the right to appeal this decision. If you wish to appeal you must inform me as soon as is reasonable. Failure to do so may mean that you lose the right to an appeal meeting and CSA may consider your appeal without holding a meeting, taking into consideration any previous representations you have made. All appeal meetings are held with a member of the Management Team.

Yours sincerely

Lorraine Smith
HR Manager

7.4 Template of text notifying employee of result of appeal

Dear _____,

I am writing to inform you that after the meeting held on (insert date) to discuss your appeal not to be retired, CSA still intends to retire you on (insert IRD).

Yours sincerely

Lorraine Smith
HR Manager

7.5 Template of text to employee confirming new retirement date

Dear _____,

I am writing to inform you that following the meeting to consider your request not to be retired/appeal meeting (delete as appropriate), CSA has agreed that your new intended retirement date shall be (insert date).

(if appropriate) - As agreed at the meeting to discuss your request not to be retired/appeal meeting (delete as appropriate) your new working pattern will be as follows:

Yours sincerely

Lorraine Smith
HR Manager