



# SANDOWN TOWN COUNCIL

DRAFT

## **Pension and Retirement Policy**

APPROVAL DATE:  
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## **1. PURPOSE AND SCOPE**

- 1.1. Sandown Town Council believes that having a planned retirement date has benefits for the Council and its staff; and supports effective succession planning for the Council and preparedness for the staff member.
- 1.2. The council recognises that some members of staff may wish to work beyond their 'Planned Retirement Date' and that the council can gain from the retention of valuable skills, knowledge and experience that extending their employment can bring.
- 1.3. Staff have the right to request to work beyond their planned retirement date and the council is committed to considering and approving such requests where there is a clear and demonstrable benefit.
- 1.4. This policy details the procedure to be followed when staff are approaching normal retirement age and how staff can make a request to continue working beyond their planned retirement date.
- 1.5. Sandown Town Council is committed to creating a positive and inclusive environment, respecting equality and diversity and encouraging good relations between people of all ages. It recognises the valuable contribution made by staff of all ages and will work towards eliminating prejudice and discrimination irrespective of age.
- 1.6. This policy does not apply where retirement takes place before the "Planned retirement date".
- 1.7. Employees wishing to retire early should discuss their options with the Town Clerk.

## **2. RELEVANT LEGISLATION AND GUIDANCE**

[Plan your retirement income: step by step - GOV.UK](#)

[Employment Rights Act 1996](#)

[Human Rights Act 1998](#)

[Equality Act 2010](#)

## **3. WHO THIS POLICY APPLIES TO**

- 3.1. This policy applies to all members of staff and comes into effect whenever a staff member is within 6 months of their "Planned Retirement Date".

## **4. PLANNED RETIREMENT**

- 4.1. There is no longer a "Normal Retirement Age", employees are now able to work for as long as they wish.
- 4.2. Sandown Town Council will take an employee's "Normal Retirement Age" as the date at which an employee reaches "State Pension Age".
- 4.3. This date will vary depending on the employee's date of birth and whether they are male or female.

- 4.4. The actual day of retirement is the birthday when the employee reaches their State Pension Age, but employees have the right to request to continue working beyond their planned retirement date.
- 4.5. The Council has a duty to consider such requests and will take reasonable steps to accommodate an employee's request to work beyond his/her planned retirement date.
- 4.6. In accordance with the Age Regulations, where a member of staff does not make a request to work beyond their planned retirement date or where the council is unable to approve such a request, the Council will write to the employee to confirm the end of employment, ensuring that the employee has been given a reasonable opportunity to request continued employment.
- 4.7. The Council does not operate a compulsory retirement age. The use of a Planned Retirement Date linked to State Pension Age is intended as a workforce planning tool only.
- 4.8. Any decision to retire an employee will be based on legitimate aims such as workforce planning, succession management, and maintaining service delivery, and will be applied in a proportionate and non-discriminatory manner.

## **5. WORKING BEYOND PLANNED RETIREMENT**

- 5.1. If it can be demonstrated that it is in the best interests of both the council and the individual to continue their employment beyond the planned retirement date, the following criteria will be taken into consideration
- 5.2. Where an employee requests to continue working beyond their Planned Retirement Date, the Council will give full and fair consideration to the request.
- 5.3. Each request will be considered on a case-by-case basis, taking into account objective and non-discriminatory criteria, including (but not limited to):
  - Operational requirements of the Council, including workforce planning and service delivery needs
  - Succession planning considerations, including the ability to develop or recruit other staff
  - The employee's skills, knowledge, and experience, and their ongoing value to the Council
  - Performance and capability, including any recent appraisals or performance concerns
  - Attendance and disciplinary record, where relevant and proportionate
  - Health and wellbeing considerations, including any reasonable adjustments where appropriate Health considerations will only be taken into account where relevant to the role and will be assessed in line with the Council's duties under the Equality Act 2010, including the duty to make reasonable adjustments
  - The impact on team structure and opportunities for other employees
  - Cost implications, including salary, pension, and any associated budgetary constraints

- The duration of the extension requested and whether a fixed-term extension would be appropriate
- 5.4. The Council will ensure that decisions are:
- Based on objective evidence
  - Consistent with previous decisions where comparable circumstances apply
  - Free from unlawful age discrimination
- 5.5. No request will be refused solely on the basis of age.
- 5.6. Employees may also request flexible working arrangements in line with the Council's Flexible Working Policy.
- 5.7. Decisions will comply with the principles set out in the Advisory, Conciliation and Arbitration Service (ACAS) guidance and relevant legislation.
- 5.8. The Council may, where appropriate:
- Agree a fixed-term extension
  - Propose a phased retirement, reduced hours, or alternative working arrangements
  - Review the arrangement periodically
- 5.9. Where a request is refused, the Council will:
- Provide clear, written reasons based on the criteria above
  - Ensure the employee is informed of their right to appeal
- 5.10. The burden will not be on the employee to justify continued employment; rather, the Council will assess whether there is a justified reason for the employment to end
- 5.11. The Council will monitor decisions to ensure consistency and fairness across the organisation.

## **6. PLANNED RETIREMENT PROCEDURE**

### **6.1. Overview**

- 6.2. The Planned Retirement Procedure is intended to give both staff and the council time to prepare and plan for retirement.
- 6.3. The procedure will be followed whenever a member of staff is approaching their normal retirement age, as defined in Section 4.0.

### **6.4. Stage 1 - Notification**

- (i) Sandown Town Council will write to employees 6 months prior to their normal retirement age, informing them of their planned retirement date and their right to request to work beyond their planned retirement date.

### **6.5. Stage 2 – Employee Request**

- (ii) Employees must submit a written request at least three months before their Planned Retirement Date.

- (iii) The request should include:
  - Reasons for continuing employment
  - Desired extension period

#### 6.6. Stage 3 - Consideration Process

- (iv) The Clerk will write to the member of staff arranging a meeting to discuss their request further.
- (v) This meeting will normally take place within two weeks of the written request being received or, where this is not possible, within a reasonable period of having received the request.
- (vi) The employee has the right to be accompanied by a work colleague or union representative at the meeting.
- (vii) All parties should take reasonable steps to attend the meeting. Where this is not possible, a new meeting date should be agreed.
- (viii) If it is not possible to hold a meeting within a reasonable timescale, the Clerk may consider the request without a meeting being held, ensuring that any representations from the employee are considered.
- (ix) The HR Committee will consider the request to work beyond the planned retirement date.
- (x) The Clerk will write to the member of staff, normally within two weeks of the meeting having taken place, or as soon as is reasonably practicable, informing them of the outcome of their request.
- (xi) The outcome of the request will be one of the following:
  - Approved as requested:  
The request to work beyond the Planned Retirement Date is approved, and employment will be extended for the period requested, subject to any agreed terms.
  - Approved with modification:  
The request is approved, but for an alternative period or on revised terms. The reasons for the variation will be clearly explained.
  - Refused:  
The request is refused. The decision will be based on the criteria set out in Section 5 and will be supported by clear, written reasons.
- (xii) Where a request is refused, employment will end on the Planned Retirement Date. The employee will be informed of their right to appeal this decision in accordance with Section 7.
- (xiii) Where a request is accepted by the HR Committee it will be confirmed in writing. The decision will be fully documented, with clear evidence of how the decision was reached.

(xiv) The member of staff will continue to be employed by the council under the same terms and conditions and with the same rights and benefits as they had prior to reaching their planned retirement age, unless otherwise stated.

6.7. In most situations a revised retirement date will be agreed. Therefore, this procedure will once again come into effect not less than 6 months before the revised retirement date.

## **7. APPEAL PLANNED RETIREMENT PROCEDURE**

7.1. Employees have the right of appeal where a request has been refused or accepted for an alternative period.

7.2. Appeals should be submitted within 2 weeks of receiving the HR Committee's decision, or as soon as is reasonably practicable where this is not possible.

7.3. The appeal should be addressed to the Chair of the Council and be in writing, dated and state the grounds on which the appeal is being made.

7.4. Following receipt of a written appeal, the council will write to the member of staff inviting them to a meeting to discuss the appeal.

7.5. The appeal will be heard by the full council.

7.6. The appeal meeting will normally take place within two weeks of the appeal being received, or where this is not possible, within a reasonable period of having received the request.

7.7. The member of staff has the right to be accompanied at this meeting by a work colleague or Union Representative.

7.8. All parties should take reasonable steps to attend the meeting. Where this is not possible a new meeting date should be agreed, to take place as soon as is reasonably practicable.

7.9. If it is not possible to hold a meeting within a reasonable period, the Appeal panel may consider the appeal without a meeting being held, ensuring that any representations from the staff member are considered.

7.10. The member of staff will be informed of the outcome of their appeal within two weeks of the meeting.

7.11. The outcome will either confirm that the appeal has been successful and confirm the date that the employment will be extended to, or if the appeal was unsuccessful explain that the staff member will therefore retire on their planned retirement date with the reasons for the decision.

7.12. The appeal will be heard by members who were not involved in the original decision where reasonably practicable.

## **8. PENSION SCHEME**

8.1. The Council operates a contributory pension scheme with auto-enrolment (subject to eligibility).

8.2. Contributions include:

- Employee contributions

- Employer contributions
- Tax relief

8.3. The scheme is administered by the Isle of Wight Pension Fund.

8.4. Further details are available via the Pension Fund website.

[Isle of Wight Pension Fund](#)

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