

# HR & OD POLICIES

human resources and organisational development



## Retirement Policy

**This policy is for general use and cannot cover every personal circumstance, nor does it cover specific protected rights that may apply to particular employees. In the event of any dispute the appropriate legislation will prevail as this document does not confer any statutory rights and is provided for information purposes only and may be subject to change by legislation or otherwise.**

## 1. POLICY STATEMENT

Aberdeenshire Council is committed to ensuring that any employee retiring from the service of Aberdeenshire Council and accessing their pension is treated fairly, and that the procedure followed is equitable, transparent and cost effective.

When considering requests for retirement, Aberdeenshire Council, as with all Local Authorities, must act with prudence and propriety to ensure that the funding and contribution levels within the Pension schemes are adequate to meet potential financial demands, which may be placed on the scheme in the future.

All requests and information concerning retirement applications will be treated in the strictest confidence

## 2. SCOPE OF POLICY

This procedure will apply to all employees of the Council covered by the following National Schemes of Conditions of Service:

- SJC for Local Government Employees
- SJNC for Local Authorities' Service - Craft Operatives
- SJNC for Local Authorities' Service - Chief Officials
- Scottish Negotiating Committee for Teachers (SNCT)

## 3. RELATED LEGISLATION

This policy links to other associated policies, agreements, legislation and procedures including:

- The Employment Rights Act 1996
- Part-Time Workers (prevention of Less Favourable treatment) Regulations 2000

- The Local Government Pension Scheme (Benefits, Membership and Contributions) (Scotland) Regulations 2008
- The Local Government Pension Scheme (Administration) (Scotland) Regulations 2008
- The Local Government Pension Scheme (Transitional Provisions) (Scotland) Regulations 2008.
- The Local Government (Discretionary Payment and Injury Benefits) (Scotland) Regulations 1998
- The Teachers (Compensation for Premature Retirement and Redundancy) (Scotland) Regulations 1996
- The Teachers' Superannuation (Scotland) Regulations 2005

## 4. PRINCIPLES

Aberdeenshire Council will seek to continually improve service delivery and this may involve adjustments to organisational structures. This may be done by achieving a reduction in any identified surplus of employees by voluntary means through the granting of pension benefits to any employee whose request for early retirement is approved. However this policy applies only to voluntary early retirements outwith any redundancy situation. Redundancy issues are addressed in the Redundancy Policy.

Individuals may put forward an application for early retirement; this does not mean that an individual will automatically be provided with an estimate of benefits. Any application to retire early must be made in writing, initially to the line manager. The final decision rests with the Strategic Management Team.

Many of the retirement options set out can only be accessed with employer approval. Aberdeenshire Council will decide who may access these options, taking account of the rules of the relevant pension scheme. Decisions will be made on the grounds of the impact on service delivery, future need for skills and experience, and affordability. Costs will be provided to the employing service and it will be for the Strategic Management Team to decide, following advice from Finance and Human Resources, whether to grant early retirement.

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Aberdeenshire Council runs a Pre-Retiral course, which is available to all employees (including teachers). Employees may attend this course up to 5 years before retiral to enable them to plan ahead for their retirement.

# Retirement

## Index of Documents

### Policy

| Revision Date | Previous Revision Date | Summary of Changes        |
|---------------|------------------------|---------------------------|
| 01-04-2001    | -                      | Creation of all documents |
| 18-08-2015    | 01-04-2001             | Format update             |