

Police Officer Retirement Policy

Greater Manchester Police

Date: October 2018



POLICY IMPLEMENTED: October 2013

REVIEW DATE: August 2019

PROCEDURE OWNER: Policy and People Relations Unit, HR Branch

APPROVED BY: Head of HR and ACO Potts

ASSOCIATED PROCEDURE: Procedure included

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1. Introduction and Background

Policy statement

Greater Manchester Police is committed to equal opportunities and recognises the contributions of a diverse workforce, including the skills and experience of older officers.

There is a compulsory retirement age for officers, however we will consider applications if you wish to continue working beyond your compulsory retirement age.

Aims

The aims of this policy are to:

- Give you a clear understanding of the retirement policy.
- Explain the procedure to be followed, so that we can fairly process your request for retirement.

2. Scope

This policy applies to all Police Officers.

3. Roles & Responsibilities

Responsibility of HR

The Head of HR is responsible for developing a Retirement Policy that supports good employee relations and the operational needs of GMP.

HR will advise managers on the processes to follow and monitor consistency of applications.

Responsibility of Managers

Managers are responsible for meeting with officer, having an open discussion and making fair decisions.

Responsibility of Workforce Development Unit

The Workforce Development Unit will act as management for officers who are externally seconded.

Responsibility of Officer

You should follow the procedure for submitting retirement applications and ensure you give as much information as possible.

4. Principles

4.1 Compulsory retirement

The Police Pensions Act 1976 empowered the Secretary of State to set compulsory retirement ages for members of Police Forces. Following consultation with the Police Negotiating Board (PNB) the Home Office agreed the following compulsory retirement ages for police officers from 1st October 2006:

- Police Constable to Chief Inspector 60
- Superintendents and above 65

It's recognised there may be cases where it would be desirable to retain the officer beyond the CRA for that rank. Therefore the CRAs can be extended at the discretion of the Chief Officer of Police in the case of officers below ACPO ranks and by the PCC in the case of ACPO rank officers.

There's no set overall limit (such as the pre-October 2006 limit of 5 years) to the period by which the CRA may be extended in this way.

Under the previous Police Pension Scheme it was possible to retire:

- With 30 years pensionable service. Optimum benefits are payable.
- At age 50 with at least 25 years service

Compulsory retirement age (prior to 1st October 2006):

- Constables and Sergeants 55
- Inspector & Chief Superintendent 60
- ACPO ranks 65

Officers won't be disadvantaged should they opt to retire at their previous compulsory retirement age.

4.2 Working Beyond Compulsory Retirement Age

You've the right to request to continue to work beyond your compulsory retirement age and you've the right to appeal should your application be refused.

4.3 Ill Health Retirement

The criteria is set out in the Police Pension Regulations 1987, (for officers who were employed and joined the Police Pension scheme before 6th April 2006) and the New Police Pension Regulations 2006 (for new entrants from 6th April 2006) and are covered by PNB circular 10/4.

Retirement where the Selected Medical Practitioner considers you're medically, likely to have a permanent disablement.

Disablement defined as:

'Inability, occasioned by infirmity of mind or body, to perform the ordinary duties of a member of the police force'.

For the purpose of assessing permanent disablement, ordinary duties are:

- Patrol/supervising public order
- Arrest and restraint
- Managing processes and resources and using IT
- Dealing with procedures, such as prosecution procedures, managing case papers and giving evidence in court
- Dealing with crime, such as scenes of crime work, interviewing, searching and investigating offences
- Incident management, such as traffic and traffic accident management

Taking each of the duties in turn, inability, due to infirmity, in respect of the any of the following:

- The ability to run, walk reasonable distances, and stand for reasonable periods
- The ability to exercise reasonable physical force in restraint and retention in custody
- The ability to sit for reasonable periods, to write, read, use the telephone and to use (or learn to use) IT
- The ability to understand, retain and explain facts and procedures
- The ability to evaluate information and to record details
- The ability to make decisions and report situations to others

Need to expand on this section and include definition and role of Health Management

4.4 Police Pensions

Pension Benefits in the New Police Pension Scheme will be 1/70th of your pensionable pay for each year of pensionable service up to a maximum of 35 years. The maximum pension entitlement is 35/70ths. The lump sum is four times the annual pension. You can exchange all or part of your lump sum for an increased annual pension.

Pension Benefits in the Police Pension Scheme will be 1/60th of your average pensionable pay for each year of pensionable service up to 20 years and 2/60ths for any pensionable service over 20 years. The maximum pension entitlement is 40/60ths. You may convert up to 25% of your pension for a tax-free lump sum.

We don't deduct National Insurance contributions from your pension. If you want to pay voluntary contributions to build up your entitlement to the Basic State Pension or want a projection of your State Pension benefits payable, contact the Department for Work and Pensions.

We'll aim to pay your pension lump sum and your pension into your account, the first banking day after your retirement. Thereafter, your pension is paid monthly in advance, on the first banking day of each calendar month.

4.5 Annual Leave, TOIL & RDIL

4.5.1 Annual Leave

If you leave part way through a leave year we'll calculate your annual leave pro rata for each completed calendar month.

You're encouraged to take all outstanding annual leave before your last day of service and this should be booked in by your DRMU. However, where due to operational requirements you are unable to take such leave, and this is agreed with your line manager; any outstanding annual leave pro rata to your last day of service; will be paid.

We may also pay outstanding annual leave if you've been on long term sick. If you have overtaken annual leave we are entitled to claim compensation. In the first instance we will ask for your approval to deduct the amount from your final salary, failing that we may seek civil recovery.

4.5.2 TOIL

You're encouraged to take all accrued TOIL before your last day of service and this should be booked in by your DRMU. However, where due to operational requirements you are unable to take this, and it is agreed with your line manager; any accrued TOIL will be paid through DMS.

4.5.3 RDIL

Constables and Sergeants can accrue up to 7 RDIL on their record. All other RDIL must be taken. When leaving GMP you are encouraged to take all accrued RDIL before your last day of service and this should be booked in by your DRMU. However, where due to operational requirements you're unable to take these, and it is agreed with your line manager; up to 7 days RDIL may be paid and this should be noted on your leaver form.

For Inspectors and above, you may hold RDIL on your record for up to 12 months. When leaving GMP all outstanding RDIL must be taken prior to your leaving date. There is no provision in Police Regulations to make payment in lieu of a RDIL.

4.6 Pre-retirement Course

If you're within the last two years before you're due to retire, you may attend a pre retirement course. The course covers financial, lifestyle and career planning.

5. Procedure

5.1 Normal/Compulsory Retirement

Complete a Leavers Form (*Form 0003F*) giving a minimum 1 months and submit it to your manager.

Giving as much notice as possible would avoid delays in payment of your pension or receiving your Certificate of Service.

If you're on an external secondment contact the Workforce Development Unit who'll act as your GMP management. Forward the form to the Workforce Development Unit group mailbox.

Your manager will offer you an exit interview, arrange for the departmental/branch commander to approve your last day of service and send it to the HR Branch for processing.

The HR Branch will notify the Finance Branch and the Pensions Unit.

Pensions will write to you at your home address and include pension forms for you to complete and return, prior to your retirement date.

If you've not received the forms 2 weeks before your retirement date, contact the Pensions Unit.

N.B If you wish to change your lump sum, the Pension Scheme must be notified before your retirement date, otherwise the HRMC regulations state your lump sum will be subject to tax.

It's important you keep us up to date with contact numbers and any change of address in case you're required to attend court after you have left.

5.2 Working Beyond Compulsory Retirement age

The HR Branch will write to you approximately 6 months before your compulsory retirement date (or last date if you have previously had an extension and continued to work beyond your 60th or 65th birthday) to inform you of your date, and your right to request to continue working.

You can request to stay for up to 2 years at a time. Apply by completing Form 1103, (Application to continue working beyond compulsory retirement age) no later than three months before your leaving date ; to your manager.

If your application is late, your default compulsory retirement date may be imposed.

Your Manager and SLT members will consider your request, identify a suitable role and approve subject to a medical assessment or refuse your application. You'll be invited to meet with your manager and a member of the SLT if there are any concerns, to discuss your application.

If provisionally approved, you'll be required to complete a Medical Questionnaire (Form 934a) and attend a medical assessment at the Occupational Health & Welfare Unit. The Force Medical Advisor will determine the extent to which you are fit for 'ordinary duties of a member of the Force'.

If your application is refused by your SLT or as a result of the medical assessment, you will be notified in writing.

5.2.1 Appeal

If you wish to appeal you should write to the ACO/ACC, via your HR Case Worker.

You may be given a temporary extension should this process go beyond your compulsory retirement date; until your appeal has been heard.

The HR Caseworker will submit a report to the ACO/ACC, outlining the reasons for refusal and include a summary of the initial meeting with your manager and SLT member.

If your application is refused for medical reasons, and you produce medical opinion that contradicts the Force Medical Advisors opinion, your appeal will be reviewed again by the Force Medical Advisor.

Should his /her opinion remain, a second Medical Advisor (agreed between the Force Medical Advisor and the second Advisor or alternatively the Chief Officer) will review this.

5.2.2 Appeal Hearing

The HR caseworker will arrange your appeal hearing and the following will be in attendance:

ACO/ACC – Chair

Yourself and a Staff Association representative or other colleague.

HR Branch representative (Senior HRDM or member of Policy & People Relations Team), to support ACO/ACC.

Division/Branch SLT representative (who refused initial request)

The caseworker or HR Caseworker (to support SLT)

You'll be given the opportunity to discuss your application and provide reasons for your request. In turn, the ACO/ACC will request the Divisional SLT to offer an explanation as to the reasons for refusal.

Having heard both sides, the ACO/ACC will deliberate and make a decision. You may be asked to vacate the room during this time. The ACC/ACC may request the HR Branch representative provide further information either during or following the hearing.

If appropriate, the ACO/ACC will inform you of their decision at the conclusion of the meeting and your manager will provide you with written confirmation of that decision.

The ACO/ACC may wish to recommend to the Chief Constable that your compulsory date is to be implemented. In this case the Chief Constable will consider the recommendation.

Your manager will provide you with written confirmation of the decision.

5.3 Ill Health Retirement

You and your manager may complete an ill health retirement referral form and consent form as part of:

- Attendance Management meeting
- Standards, Performance and Attendance meeting
- Occupational Health meeting e.g. Medical Case conference
- At your request

Once completed, your manager will forward it to the Force Medical Officer, Occupation Health & Welfare Unit, for an opinion.

The Force Medical Officer will offer his/her opinion to the HR Branch, as to whether a referral to a Selected Medical Practitioner (SMP) is medically supported and return the form to the HR Branch Caseworker.

HR Branch will refer your case to the SMP, to consider permanency of disablement as defined within Police Regulations.

We may require your written consent for your medical records/specialist reports to be released upon request from the SMP.

You may be required to undertake a medical appointment with the SMP during this process.

We'll provide support to enable you to remain in work during this process and this will be taken into consideration as part of the decision on whether to approve your ill health retirement application.

Upon receipt of the opinion of the SMP the Deputy Chief Constable will decide on the ill health retirement.

The HR Branch will keep you up to date during this process and will write to inform you of the decision.

5.3.1 Appeal

Stage 1: You should appeal in writing to the HR Branch, providing additional medical information to support your appeal.

The HR Branch will review your appeal in line with the process, review additional medical information and send to the SMP for consideration.

If there's no additional medical information to support your appeal, and the process was followed correctly, the original decision will stand.

Stage 2:

If you're not satisfied with the outcome of stage 1, you should appeal in writing to the Police Medical Appeal Board (PMAB), via the HR Branch.

The second stage of appeal is the Police Medical Appeal Board (PMAB). Run by a company appointed by the Home Office who supply two OH specialists and a consultant in the appropriate medical speciality. The SMP should attend as it is his or her's decision that is being appealed against. The federation can attend in support of the appellant but do not sit on the panel.

N.B. A 'Ill Health Retirement (Police Officers) HR Toolkit' covers the process in more detail.

5.4 Agile Working Equipment

You're responsible for any Agile Working equipment that's been assigned to you and this must be returned to the IS Branch via the IS Surgery/HQ before your last day of service.

6. Legal Compliance

6.1 Freedom of Information Act (2000), Data Protection Act (2018) & GDPR

The policy and procedures are compliant with the Acts and Regulation.

6.2 Equality Act 2010

Due regard has been had to the Equality Act implications. The Retirement Policy is open to all officers in line with Police Regulations.