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Retirement Policy

1. Purpose and Scope

Moulton Parish Council believes that having a “Planned Retirement Date” has benefits for the council and its staff, including allowing staff to plan and prepare for retirement. A “Planned Retirement Date” also enables the council to undertake workforce planning and ensures the creation of opportunities for promotion and career progression for all members of staff.

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.

Staff have the right to request to work beyond their planned retirement date. The council is committed to considering and approving such requests where there is a clear and demonstrable benefit.

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.

Moulton Parish Council is committed to creating a positive and inclusive environment, respecting equality and diversity and encouraging good relations between people of all ages. Moulton Parish Council recognises the valuable contribution made by staff of all ages and will work towards eliminating prejudice and discrimination irrespective of age.

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”.

This policy does not apply where retirement takes place before the “Planned retirement date”. Where staff wish to retire before their “Planned Retirement Date” they will be referred to the Executive Officer who will discuss the options for early retirement.

2. Legal Responsibility & Policy Support

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

[Employment Rights Act 1996 \(legislation.gov.uk\)](#)

[Human Rights Act \(1998\) \(legislation.gov.uk\)](#)

[Equality Act \(2010\) \(legislation.gov.uk\)](#)

[General Data Protection Regulation \(GDPR\)](#)

3. Planned Retirement

“Normal Retirement Age” – There is no longer a “Normal Retirement Age”, employees are now able to work for as long as they wish. Moulton Parish Council will take an employee’s “Normal Retirement Age” as the date at which an employee reaches “State Pension Age”

“Planned Retirement Date” – Moulton Parish Council will take an employee’s “Planned Retirement Date” as the date when the employee reaches “State Pension Age”. This date will vary depending on the employee’s date of birth and whether they are male or female. The actual day of retirement is the birthday when the employee reaches the State Pension Age, employees have the right to request to continue working beyond their planned retirement date. The Council has a duty to consider such requests and therefore, will take reasonable steps to accommodate an employee’s request to work beyond his/her planned retirement date.

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, staff will retire on their planned retirement date.

4. Working Beyond Planned Retirement

Consideration of Requests

If it can be demonstrated that it is in the best interests of both the council and the individual to continue their employment to work beyond the planned retirement date, the following criteria will be taken into consideration:

- a) The reasons provided by the staff member for continuing to work beyond their planned retirement date.
- b) The skills, knowledge or experience that are key to the council meeting its objectives and which the council may have difficulty replacing.
- c) Staff are employed in posts that the council may experience difficulty in recruiting.
- d) An appropriate revised retirement date where applicable.

5. Planned Retirement Procedure

The Planned Retirement Procedure is intended to give both staff and the council time to prepare and plan for a retirement.

The procedure will be followed whenever a member of staff is approaching their normal retirement age, as defined in Section 3.0.

Stage 1

Duty to Inform the Member of Staff

Moulton Parish Council will write to each employee 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.

Stage 2

Request to Work Beyond Planned Retirement Date

Not less than 3 months before their planned retirement date, staff may submit a written request to the council to work beyond their planned retirement date stating the reasons they wish to continue to work beyond their planned retirement date and the period they wish to continue working for.

Stage 3

Process for Consideration of the Request

Following receipt of a written request under Stage 2, the Executive Officer will write to the member of staff arranging a meeting to discuss their request further. This meeting will normally take place within 2 weeks of the written request being received or, where this is not possible, within a reasonable period of having received the request.

The employee has the right to be accompanied by a work colleague or union representative at the meeting.

All parties should take reasonable steps to attend the meeting. Where this is not possible, a new meeting date should be agreed. If it is not possible to hold a meeting within a reasonable timescale, the Executive Officer may consider the request without a meeting being held, ensuring that any representations from the employee are considered.

The council will consider the request to work beyond the planned retirement date in line with Section 4.0. The Executive Officer will write to the member of staff, normally within 2 weeks of the meeting having taken place, or as soon as is reasonably practicable, informing them of the outcome of their request. This will be either:

- a) That the request to work beyond the planned retirement date is accepted and employment will be extended for the period requested by the staff member on such terms as may be agreed.
- b) That the request to work beyond the planned retirement date is accepted, but for an alternative time period than that requested by the member of staff. The staff member may appeal against this decision.

or:

- c) That the request to work beyond the planned retirement date is refused and the basis on which the decision was made. The staff member will therefore retire on their planned retirement date and may appeal against this decision.

Where a request is accepted by the full council it will be confirmed in writing. 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.

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.

If a request is accepted but for an alternative period than requested, the staff member may choose to accept this or may appeal against the decision. If an appeal is registered, but a decision has not been reached by the planned retirement date, the staff member will retire on that date, but will be reinstated with full continuity of employment if the appeal is successful.

If a request is refused, the employee may appeal against this decision. If an appeal is registered, but a decision has not been reached by the planned retirement date, the staff member will retire on that date, but will be reinstated with full continuity of employment if the appeal is successful.

6. Appeals

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

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

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

Following receipt of a written appeal, the council will write to the member of staff inviting them to a meeting to discuss the appeal. The appeal will be heard by the full council.

The appeal meeting will normally take place within 2 weeks of the appeal being received, or where this is not possible, within a reasonable period of having received the request.

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

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. 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. The member of staff will be informed of the outcome of their appeal within 2 weeks of the meeting. 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. Related Policies

All related HR policies: <https://www.moultonnorthants-pc.gov.uk/documents.html?listingid=636268&query=&tag=HR&sort=latest&submit=Search>

This policy is reviewed annually by the Executive Officer and submitted to the full council for approval.

Last Reviewed: January 2024
Review Due: January 2025