



# Flexible Retirement Policy for Support Staff

(Teaching staff should refer to Teacher's Pensions via their online portal for information regarding flexible retirement for teaching staff)

For all schools in the Bosco Catholic Education Trust

This Policy has been approved and adopted by the Bosco Catholic Education Trust.

<b>Approved:</b>	<b>For review:</b>
July 1 <sup>st</sup> 2021	July 1 <sup>st</sup> 2024

## **Bosco Catholic Education Trust Mission Statement**

The Bosco Catholic Education Trust is a Christ-centred family of Catholic academies, within the Diocese of Arundel and Brighton, working together as one body to provide an outstanding education for all. As Catholic schools, we endeavour to develop confident, compassionate and faithful young people. Through partnership, collaboration and mutual support, we seek to enable all those entrusted to our care to become the person God called them to be.

**“Serve the Lord joyfully”**

# **Flexible Retirement Policy**

## **1. Aim**

The aim of this policy is to support the School’s succession and workforce plans and personal aspirations of individuals, by enabling them to phase into retirement, where this meets the needs of the business and can be accommodated within the School’s budget.

The discretion for the employer to allow an employee to access his/her pension but continue working on a reduced hours/grade basis is provided for in regulation 30(6) of the Local Government Pension Scheme Regulations 2013 and regulation 11(2) of the Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014.

## **2. Scope**

This policy covers employees aged 55 and over and who are active members of the Local Government Pension Scheme (LGPS), have 2 or more years’ membership of the LGPS and work for Bosco Catholic Education Trust.

Employees who are not members of the Local Government Pension Scheme and who wish to reduce their hours/grade in the approach to retirement, may make an application under this policy. However the provisions relating to the pension scheme will not apply to them.

This policy does **not** cover:

- Teachers who are members of the Teachers’ Pension Scheme,

## **3. Eligibility Criteria**

The normal retirement age for the LGPS is linked to your state retirement age with a minimum age of 65.

Flexible Retirement enables eligible employee to retire partially by reducing their hours and/or salary and draw all or part of their accrued pension benefits.

To be eligible to make a request for Flexible Retirement under the LGPS Regulations an employee must:

- Actively be making contributions to the LGPS.
- Be aged 55 or over.
- Have two years or more membership in the LGPS.
- Be taking a permanent reduction of at least 20% in their hours and/or substantive salary.

Non LGPS pension scheme members may also make a request for flexible retirement if they meet the criteria above, and instead of having two years or more pensionable service in the LGPS, they need to have two years or more service with Bosco Catholic Education Trust.

They will not however, receive a pension from the School and any provision relating to the pension will not apply to them.

#### **4. Conditions of Flexible Retirement**

If flexible retirement is agreed, it is on the understanding that:

- Where flexible retirement is agreed before age 65 and his/her pension may be subject to an actuarial reduction Bosco Catholic Education Trust or the individual school will not normally bear the cost of this.
- There cannot be a trial period for flexible retirement.
- The employee accepts a permanent variation of hours/salary and all terms and conditions will be adjusted accordingly and will exist until further notice (i.e. the employee cannot be forced to retire on a specified date).
- Increases to hours or salary following flexible retirement will only be permitted in certain circumstances where it meets the needs of the business, and subject to the approval of the Trust Board.
- If, after being granted flexible retirement, an employee ceases employment and later re-joins Bosco Catholic Education Trust, any other LGPS employer or an employer with Admitted Body status in the West Sussex Pension Fund, this will be treated as re-employment and the pension granted at flexible retirement will be subject to the abatement provisions.

#### **5. Approvals Procedure**

All requests for flexible retirement must be supported by a business case signed off by the Local Governing Committee, showing how the benefits to the School outweigh the costs. The costs of flexible retirement will be met by the school's budget so the Staffing and Finance Committees should ensure that the costs can be met and justified. The procedure outlined in the Guidance document must be followed.

## **6. Timescales**

The initial exploration meeting should be held within 10 working days of the employee making the request to their Headteacher.

The decision meeting should be held on a date agreed between the employee, Headteacher and Chair of Local Governing Committee.

All outcomes should be communicated to the employee in writing within 5 working days of the decision being made.

As a guide the whole process should take no longer than 6 months to complete.

## **7. Appeals.**

The employee has the right of appeal against the Headteacher/Chair of Local Governing Body's decision not to support their application for flexible retirement.

The appeal should be made in writing to the Chair of the Trust Board within 5 working days of receiving the written outcome letter, stating the grounds for their appeal.

The Chair of the Trust Board will arrange for the Audit and Risk Committee to review the decision of the Headteacher and Chair of Local Governing Body.

The meeting should be convened within 10 working days of receiving the appeal.

There is no right of appeal against the decision of the Trust Board.

## **8. Accompaniment.**

An employee may be accompanied to any meetings under this process by their Trade Union Representative or a work colleague of their choosing.