



## **Request to Retire Policy**

**Market House  
14 Market Street  
Lerwick**

A charitable company limited by guarantee registered in Scotland No. 165677  
Registered Office Market House, 14 Market Street, Lerwick, Shetland ZE1 0JP  
Company Secretary Catherine Hughson  
Recognised by the Inland Revenue as a Scottish Charity - No. SCO17286

## **REQUEST TO RETIRE POLICY**

### **1. POLICY STATEMENT**

VAS is committed to recruiting and retaining high calibre employees. VAS is also committed to promoting equality and diversity where discrimination is eliminated.

### **2. POLICY SUMMARY**

- A compulsory retirement age of under 65 is unlawful.
- Executive Officer has a duty to give consideration to every request to retire.
- Employees wishing to work beyond their expected retirement age will not be subject to medical checks solely because they have reached this age.

### **3 INTRODUCTION**

The Employment Equality (Repeal of Retirement Age Provisions) Regulations 2011 started phasing out the default retirement age from the start of April 2011. That was the point after which employers could no longer issue the minimum six month notification for compulsory retirement, using the default retirement age procedure. This policy seeks to facilitate and support employees continuing to work beyond their normal retirement age, if they choose to do so.

### **4 SCOPE OF POLICY**

This policy applies to all employees of VAS.

### **5 LEGISLATION**

Legislation includes:

The Employment Equality (Repeal of Retirement Age Provisions) Regulations 2011 started phasing out the default retirement age from the start of April 2011. That was the point after which employers could no longer issue the minimum six month notification for compulsory retirement, using the default retirement age procedure. .

Employment Rights Act 1996 Equality Act 2010 – Makes it unlawful for an employer to operate different retirement ages for men and women.

### **6 IMPLEMENTING PRE-RETIREMENT ARRANGEMENTS**

When an employee formally makes a decision to retire they are required to give at least their contractual notice. This must be done in writing to the Executive Officer.

Before making a decision, employees are advised to seek advice from the Finance Officer and the Department for Work and Pensions to determine the tax, NI and pension implications.

## **7 ROLES/RESPONSIBILITIES**

Finance Officers Role: To assist employees with information relating to contacting their pension provider..

Executive Officer's Role:

- Acknowledge letter requesting retirement
- Meet with the employee
- Consider the request to retire
- Ensure the process is completed within the relevant time scales.
- Note the content of any meetings.
- Notify the Finance Office of employees' retirement date.

Employee's Role:

- Submit a letter to Executive Officer requesting retirement
- Seek advice from the Finance Officer to consider the implications of their decision to retire
- Meet the Executive Officer to discuss their final decision