



Retirement Policy

**Market House
14 Market Street
Lerwick**

A charitable company limited by guarantee registered in Scotland No. 165677
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Company Secretary Catherine Hughson
Recognised by the Inland Revenue as a Scottish Charity - No. SCO 17286

Voluntary Action Shetland

RETIREMENT 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. This policy is designed to ensure that all retirement decisions are consistent and fair, recognising the employee's rights. VAS will operate future retirements on a voluntary retirement.

2. POLICY SUMMARY

- From 6 April 2011 employers will not be able to compulsory retire their employees, unless the retirement can be objectively justified in their particular circumstances.
- A compulsory retirement age of under 65 is unlawful.
- Workers may retire when they are ready. Enforced retirement will only be possible if it can be objectively justified.
- Discrimination against workers on grounds of age is unlawful.
- These changes do not effect an employer's state pension age and entitlements, which may well be separate from the age at which they retire.

3 INTRODUCTION

The Employment Equality (Repeal of Retirement Age Provisions) Regulations 2011 came into force on 6 April 2011. This policy seeks to remove a default retirement age and support employees continue to work 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. It amends the Equality Act 2010, the Employment Rights Act 1996 and the, Employment Equality (Age) Regulation 2006.

6 IMPLEMENTING REMOVAL OF DEFAULT RETIRMENT AGE

All staff will be made aware of the removal of the default retirement age.

It will be made clear to all staff that in the absence of compulsory retirement age employees can decide whether they wish to retire or not.

Each employee considering retirement must write and request a meeting with the Executive Officer to discuss options.

An employee in the Pension Scheme may receive notification from the Pensions Trust, this would be an opportune time to initiate discussions around their future.

Where an employee does not wish to continue in employment, the Executive Officer must arrange to meet with the employee within a reasonable time of the request having been made and in any event at least within 3 months of request being made.

Employer Justified Retirement

The Management Board has the right to refuse the continuation of employment provided that the reasons for doing so can be objectively justified. The Executive Officer must inform the employee of the outcome of the Board's decision as soon as is reasonably practicable after the meeting and in any event within 28 calendar days of the meeting.

Health and Safety

Employees wishing to work beyond their expected retirement age will not be subject to any medical checks unless there is a genuine occupational requirement or there are concerns about their ability to carry out the duties of the post. These checks will be carried out in line with normal occupational health referral procedures. Any queries or concerns about this should be directed to Executive Officer. Risk assessments will be carried out for the employee in line with the normal procedures.

7 ROLES/RESPONSIBILITIES

Executive Officer's Role:

- Meet with the employee
- Consider options made in the request from employee
- Ensure the process is completed within the relevant time scales.
- Note the content of any meetings.

Employee's Role:

- Write to Executive Officer with request to include all relevant information
- Meet and discuss with Executive Officer
- Gain information on their pension