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Cymru (AaGIC)
Health Education and
Improvement Wales (HEIW)

Health Education & Improvement Wales

Interim Retire and Return Procedure and Process

Approved by: HEIW Executive Team

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Version 1

HEIW NHS PENSION RETIRE AND RETURN RULES AND PROCEDURES (INTERIM)

Rules and Procedures (including approval and request form)

1. Introduction

This document details the processes and procedures relating to the Interim HEIW NHS Pension Retire and Return Option. This scheme will be monitored and reviewed as necessary.

This is an interim document for use while the provisions of the Coronavirus Bill remain in force. This relates to the temporary changes to the Pensions Regulations that govern Retire and Return arrangements.

2. Scope

This scheme is available to all employees of the Organisation to make application although it should be noted that each case will be considered on its own merit. Applications are not automatically approved and there is no contractual right or entitlement to retire and return.

3. Scheme Rules

The following rules apply to the Retire and Return to Work option:

- 3.1 The member of staff can submit an application to retire to access their NHS Pension and then return to the employment of HEIW.
- 3.2 Approval of requests will depend upon the needs of the service and HEIW is under no obligation to approve any request. There is no guarantee that if you chose to retire you will be able to return to work.
- 3.3 A potential retirement always creates a vacancy and this must be managed in the same way as any other vacant post according to current policy.
- 3.4 In considering the replacement of the retiring employee, the Department or Directorate must ensure that they address any opportunities that arise for service improvement and development.
- 3.5 If it is agreed that the individual can return to employment with HEIW, they can either return to the current post working to the same job description or return to a different funded post/vacancy (see 4/5 below).
- 3.6 All employees taking the retire and return option must take at least a 24 hour break between the date of retirement and the date of re-engagement to meet the regulatory requirements of the NHS Pension Scheme.

3.7 Any outstanding annual leave must be taken prior to the last day in service before the break in service.

4. Returning to employment with HEIW – returning to the same post

4.1 Staff on NHS Terms and Conditions of Service

There are no Agenda for Change Terms governing salaries for employees who retire and return although, in line with current practice, the employee will return to their pre-retirement salary point. The individuals will also retain their incremental date although this will be deferred by the number of days break.

4.2 Staff who have retained Cardiff University Terms and Conditions of Service

Staff who are paid on Cardiff University terms as per the TUPE transfer arrangements will return on an Agenda for Change contract. This is because the retirement, which is a voluntary act, will break the original contract provisions and therefore the previous TUPE protection arrangements will cease to apply.

5. Returning to employment with HEIW – returning to a different post

5.1 Where the individual wishes to retire and return to a different post, they will need to apply for the post in open competition as per the recruitment process.

5.2 The interview for the post in question must have taken place prior to the date of retirement of the individual.

5.3 If appointed, the individual will be appointed on the salary scale/pay band applicable to the new post.

6. Procedure

The following procedure will apply to the request and approval for the Retire and Return to Work option:

6.1 **Given the complexities of the NHS Pension schemes any member of staff considering making an application to retire and return is advised to contact the Pensions Team at Pensions.Department@wales.nhs.uk for appropriate advice and information before submitting an application.**

6.2 Employees should then complete Part 1 of the Retire and Return application form found at the end of this document, and forward this to their Line Manager.

6.3 The Line Manager will complete Part 2 of the form indicating whether the application can be supported, taking into account the needs of the service.

- 6.4 The Line Manager will arrange for consideration and authorisation by the relevant budget holder (if different from the Line Manager), Finance and People Team Leads and will then submit to the relevant Executive Director for final approval.
- 6.5 If the application is rejected then the Line Manager will inform the employee of this and ensure that they are aware of the reasons that the application was refused. This will be confirmed in writing by the line manager to the employee.
- 6.6 The Line Manager will notify the employee if the application to retire and return has been approved by the Executive Director and will confirm this in writing.
- 6.7 The Line Manager will immediately complete a Staff Termination Form and forward this to Payroll. The reason for leaving on the Staff Termination Form will be "Age Retirement".
- 6.8 A commencement form should also be completed and sent to payroll at this time and prior to the employee returning.
- 6.9 A copy of the confirmation letter must also be sent to the Recruitment team along with copy of the proforma in order for a new contract to be issued.
- 6.10 Electronic copies of all documentation should be passed to the People Team for filing in the Personal File.
- 6.11 If the employee is returning to a different post, they will need to apply for the post as per the recruitment process and be interviewed prior to the agreed termination date.

HEIW NHS Pension Retire and Return Request and Approval Form

Part 1 - Employee Request

I have read and understand the rules and procedures of the Retire and Return Scheme and make the following request under the terms of that Scheme.

Name of employee:	
Role:	
Staff number:	
Email address:	
Department:	
Band / Grade:	
Current hours/sessions worked per week:	

I am formally notifying you of my wish to retire on and, having accessed my NHS Pension, I wish to apply to return to the employment of HEIW.

If I am successful in my application to return to employment, I would wish to:

1. Return to my current post and work Hours/sessions per week
(Please provide further details to assist in the consideration of the request)

OR

2. Apply to return to a different post and work Hours/sessions per week
(Please provide further details to assist in the consideration of the request)

- I understand that HEIW is under no obligation to approve my request to retire, access my NHS Pension and return to employment.
- I understand that if I wish to return to a different post, I will need to apply in open competition for the post. The interview must have taken place prior to my retirement.
- I understand that if I return to the same or a different post and I am currently on a transferred Cardiff University contract, I will return to a contract under NHS Terms and Conditions of Service.
- I understand that if my application is successful, I will be required to take a break of at least 24 hours (excluding any paid annual leave) from the date of retirement to the date of re-engagement.
- I understand that if I do return I will be given a new ESR Individual Number and I will need to advise the Payroll Department if I wish to continue with voluntary deductions from my salary e.g. Union Fees, WHSA etc

Employee signature:	
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Date:	
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Part 2 - Line Manager Recommendation

The Line Manager should provide a brief commentary as to whether the application to retire and return should be accepted.

Line Manager Name (please print)	
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Line Manager Signature:	
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Line Manager Title:	
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Date:	
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Part 3 - ORGANISATIONAL SIGN OFF

Budget Holder (If not Line Manager):

Name	
Signature	
Date	

Finance Business Partner:

Name	
Signature	
Date	

People Business Partner:

Name	
Signature	
Date	

EXECUTIVE DIRECTOR DECISION:

Request approved: Yes or No

Name:

Signature:

Date: