

Fact Sheet

NHS GGC Phased Retiral Policy



Introduction

Unite understands that operational managers are being given erroneous advice from Human Resources with regard to the application of NHS Greater Glasgow and Clyde's Phased Retiral Policy. Managers are being advised that staff in order to access the benefits of the Policy require to be at least aged 60 at their proposed date of retirement. This fact sheet clearly demonstrates that this position is erroneous.

Board Policy

It is clear that there is no age requirement in terms of retirement in order to access the provisions of the Policy in that Section 1 of the Board's Policy states:

*"This policy applies to **all employees of the Board who wish to retire** including those employees with Mental Health Officer or special class status."*

It is also the view of Unite the Union that the provisions of the Policy are non-discretionary and that the Board is obligated to allow staff access to the provisions upon request and having given notice of their intention to retire from the service.

The only controlling factor in the operation of the policy is that staff must intend to retire from the service.

Terms and Conditions of Service

The NHS Greater Glasgow & Clyde Phased Retiral Policy is the Board's implementation of "Appendix H: Model Phased Retiral Policy" of the "Partnership Information Network Policy and Practice Supporting Work-Life Balance Revised October 2005" (PIN) and as such under Agenda for Change forms part of the terms and conditions of service of staff.

PIN Policy and Guidance

In referring to the PIN, Unite acknowledges and accepts the model policy contained within the PIN is more limited in scope than that of the Board in that it states:

*“This policy applies to **all employees who retire from the age of 60**, or in the case of Mental Health Officers or special classes, age 55. Employees with long service who are retiring on ill health grounds may also benefit from this policy.”*

It is, however, permissible for NHS Scotland organisations to exceed the requirements of the PIN as stated in the forward as follows:

“All organisations within NHSScotland must meet or exceed best practice outlined in this document.”

The PIN was available to all parties within the Area Partnership Forum in developing the Board Policy and was indeed used as an initial template. The parties would, therefore, be aware of the phrases contained within the PIN. It is clear from the choice of wording in the Board’s Phased Retiral Policy, and given the background in producing the Policy, that it is the intention of the Board in this case to exceed the PIN by removing the age restriction. (The age restriction in any case may very well be contrary to the Equality Act 2010.)

If the intention had been to persist with the age restriction of the PIN then surely the joint trade unions would have insisted on the clause within the PIN with regard to ill health retirement being reproduced within the Board’s Policy. This, of course, was unnecessary as there is no such age restriction within the Board Policy.

Conclusion

There is no age requirement within the Phased Retiral Policy of the Board. Indeed this position has recently been upheld in grievances that have been heard at Directorate level within the Diagnostics Directorate of the Acute Services Division of the NHS Board.

Members that are proposing to retire should be advised of the Policy and be encouraged to access the benefits of the Policy. Any refusal by local management to grant access of our members to the Policy on their proposed retirement should be challenged and if necessary put into procedure.

Donald W Sime
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