

WILTSHIRE POLICE

FORCE PROCEDURE



RESIGNATION AND RETIREMENT PROCEDURE – POLICE OFFICER

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RESIGNATION AND RETIREMENT PROCEDURE

INTRODUCTION

This procedure details the process to be followed when a Police Officer decides to leave Wiltshire Police either through voluntary resignation or retirement.

Wiltshire Police operate a retirement age of 60 for police officers of federated ranks and 65 for officers of non federated ranks. Individuals will normally be required to retire on the day prior to attainment of that age. This is known as the Intended Retirement Date (IRD).

The Employment Equality (Age) Regulations 2006 came into effect on 1 October 2006. The regulations seek to protect those in the workplace from being discriminated against because of their age at any stage throughout their employment, from recruitment through to retirement.

Under these Regulations, police officers now have the right to make a request to be able to continue working past Wiltshire Police's retirement age of 60 and 65 for non federated ranks. .

This procedure refers to Police Officers unless otherwise stated.

Glossary of Terms

Term	Meaning
IRD	Intended Retirement Date
NRD	Normal Retirement Date
ERD	Extended Retirement Date

Strategic Aims

The strategic aim/s linked to this document are set out below.

Force Priorities Linked to this Procedure
'Taking our staff with us' Continuing Organisation Development

European Convention on Human Rights (ECHR) Compliance –The table below lists the ECHR Compliance Guide paragraphs that specifically relate to this Procedure.

Reference: The Compliance Guide can be found in TROVE in Policy and Procedures / Corporate Development / ECHR Compliance Guide.

ECHR Compliance Guide paragraphs relating to this document
1. Statement of Compatibility 2. Public Access 5. The Impact of The European Convention on Human Rights 12. Article 8 - Right to Respect for Private and Family Life 13. Article 9 - Freedom of Thought, Conscience and Religion 14. Article 10 - Freedom of Expression 17. Article 14 - Prohibition of Discrimination 19. Positive Obligation 20. Duty of Staff

Disability Discrimination Act 1995

In writing this procedure the main implications of the above Act, together with the Disability Discrimination Act (Amendment) Regulations 2000 have been taken into account.

Race Equality and Diversity Impact

This procedure has been assessed for relevance to the general duty to provide race equality under the Race Relations (Amendment) Act 2000.

This assessment has shown that the procedure and its aims are likely to have the relevance level indicated below

Relevance Level <i>(Please see Wiltshire Constabulary Race Equality Scheme for details of how to assess the Relevance levels of policies and procedures)</i>
high relevance
medium relevance
low relevance

Relevant duties under the RRA Act 2000
Elimination of unlawful racial discrimination
Promotion of equality of opportunity
Promotion of good race relations.

In this regard a full race equality impact assessment will / will not be undertaken in accordance with the Race Equality Scheme Action Plan.

Freedom of Information Act

This procedure is suitable for public disclosure

Data Protection Act

Any information relating to an identified or identifiable living individual recorded as a consequence of this procedure will be processed in accordance with the Data Protection Act 2018, General Data Protection Regulations and the [Force Data Protection Policy](#).

SECTION ONE

VOLUNTARY RESIGNATION

NOTICE TO BE GIVEN BY THE INDIVIDUAL

Police officers wishing to leave the organisation must provide one month's written notice irrespective of their length of service.

Officers

Notice should be given in writing (1e: 4 weeks) to the individual's line manager using Form 232. The line manager will forward this notice to the Departmental Head or the Divisional Commander, who will acknowledge acceptance of the notice on the 232 and will forward the form onto the People Service Centre for action.

People Service Centre will:

- Carry out the relevant checks with the Force Vetting Department to ensure there are no issues outstanding regarding the individual. If any issues are identified, the resignation may not be accepted.
- Reply to the Departmental Head / Divisional Commander (copy to all relevant parties) informing of the acceptance of the resignation and attaching a copy of the exit checklist
- Ensure an Exit Interview Form is sent directly to the individual.
- Ensure Police Officers receive a Certificate of Service (except for Force transfers)

An Exit Checklist will be sent to the line manager by People Service Centre, which should be used to ensure:

- Form 248 is requested to Finance promptly in order appropriate systems can be updated and Individual are removed from all internal systems
- Return of police property including: telephones, laptops, ID access badges, car parking permits, uniforms, warrant cards, pockets books and Mobile and Remote equipment etc.
- The Department / Division are responsible for ensuring Form 232 is sent through to People Service Centre in adequate time to ensure all internal process's as detailed above can be carried out.
- The Department / Division are also responsible for ensuring Form 248 is requested. The Finance Department will only action a 248 when they are in receipt of the 232 and subsequent from People Service Centre.

In exceptional circumstances, a shorter notice period may be mutually agreed between the organisation and the individual and pay will be based upon that agreed period.

If an individual seeks a shorter notice period and it is agreed, they will be paid up to and including their last day of service.

If the organisation wishes to shorten the notice period and an agreement cannot be reached, the organisation reserves the right to remove the requirement for the individual to work the notice period. Payment will then be made in lieu of notice

PAYMENT

Normal pay including any regular payments will continue during the notice period. If any overtime or public holiday has been worked, this will be paid whenever possible to the individual in the last month of working. However, if the overtime claim form isn't received by the payroll cut-off point for that month, the monies will be paid to the individual in the following month's payroll.

Any accrued leave not taken, , will be paid to the individual in their final salary. Any holiday taken, but not accrued, will be deducted from their final salary.

- If Officers take outstanding leave and RD's before their retirement date, they will be required to give additional notice to the 28 days in order for People Service Centre and Payroll to complete any necessary processes before their leave commences.
- A retirement certificate is prepared for the Officers retirement which can be presented to them by the Chief Constable or their Head of Department, alternatively the certificate can be sent onto the Officers home address. The Officer should notify the People Service Centre of their preference for their certificate so that arrangement can be made in good time.
- Officer's must advise of the following information on their 232:
 1. Pension requirements
 2. Retirement date
 3. If any outstanding leave will be taken before retirement date. It would also be useful if they stated their presentation requirements so we have a clear instruction in writing.

Annual leave is calculated on a daily basis via the Global Rostering System (GRS). If an individual leaves part way through the leave year, they will be entitled to receive payment for the annual leave accrued for that leave year. If more leave has been taken than has been accrued, this will be deducted from the final salary.

EXIT INTERVIEWS

All Officers leaving the organisation will have an exit interview form sent to them by People Service Centre upon receipt of their Form 232. Completed forms should be returned to the People Service Centre for analysis.

INTERVIEW WITH THE CHIEF CONSTABLE

Police Officers leaving the Force are issued a Certificate of Service. Police Officers retiring from the Force are presented with a framed Certificate of Service and are given the opportunity of an interview with the Chief Constable or, if preferred, their Divisional Commander.

If an individual wishes to take up the opportunity of an interview with the Chief Constable following completion of their exit interview questionnaire, they should inform the People Service Centre who will ensure the appropriate arrangements are made.

SECTION TWO

RETIREMENT

PROCEDURE

The Abolition of the Default retirement age (DRA) only applies to employees and therefore this does not have any effect on Police Officers. The People Service Centre will write to the Officer between **six and twelve months** prior to their normal retirement date and inform them of the date they are due to retire and that they have the right to request to work beyond that date.

Wiltshire Police operate a retirement age of 60 for federated ranks and 65 for non federated ranks. Officers will normally be required to retire on the last working day of the month in which they attain this age.

Where an Officer wishes to retire at their normal retirement date, they should complete **Form 232**. This should detail their request to retire at their normal retirement date, ensuring that they provide the appropriate amount of notice. **Form 232** should be sent to the line manager.

The line manager will forward the retirement request to the Divisional Commander / Departmental Head for acknowledgement and agreement.

Following acceptance from the Department Head / Divisional Commander, Form 232 should be forwarded to the People Service Centre for action. People Service Centre will:

- Carry out the relevant checks with the Professional Standards Department to ensure there are no issues outstanding regarding the Officer.
- Reply to the Departmental Head / Divisional Commander (copy to all relevant parties) informing of the acceptance of the request to retire attaching a copy of the exit checklist. The memo will remind the manager to inform the Officer of the opportunity to have an interview with the Chief Constable and for officers, the opportunity of having their Certificate of Services formally presented to them.

If an Officer wishes to continue working beyond their normal retirement date, they must inform their line manager by completing **Form RMT1** - Application to work beyond normal retirement age no later than three months of the date they are due to retire.

The statutory request by the Officer is to continue working under the same terms and conditions as applied up to the retirement date. However, there is nothing to prevent the individual proposing, or the Force suggesting, a different working pattern. Neither the individual, nor the Force have to accept any proposal for change.

Wiltshire Police have a duty to consider all applications to work beyond the normal retirement age of an Officer. There can be many benefits in allowing an individual to continue working. For example:

- To retain skills/knowledge
- Exceptional individual performance
- Critical business need – to deliver a product, project or equivalent to internal/external stakeholder
- Low unemployment rates – where filling a vacancy may be costly and slow
- An expanding business

Wiltshire Police is required to give consideration to any request, but is not obliged to agree.

When an application to work beyond the normal retirement age has been received, a meeting to discuss the individual's request should be held within 10 working days of receipt of the request. Any delays must be communicated with the individual and reasons recorded.

The individual has the right to be accompanied at the meeting by a Federation representative, first contact advisor or a colleague. Both parties must take all reasonable steps to attend the meeting.

The line manager should allow the individual to clarify their reasons for requesting to work beyond the normal retirement age.

If the line manager is unable to agree to the exact request to continue working, consideration should be given to an alternative option. An alternative option may include alternative working patterns within the same department, or a move to another post could be considered if the working pattern was more appropriate to the individual's circumstances. Advice should be sought from the People Service Centre.

For detailed guidance regarding your pension, please refer to your Pension Scheme Provider

DECISION

A verbal decision should be given at the meeting whenever possible or as soon as practicable after the meeting.

The decision must be confirmed in writing to the individual within 5 working days of the meeting taking place.

The letter must also detail the individual's right of appeal against the decision. This appeal must be received in writing to the Head of People Services within 10 working days of the date of the decision letter.

If a request to work beyond the normal retirement age is accepted, this will generally be for a period of two years. An individual may request less than 2 years if preferred.

Between six and twelve months before the end of the extended retirement date (the two year period), the process will then commence again as detailed above, starting from the pre-retirement notification stage.

Where the Force and the individual agree an Extended Retirement Date (ERD) and this falls no more than six months after the normal retirement date, the Force will not notify the individual again.

APPEAL

The individual will have the right to appeal against the decision. The appeal must be made in writing using the Appeal **Form RMT2**, to the Head of People Services, clearly stating the reasons for the appeal within 10 working days of the date of the decision letter. The Head of People Services will appoint an appropriate manager to hear the appeal.

Upon receipt of the written appeal, People Service Centre will write to the individual inviting them to attend an appeal meeting. The letter will detail the date and time of the meeting and who will be hearing the appeal. The individual will have the right to be accompanied at the meeting by a staff association representative, first contact advisor or a colleague. This meeting must take place within 14 working days of receipt of the appeal form.

The appeal manager will take into account any specific points made by the individual and establish whether the procedure has been followed correctly. They will also consider the decision taken by the line manager and their reasons for the refusal.

A decision will be verbally given at the meeting whenever possible. This decision will be confirmed in writing within 5 working days of the appeal meeting.

Following the appeal meeting:

- (i) Where the Force has decided to accept the request, the decision must state that the request has been accepted:
- (ii) Where the Force has decided to refuse the appeal, the decision must confirm that the Force wishes to retire the individual and give the date on which the retirement will take effect.

The decision of the appeal manager is final.

SECTION THREE

30+ (PLUS)

SUMMARY & GENERAL PRINCIPLES

As of 1st April 2010 the Home Office introduced a revised 30+ (PLUS) scheme which Wiltshire Police will be operating. As with the 30+ Scheme, the NPIA will continue to provide central advice and guidance for the scheme.

The 30+ PLUS scheme is a resource management tool for forces to allow retention of police officers with valuable skills and experience and who would otherwise be lost to retirement. It applies officers who have become eligible to retire with a maximum police pension, namely those with thirty or more years' reckonable service.

In effect, as with the old arrangement, the new Scheme grants an officer early access to their pension lump sum whilst continuing to serve as an attested officer. However, the Scheme may not be suitable for every officer. It is important for officers to be aware of the changes to the conditions of service before signing up.

It is vital every officer wishing to apply for the 30+ (PLUS) scheme is familiar with the application process and criteria. Further information can be obtained from the NPIA [30+ \(PLUS\)](#).

SECTION FOUR

Ill Health Retirement

SUMMARY & GENERAL PRINCIPLES

Both the Police Pension Scheme 1987 (PPS) and the New Police Pension Scheme 2006 (NPPS) include a facility to retire police officers who are no longer able on medical grounds to carry out the ordinary duties of a member of the Force.

There are two aspects to ill-health retirement. First, there is the process to determine whether an officer should be retired on ill health grounds. Secondly, there is the level of the benefits to which an officer who is medically retired is entitled. The process to determine whether an officer should be retired on ill health grounds is exactly the same under PPS and NPPS. There is, however, a difference in the level of benefits payable under the two schemes. Under NPPS there are two levels of ill-health pension, an upper tier and a lower tier. The tier depends on whether an officer is permanently disabled for any regular employment.

In NPPS an officer retired on grounds of ill-health can, on review, move from one level to the other if his or her condition worsens or improves.

The Chief Constable has the final decision to grant ill health retirement. Officers who have elected not to join such a Scheme will not be eligible for the options outlined.

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