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Public Health
Wales

Reference Number: PHW-SCD12
Version Number: 1
Date of Next review: 31 July 2023

RETIRE AND RETURN SCHEME

Introduction and Aim

Public Health Wales is committed to creating and nurturing a positive, flexible and sustainable work environment. Our commitment is to be an exemplar organisation for wellbeing, where our staff are supported to ensure that their experience of work enables them to be healthier, happier in work, and able to be at their best.

Public Health Wales recognises that retirement from work is a major life transition and retirement is a time of great significance in a person's life. As such, the organisation is committed to ensuring as smooth a transition as possible from work to retirement.

Retire and Return is one option that staff may wish to consider. Depending on which section of the NHS Scheme a worker is a member of, different options for flexible retirement may apply (see below).

This document details the principles of the Public Health Wales Retire and Return Scheme. The scheme allows workers to retire and access their NHS Pension and to seek approval to return to employment with the organisation.

Linked Policies, Procedures and Written Control Documents

[All corporate policies and procedures are available on the Public Health Wales website](#)

- Retirement Procedure
- Retirement Guidance Equality and Health Impact Assessment
- Flexible Working Policy
- NHS Pension documents which can be accessed via [NHS Business Services Authority](#).
- NHS Pensions – [Returning to the NHS after retirement](#)
- NHS Pensions - [Returning to work after you get your pension](#)
- Further information can be obtained from the Pensions department.

It is recommended that those considering retirement should talk to the Pensions team within NWSSP Employment Services (Pensions: Pensions.Department@wales.nhs.uk/02920_903908).

- NHS Pensions can also be contacted on nhsbsa.pensionsmember@nhsbsa.nhs.uk/ 0345 121 2522.

Scope

The policy will apply to all employees of Public Health Wales.

Please note: Medical and Dental colleagues, with representation from the BMA have raised several points for consideration, including ineligibility for payment of Commitment Awards and re-engagement on a fixed salary point. We have not been able to deviate from the current all-Wales position on these matters and so the Scheme remains unchanged in this regard. However, we recognise that there are ongoing discussions at an all-Wales level through the Recruitment and Retention sub-committee of the Medical and Dental Business Group which will address these issues nationally. As and when those discussions conclude, we will revisit the Scheme with a view to reflecting the updated all-Wales position at that time.

Equality and Health Impact Assessment	An Equality, Welsh Language and Health Impact Assessment has been completed and can be viewed on the policy webpages.
Approved by	Leadership Team
Approval Date	31 July 2023
Review Date	31 August 2026
Date of Publication:	16/08/2023
Accountable Executive Director/Director	Neil Lewis, Director of People and Organisational Development
Author	Rebecca Kindred-Watkins, People and OD Advisor

Disclaimer

If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or the [Corporate Governance](#).

Summary of reviews/amendments				
Version number	Date of Review	Date of Approval	Date published	Summary of Amendments
1c	23/06/2022	31/07/2023		<ul style="list-style-type: none"> • Reduced the minimum period of retirement to 7 days. • All applications for Retire and Return will be considered with positive intent and the arrangement would normally be permanent and not time limited contrary to the previous Scheme which capped the duration to 18 months. However, there may be occasions and particular circumstances where it will be appropriate to issue fixed term contracts, due to a legitimate business reason. • Outlines the new approval process. • Contact details of NHS Business Services Authority and Pensions department included. <ul style="list-style-type: none"> • Scheme amended to account for changes to NHS Pension Scheme from 1st April 2023. Employees who have taken their pension from the 1995 section will be able to join the 2015 scheme and build up further pension. Prior to the changes employees who had taken their pension from the 1995 Section were not eligible to re-join the NHS Pension

				Scheme on returning to work in the NHS.
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1. Introduction

This document details the principles of the Public Health Wales Retire and Return Scheme. The scheme allows workers to retire and access their NHS Pension and to seek approval to return to employment with the organisation.

Retirement is a time of great significance in a person's life and the organisation is committed to ensuring as smooth a transition as possible from work to retirement. Retire and Return is just one option that staff who are eligible to access their pension may wish to consider. Depending on which section of the NHS Scheme a worker is a member of, different options for flexible retirement may apply.

2. Flexible Retirement

Flexible retirement arrangements can support longer working, retaining valuable skills and experience in the organisation and can also benefit staff by:

- Supporting work/life balance considerations including caring responsibilities and flexible working;
- Allowing staff to prioritise their own health and wellbeing;
- Allowing skills, knowledge and experience to be retained whilst changing the physical demands of work and working arrangements (e.g. responsibilities, shift patterns);
- Providing a range of choices about an individual's approach to retirement or working longer.

Please see the NHS Employers guidance on [Flexible Retirement](#) for further information.

3. Scheme Rules

- 3.1 The Retire and Return Scheme is available to all employees who have contributed to the NHS Pension scheme, and bank workers of Public Health Wales.
- 3.2 The approval process is detailed in Appendix 1.
- 3.3 An employee may submit an application to retire in order to access their NHS Pension and subsequently return to the employment of the organisation.

- 3.4 In every case the individual is advised to gain advice from the Pensions Department to inform their retirement plans.
- 3.5 In all cases, applications should be submitted six months prior to the given retirement date and not later than three months in order to allow the NHS Pension Agency sufficient time to complete their processes by the agreed retirement date.
- 3.6 All requests will be thoroughly considered by the line manager, People Business Partner, Director of People and OD, Director of Finance and an Executive Level Director.
- 3.7 Every request for a Retire and Return will be considered with positive intent. If it cannot be accommodated, there must be a legitimate business reason for refusing it. Any form of flexible working must meet the needs of the organisation and employees.
- 3.8 Once Line Manager approval has been sought, Retire and Return requests should be submitted to PeopleSupport.PHW@wales.nhs.uk for further consideration/approval. People and OD will maintain a log of all applications.
- 3.9 Where an application to Retire and Return is approved, this arrangement would normally be permanent and not time limited. However, there may be occasions and particular circumstances where it will be appropriate to issue fixed term contracts, due to a legitimate business reason, for instance, a staff member may return from retirement to complete a time limited project.
- 3.10 A returning employee will be issued with a new contract of employment when they return post-retirement.
- 3.11 If a worker is returning for a fixed period, the worker will be issued with a fixed term contract. All fixed term contracts need to be managed in accordance with the Procedure for Managing the Expiry of a Fixed Term Contract. Please refer to the [Redeployment Policy](#) for further information regarding the redeployment process.
- 3.12 All employees for whom retire and return is agreed must take a minimum 7 day break of one clear week (measured from Sunday to Saturday). The break period shall exclude any period of paid annual leave between the date of retirement and re-engagement. All accrued annual leave must be requested and

used prior to the termination date and prior to the 7 day break. If an employee has any annual leave outstanding on termination, this is classed as pensionable so this will extend their pensionable term date. The 7 day break will then need to be taken after this date.

- 3.13 For all Agenda for Change staff returning to the same job, the employee will return to their pre-retirement salary point and retain their incremental date, deferred by the 7 day break.
- 3.14 For all employees who retire and return to work, their previous period or periods of NHS Service will be counted towards their entitlement to annual leave and sick leave entitlement.
- 3.15 The Terms and Conditions Handbooks for both Medical and Dental and Agenda for Change staff state that where the employee has previously been given pension benefits, any employment that has been taken into account for the purposes of those pension benefits will not be counted as reckonable service for the purposes of an NHS redundancy payment. As a result, any potential future redundancy payment will only take into account the post-retirement service.
- 3.16 The 7 day break will impact on any future pay protection provision and any entitlement to pay protection will therefore be based solely on the post-retirement service.
- 3.17 For some employees returning to work before their normal pension age (i.e. age 60 for 1995 Section members and age 65 for 2008 section members), pension payments may be 'abated' or restricted to the level of earnings in receipt prior to retirement. Currently abatement has been [suspended](#) since the pandemic, currently until 31st March 2025 for members with SCS. Advice should be sought from NHS Pensions (nhsbsa.pensionsmember@nhsbsa.nhs.uk / 0345 121 2522). Employees retiring on Actuarially Reduced Voluntary Early Retirement will not be impacted by abatement as their pension has already been reduced because of early payment.
- 3.18 Abatement rules will also apply where members with Special Class or Mental Health Officer Status within the NHS Pension Scheme are re-employed before their 60th birthday.

N.B Special Class or Mental Health Officer Status

Special Class status is a historical provision awarded to certain professions which, subject to qualifying criteria being met, allows a

member to retire at age 55 without a reduction to their benefits. It was given in recognition of the arduous nature of the duties undertaken, and to compensate for the personal stress and strain encountered by certain grades of staff. Further details can be obtained via NHS Pensions, [Special Class status](#), [Mental Health Officer status](#).

N.B Abolition of Special Class status

On 6 March 1995 the NHS Pension Scheme regulations were amended and Special Class status was abolished for all members, however, an exception was made for members who already held Special Class status on or before this date and who did not have a break in membership of 5 years or more. Special Class status does not apply in the 2008 Section or the 2015 Scheme. Members who transition from the 1995 Section to the 2015 Scheme may still maintain Special Class status which is important in respect of the 1995 Section benefits.

3.19 *Pension will be abated when the member's earnings from re-employment plus their gross annual pension exceed the earnings before retirement. Employees may wish to seek advice from NHS Pensions to discuss the potential for abatement in these cases.*

3.20 All eligible employees, who are not already in a workplace pension scheme will be automatically enrolled into a qualifying workplace pension scheme.

4. Medical and Dental

Where it has been agreed that a retiring medical or dental Consultant may return to work following retirement and a new job plan has been agreed, they will be engaged on a locum contract and paid on the ZC83 'other locum Consultant' pay scale.

Any job plan will normally be for no more than 10 sessions (or pro rata).

5. People and OD

The People and OD Directorate are responsible for logging, monitoring and reporting on Retire and Return applications.

In the event that individuals need to use this Policy, advice and guidance can be sought from PeopleSupport.PHW@wales.nhs.uk

We are continually looking to improve our employment practices and welcome any feedback you may have in relation to this Scheme. Feedback can be provided by emailing,

PeopleSupport.PHW@wales.nhs.uk You may also wish to provide feedback via your Trade Union representative.

6. Procedure for Applying for Retire and Return

The procedure for requesting and approving Retire and Return requests is detailed in the Retire and Return Process and Procedure documents in Appendix 1.

People and OD should be notified of all applications and approvals for Retire and Return.

7. Appeals

If an employee has concerns or a complaint about the Retire and Return process, how their request has been handled or wish to formally appeal the outcome of their request to Retire and Return they should submit their concerns/ complaint or appeal to their manager's line manager. This should be done in writing within 14 days of the outcome of their request.

Appendix 1

Procedure for Managers

Guidance for Managers – employee wishing to Retire & Return

- The employee should submit the application to you six months prior to their given retirement date and not later than 3 months prior.
- Consider whether the application can be supported. For Medical and Dental staff, a new Job Plan must be drawn up and agreed before the process may be taken further.
- Where it has been agreed that a retiring medical or dental Consultant may return to work following retirement and a new job plan has been agreed, they will be engaged on a locum contract and paid on the MC83 'retired Consultant' pay scale (equivalent to the maximum of the substantive basic salary scale).
- For all Agenda for Change staff returning to the same job, the employee will return to their pre-retirement salary point and retain their incremental date.
- Submit the application (and where appropriate the Job Plan) to PeopleSupport.PHW@wales.nhs.uk in readiness for the next Establishment Control Panel where the People Business Partner, Director of People & OD, Director of Finance and the appropriate Executive level Director, will consider the application.
- Once a decision has been made, advise the employee of the outcome and provide confirmation of the decision in writing to the employee with a copy to PeopleSupport.PHW@wales.nhs.uk.
- If the application has been approved, complete a Staff Termination Form as soon as possible and forward this electronically to Payroll.Terminations@wales.nhs.uk providing the reason for leaving as "Retirement" with a copy to PeopleSupport.PHW@wales.nhs.uk.

DO NOT TERMINATE THE EMPLOYEE ON ESR SELF SERVICE

- On return to PHW, the employee will be given a new employee number. Statutory & Mandatory Training undertaken prior to the employee leaving is NOT visible under the new employee number. Ask the employee to take a screenshot of their Statutory &

Mandatory Training on ESR before their retirement date or alternatively e-mail a list of Statutory & Mandatory Training and send it to PeopleSupport.PHW@wales.nhs.uk

- Advise the employee to print relevant payslips / P60s prior to termination as these will not be accessible after termination / or on returning to PHW.
- The employee will need to be set up on ESR on their return to PHW. Complete the attached 'Request for eNAF' (request for electronic New Appointment Form) and submit to the Enablement Team (this can be submitted prior to the employee returning).
- Payroll will contact you directly with an 'eNAF' with instructions of how to complete and return the form when the employee returns to PHW.
- The People Team will issue the employee a new contract on the employee's return.

Guidance for Employees wishing to apply to Retire and Return

- Discuss your wishes with your Line Manager to consider whether your application can be supported. For Medical and Dental staff, a new Job Plan must be drawn up and agreed before the process may be taken further.
- Gain advice from the Pensions Department to inform your retirement plans.
- For all Agenda for Change staff returning to the same job, you will return to their pre-retirement salary point and retain your incremental date deferred by 7 days.
- For all Medical & Dental posts, where it has been agreed that a retiring medical or dental Consultant may return to work following retirement and a new job plan has been agreed, you will be engaged on a locum contract and paid on the MC83 'retired Consultant' pay scale (equivalent to the maximum of the substantive basic salary scale).
- Submit your application to your Line Manager six months prior to your given retirement date and not later than 3 months prior (and where appropriate the Job Plan).

- Your Line Manager will consider the application and forward to PeopleSupport.PHW@wales.nhs.uk in readiness for the next Establishment Control Panel. The Director of People & OD, Director of Finance and the appropriate Executive level Director, will consider the application at the next available panel.
- Once a decision has been made, your Line Manager will advise whether the application has been approved and provide confirmation of the decision in writing (copy to PeopleSupport.PHW@wales.nhs.uk for inclusion on your e-file)
- Your Line Manager will complete a Staff Termination Form as soon as possible and forward this electronically to Payroll.Terminations@wales.nhs.uk providing the reason for leaving as "Retirement" (copy to PeopleSupport.PHW@wales.nhs.uk for inclusion on your e-file)

YOUR LINE MANAGER SHOULD NOT TERMINATE YOUR ESR RECORD

- On return to PHW, you will be given a new employee number. Statutory & Mandatory Training undertaken prior to you leaving is NOT visible under this new employee number. Prior to your retirement date, please take a screenshot of your Statutory & Mandatory Training on ESR or alternatively e-mail a list of Statutory & Mandatory Training and send it to PeopleSupport.PHW@wales.nhs.uk
- Prior to your retirement date, print all relevant payslips / P60s as these will not be accessible after termination / or on returning to PHW.
- Your Line Manager will complete an electronic New Appointment Form on your return to PHW.
- The People Team will issue you with a new contract.
- From 1 April 2023, employees who have taken their pension from the 1995 section of the NHS Pension Scheme and return to work in the NHS will be able to join the 2015 Scheme and build up further pension if they wish.
- For all employees who retire and return to work, previous period or periods of NHS Service will be counted towards their entitlement to annual leave.

- The Terms and Conditions Handbooks for both Medical and Dental and Agenda for Change staff state that where the employee has previously been given pension benefits, any employment that has been taken into account for the purposes of those pension benefits will not be counted as reckonable service for the purposes of an NHS redundancy payment. As a result, any potential future redundancy payment will only take into account the post-retirement service.

Appendix 2

Checklist for Individual

Task	When
1. Gain advice from Pensions Department regarding your retirement plan.	Asap. 7/8 months before retirement.
2. Discuss retirement plans with manager.	6 months before retirement date and not later than 3 months prior.
3. Take a screenshot of Statutory and Mandatory training or email a list of training completed to date to PeopleSupport.PHW@wales.nhs.uk to ensure your new ESR record is updated.	Prior to retirement.
4. Print all necessary payslips/P60s if required.	Before retirement.
5. Sign and return new contract electronically.	As soon as possible.

Appendix 3

Checklist for Manager

Task	When
1. If the application is submitted by a Medical and Dental colleague, draw up a new Job Plan, discuss and agree this with the colleague.	As soon as possible
2. Upon receipt of Retire and return application formally consider and forward (along with Job Plan if required) to PeopleSupport.PHW@wales.nhs.uk to be reviewed and considered at establishment Control Panel (ECP)	As soon as reasonably possible not to delay the process.
3. Once a decision is made line manager to notify the colleague. People & OD will issue a new contract to the employee.	2 working days
4. Manager to inform employee to take a screenshot record or list of Statutory and Mandatory training as these records will not transfer. Advise to print/download any payslips/P60s as these will also not transfer post retirement.	As soon as possible.
5. Complete a Staff Termination form, the reason for leaving to be selected is 'Retirement' and forward to Payroll and People Support - NWSSP.Payroll.PHW@wales.nhs.uk , PeopleSupport.PHW@wales.nhs.uk	As soon as possible
6. Complete a Request for Enaf (request for electronic New Appointment Form) and submit to the Enablement Team (this can be submitted prior to the employee returning).	As soon as possible
7. Complete an electronic New Appointment Form/eNAF when the employee returns to PHW.	On the first working day.

Appendix 4

Application Form

PUBLIC HEALTH WALES NHS TRUST **APPLICATION TO RETIRE (ACCESSING PENSION) AND** **RETURN**

Note:

This form should be used for an application to retire and return where the return is for a continuous period of more than three months. It must be submitted at least 3 months prior to your planned retirement date.

Section One: To be completed by Employee

Name:	Employee Number:
Current Post:	Division/Dept.:
Band:	Current hours of work/Sessions:
<p>I am formally notifying you of my intention to retire on and, having accessed by NHS Pension, I wish to apply to return to the employment of Public Health Wales.</p> <p>If I am successful in my application to return to employment, I would wish to:</p> <p>1. Return to my current post and workhours/sessions per week <i>(please provide further details to assist in the consideration of the request)</i></p> <p>OR:</p> <p>2. Apply to return to a different post and workhours/sessions per week <i>(please provide further details to assist in the consideration of the request)</i></p>	

<p>Please provide full reasons for your application to Retire and Return: Please set out what you believe to be the advantages to Public Health Wales and to the service should your application be approved:</p>	
Proposed date of return: * ₁	
Proposed tenure (Permanent/FTC, if FTC confirm end date):	
<p>I understand that:</p> <ul style="list-style-type: none"> • Public Health Wales is under no obligation to approve my request to retire, access my NHS Pension and return to employment. • 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. • If my application is successful, I will be required to take a break of 7 days (excluding any paid annual leave) from the date of retirement to the date of re-engagement. • If I am paid for any outstanding annual leave on the date of my retirement, the 7 day break will need to be extended to take account of the number of hours/days owed. • If my application is successful, any employment that has been taken into consideration for my pension benefits will not count as reckonable service for NHS Redundancy purposes i.e. any future NHS Redundancy payment would be only based on any post-retirement service. • If my application is successful, any lease car arrangements will cease and I may be liable for any early termination charges • Retiring will end my continuity of service for pay protection purposes i.e. any future pay protection would be only based on any post-retirement service. • If I do return I will be given a new ESR Individual Number. 	
Confirmation of Intention	
Employee Signature:	
Date:	

*₁ A break in service of at least 7 days between retirement and return is required *

Section Two: Recommendation - to be completed by Line Manager

In considering this application for Retire and Return, please give thought to the following factors:

- The job role in which the employee is engaged;
- The needs of the service including any opportunities for service improvement and development;
- Potential succession issues, particularly within roles to which it has been difficult to recruit or where specialist skills mean that there is likely to be a lack of successor for the foreseeable future;
- Morale issues where other employees may perceive a blocking of promotion and progression opportunities;
- Whether there will be any savings by filling this post in the way suggested or by an alternative means;

All requests should be looked upon favourably if at all possible. If the individual is applying to return to the same post and on the same hours the application would ordinarily be supported).

My recommendation is that this application for Retire and Return is:	
<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved Having considered the application to retire and return, I do not feel able to support the application for the following reasons: <ul style="list-style-type: none"><input type="checkbox"/> the burden of additional costs<input type="checkbox"/> an inability to reorganise work amongst existing staff<input type="checkbox"/> an inability to recruit additional staff<input type="checkbox"/> a detrimental impact on quality or performance<input type="checkbox"/> a detrimental impact to meet customer demand<input type="checkbox"/> insufficient work for the periods the employee proposes to work

<input type="checkbox"/> a planned structural change Not Approved	
Please provide full reasons for your recommendation, making reference to the factors above and describing the impact on your service area:	
Recommended hours of work per week:	Recommended tenure upon return:
A new Job Plan has been drawn up and agreed – copy attached <input type="checkbox"/>	
If application is approved, please describe how you propose filling this post or re-allocation of duties once the Retire and Return fixed term has ended: What actions are necessary to facilitate this?	

Confirmation of Recommendation (signed by the Line Manager)

Signature:..... Name:.....
Date:.....

Section Three: Verification - to be completed by HR Business Partner

Note: Advice to be sought from the Medical Director for medical and dental applicants and from the Nursing Director for nursing applicants.

This application for Retire and Return is:	
<input type="checkbox"/> Recommended for Approval	<input type="checkbox"/> Not recommended for Approval
If approved: Agreed hours of work per week:	Agreed tenure:
If not approved, please provide reasons (which will be conveyed to applicant in writing):	
Additional comments if required:	
HRBP Signature: Date:	

Ratification of Decision

Signature:..... Date:..... (Director of People & OD)

Signature:..... Date:..... (Director of Finance)

Signature:..... Date:..... (Executive level Director)

Please return one copy of this form to the Line Manager who made the recommendation in Part 2 and one copy to.

People & OD: Please complete new appointment letter and contract and send to employee