

Hampshire Fire and Rescue Authority

Human Resources Committee

Item 9

19 January 2011

Review of HFRS's Compulsory Retirement Policy Decision

Report of the Chief Officer

Contact: Keely Stafford, HR Business Manager
E-mail: keely.stafford@hantsfire.gov.uk

Tel: 023 8064 4000 ext 5425

1 Summary

- 1.1 SMT and HFRA HR Committee made a policy decision in November 2009 that HFRS maintains its 'normal retirement age' of 65 for all employees but does not require employees to automatically retire on reaching the age of 65 years. Prior to this, the policy was that employment beyond reaching the age of 65 was allowed only where a critical business need was demonstrated.
- 1.2 The decision regarding compulsory retirement has been reviewed on an annual basis since 2006. The purpose of this paper is to again review the position currently adopted by the Service.
- 1.3 The Government has decided to phase out the Default Retirement Age set in 2006, and is proposing that this commences in April 2011 with a six month transition period. Therefore, it is likely that by October 2011, the Default Retirement Age will have been abolished.

2 Recommendations

- 2.1 HFRS maintains the existing policy decision to allow continued employment beyond the age of 65.
- 2.2 No further reviews of this policy decision are required, unless there is a significant change in the Government's proposals.

3 Background

- 3.1 In November 2009, SMT and HR Committee agreed to alter their previous decision which was that employees must retire at the age of 65 unless they wished to continue working and there was a critical business need for their skills and experience.
- 3.2 At the time of introducing the Employment Equality (Age) Regulations 2006, the Government set a national default retirement age of 65, which it intended to review

in 2011. However, the review was brought forward to 2010 and indication at that point was that the Default Retirement Age would be removed.

3.3 On this basis, SMT and the HR Committee removed the Service's Default Retirement Age in November 2009 in anticipation of the change in legislation.

3.4 There is no indication that the current review will result in the Government maintaining the Default Retirement Age. If the recommendations are agreed, this will require a minor alteration to our policy in that annual reviews will no longer be a requirement.

4 Resource Implications

There are no identified resources implications attached to the recommendations.

5 Conclusion

The decision made last year to remove the compulsory retirement age for people working in HFRS has in effect pre-empted the changes in law that are now going to be implemented next year. Our existing policy requires an annual review. This would now appear to be unnecessary.

Background Information (Section 100D of Local Government Act 1972)

The following documents disclose the facts or matters on which this report, or an important part of it, is based and has been relied upon to a material extent in the preparation of the report:

Department for Business Innovation and Skills (BIS) and Department for Work and Pensions (DWP) joint consultation document; "Phasing out the Default Retirement Age" July 2010.

Note: The list excludes: (1) published works; and (2) documents that disclose exempt or confidential information defined in the Act.