

Flexible retirement policy – Local Government Pension Scheme (LGPS)

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 Owner: **Assistant Director, People Services**
 Responsible work team: **Policy, Pay and Reward**

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1 Introduction

- 1.1 This policy sets out the Brigade's arrangements for the flexible retirement provisions which are available under the Local Government Pension Scheme (LGPS) Regulations 2013 (The Regulations). This applies to FRS and Control staff who are members of the LGPS. The Brigade is committed to offering you flexible options for the transition from working life to retirement that balances both your needs and that of the Brigade.
- 1.2 This policy should be applied in line with the Brigade's [values](#):
- Service – We put the public first.
 - Courage – We step up to the challenge.
 - Learning – We listen so that we can improve.
 - Teamwork – We work together and include everyone.
 - Equity – We treat everyone fairly according to their needs.
 - Integrity – We act with honesty.

2 Flexible retirement

- 2.1 The Regulations provide an option for you as an active member of the LGPS scheme aged 55 or over to apply to the Brigade to reduce your hours of work or grade in which you are employed in order to draw your accrued pension benefits (either in all or part) whilst continuing to work. You are also able to continue to build up further benefits within the scheme. In addition to the age eligibility, you must have been employed in a permanent capacity within the Brigade with entry in the LGPS for at least two years.
- 2.2 Where a request is made to reduce hours, a reasonable reduction of hours should be proposed (i.e. 20% as a minimum) and you will also need to demonstrate how your work demands can still be met with the proposed reduction. When requesting to reduce your grade then you will normally need to identify a suitable lower graded post advertised as a vacancy to which you will need to be appointed on merit through the Brigade's selection process.
- 2.3 Requests will be considered on a case by case basis by the Assistant Director, People Services and the Assistant Director, Finance in consultation with the appropriate Head of Service.
- 2.4 Eligible employees in the LGPS who wish to be considered for flexible retirement, should make an application in writing to the Assistant Director, People Services outlining the clear reasons for the request and identifying how this might be accommodated by the Brigade.
- 2.5 All applications made will be considered on their merits and it should be noted that flexible retirement is not an entitlement. Such retirements may involve a cost to the Brigade¹, or have an unreasonable impact on service provision. As such flexible retirement requests will only be considered where there is a clear benefit to the Brigade whether that be operational, economic or some other benefit. These might include for example retaining experienced staff or those with specialist knowledge which it is deemed to be essential usually for a limited period of time, or reducing overall costs including recruitment or saved redundancy costs. They will not usually be granted where the provision of services is adversely affected and could result in loss of

¹ Under current pension scheme provisions, the Brigade is likely to incur costs where applicants are aged between 55-60 years old.

confidence in services provided, or where the request will result in an additional cost being incurred to cover the work of the employee.

- 2.6 For shift based roles it will not usually be possible to accommodate requests for a reduction in hours within the shift pattern, where there is a negative impact to operations as a result; or there would be additional costs to the Brigade in order to cover the remaining part of a shift.
- 2.7 Where the Brigade agrees a request for you to receive all or part of your pension benefits, it will only waive any reduction in benefits on account of early payment (at cost to the Brigade) in exceptional circumstances, where there is a clear benefit to the Brigade. Any agreed changes to your contract of employment to allow for flexible retirement will be considered permanent and will not normally be subject to further change or amendment. Additionally, you will not be entitled to work additional hours permanently, nor regularly on a temporary basis, which would bring your working hours (or pay grade) back up to the pre-flexible retirement level. In some instances, such as where the flexible retirement request provides little or no benefit to the Brigade; or where forthcoming departmental or organisational changes are anticipated, it may only be possible to agree to a request for flexible retirement for a limited fixed term period. At the end of a fixed term flexible retirement period, your position will be reviewed. In such circumstances the contract of employment may be extended by mutual agreement between you, the Assistant Director, People Services and the Assistant Director, Finance in consultation with the appropriate Head of Service or if the working arrangement is no longer sustainable the contract of employment may be terminated.

3 Drawing of benefits

- 3.1 Where a flexible retirement application is accepted, you must draw all of your pre 1st April 2008 benefits, plus some, all or none of their benefits accrued between 1st April 2008 and 31st March 2014, plus some, all or none of their benefits accrued after 31st March 2014. Any extra benefits the employer had paid for via extra contributions will be payable in accordance with guidance issued by the Secretary of State. Further details are available from the Local Pensions Partnership (LPP).

4 Application

- 4.1 A request for flexible retirement must be made formally in writing to the Assistant Director, People Services by completing the Form FR1 'Formal Written Request Form'. Before completion, you should discuss your proposals with your line manager and must make a request to HR Services in order to receive a Pension Estimate from the LPP.
- 4.2 If following receipt of the Pension Estimate you wish to proceed with the application, the formal written request should be made by submitting Form FR1 to HR Services. As the changes will have significant financial impact, you are strongly advised to seek independent financial advice before making a request for flexible retirement, as once a request is granted and pension benefits are in payment, this cannot be reversed.
- 4.3 Where a request for flexible retirement is accepted, on commencement of the resultant contract you will be automatically enrolled into the extant LGPS under a new membership and will continue to make contributions unless the Payroll department is notified otherwise.
- 4.4 Once the flexible retirement request has been considered you will be formally notified in writing of the outcome. Reasons will be given if the request is not accepted. If unsuccessful in your application, you will be able to reapply where circumstances have materially changed and 12 months have passed from the date of the outcome of the last flexible retirement application. Any appeals as a result of an outcome of a decision reached should be made in writing to the Director

of Corporate Services within 7 days of receipt of the outcome. The reasons for the appeal must be clearly stated. An appeal hearing will be conducted within 14 days (unless otherwise mutually agreed) with the outcome being provided without delay. The outcome of the appeal decision will be final.

5 Records

- 5.1 Please send records by email to RecordsServices@london-fire.gov.uk. Records will be kept on your electronic personal record file (e-prf) and retained in accordance with [Policy number 788](#) - Electronic personal record file. Personal data shall be processed in accordance with [Policy number 351](#) – Data protection and privacy policy.

6 Help and support

- 6.1 Please contact the HR Helpdesk on extension 89100 option 3 and by email to IT.HR@london-fire.gov.uk. You can contact the Local Pension Partnership (LPP) using this [link](#).
- 6.2 This policy may also be available on request in other alternative accessible formats as set out in [Policy number 290](#) – Guidance note on translation and interpretation. Please contact Communications on extension 30753 and by email to communications.team@london-fire.gov.uk to discuss your needs and options.
- 6.3 The Brigade invites your engagement so that it can learn so if you have a suggestion that can improve this policy then please submit your idea via the [Staff Suggestion Scheme on Hotwire](#) as set out in [Policy number 887](#) – Staff suggestion scheme. Any changes do need to go through the agreed engagement, consultation, negotiation or governance requirements

Document history

Assessments

An equality, sustainability or health, safety and welfare impact assessment and/or a risk assessment was last completed on:

EIA	30/05/24	SDIA	L - 10/05/23	HSWIA	09/05/23	RA	
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Audit trail

Listed below is a brief audit trail, detailing amendments made to this policy/procedure.

Page/para nos.	Brief description of change	Date
Throughout	Updated department names in line with the Top Management Review.	20/10/2011
Throughout	This policy has been reviewed as current no changes required.	15/10/2012
Page 3	'Subjects list' table - template updated.	14/01/2015
Throughout	This policy has been reviewed as current, no changes were required.	23/02/2016
Throughout	This policy has been reviewed as current, please re-read to familiarise yourself with the content.	27/04/2018
Appendix 1	References to 'Authority' changed to 'Brigade' to reflect abolition of LFEPA, now replaced with London Fire Commissioner.	15/06/2018
Throughout	References to 'Authority' changed to 'Brigade' due to the abolition of LFEPA. Departmental name changes made.	20/08/2020
Throughout	Reviewed as current with no changes.	09/05/2023
Page 6	SDIA and HSWIA updated.	01/06/2023
Page 3, para 5	Policy statement review removed.	08/08/2023
Page 3 para 5 and 6	Records and Help and support details added. Appendix 1 removed.	30/10/2023
Page 2, para 1.2 Page 4, para 5.1 Page 4, para 6.2	Values included. Data protection details added. Access to alternative policy format details added.	05/04/2024
Page 4, para 5.1 and 6.3	Records Services and Staff Suggestion scheme details added.	10/06/2024

Subject list

You can find this policy under the following subjects.

Retirement	Pensions
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Freedom of Information Act exemptions

This policy/procedure has been securely marked due to:

Considered by: (responsible work team)	FOIA exemption	Security marking classification