

COMMITTEE	Finance, Policy and Resources
DATE	15 September 2015
ACTING DIRECTOR	Angela Scott
TITLE OF REPORT	Revision of a Retirement Related policy and procedure
REPORT NUMBER	CG/15/101
CHECKLIST COMPLETED	Yes

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1. PURPOSE OF REPORT

This report is concerned with the revision of a policy and a procedure related to retirement namely the Managing Retirement policy and the Pension Contribution Rate Appeals procedure both of which required amendment following the introduction of the new Local Government Pension Scheme and Scottish Teachers' Pension Scheme.

2. RECOMMENDATION(S)

The Committee is requested to:

- a) Approve the revised versions of the Managing Retirement policy and the Pension Contribution Rate Appeals procedure.

3. FINANCIAL IMPLICATIONS

There are no financial implications in relation to this report.

4. OTHER IMPLICATIONS

N/A

5. BACKGROUND/MAIN ISSUES

With the introduction of the new Local Government Pension Scheme and Scottish Teachers' Pension Scheme, a need was identified for the revision of a policy and procedure related to retirement, to ensure that they reflected the content of the new schemes.

The policy and procedure requiring review were the Managing Retirement policy and the Pension Contribution Rate Appeals procedure.

The opportunity was also taken to make other necessary minor updates to terminology and wording in the respective documents.

The main changes comprise the following:-

### **Managing Retirement Policy & Other Related Schemes**

The three proposed changes to this policy are as follows:-

- a) The section on the Flexible Retirement Scheme on pages 6 and 7 of the policy has been appropriately updated. It now reflects the fact that to be eligible the employee must be aged 55 or over, in accordance with the regulations relating to the new Local Government Pension Scheme. Previously it had applied to existing scheme members (up to 31/3/10) from age 50.

An update has also been made to fully reflect the revised employer pension discretion concerning Flexible Retirement indicating that attempts will be made to accommodate requests where they are financially and operationally feasible with all cases requiring the approval of a Service Manager. In addition a paragraph has been added intimating that where a request is agreed, the benefits payable will be subject to any applicable actuarial reduction, again in accordance with the revised employer pension discretion.

A paragraph has also been added concerning Flexible Retirement cases and the Rule of 85 stating that where the Rule of 85 is met and the employee is 55 or over and the Flexible Retirement case is approved, the Council would automatically meet the Strain on the Fund cost. This is to reflect the content of the pension regulations.

- b) The section on the Teachers' Phased Retirement Scheme on pages 7 and 8 of the policy has been appropriately updated to reflect the new Scottish Teachers' Pension Scheme regulations. A line has been added under the eligibility criteria indicating that the teacher cannot be older than 75 when they apply and an addition has been made under the same section indicating that a member may apply on three occasions before applying for their final retirement benefits, twice before age 60 and once when 60 or over, or three times when 60 or over.
- c) The section on the Teachers' Winding Down Scheme on pages 8 and 9 of the policy has been appropriately updated again to reflect the new regulations. A line has been added indicating that the scheme applies to members who are either 'protected' or have 'tapered protection' and entered the Scottish Teachers' Pension Scheme 2015 following winding down.

Other necessary updates to terminology and wording have also been made.

## **Pension Contribution Rate Appeals Procedure**

The two proposed changes to this procedure are as follows:-

- a) A change has been made to the second paragraph on page 2 whereby reference to part-time employees pension contribution rates being based on the full-time equivalent rate of pay (plus pensionable allowances) has been removed, with the contribution rate for part-time employees now based on their actual pensionable pay (plus pensionable allowances). This is in accordance with a change in pension regulations relating to the new Local Government Pension Scheme.
- b) A line has been added to the third paragraph on page 2 in relation to changing an employee's pension contribution rate during the financial year where there has been a permanent and material change to the employee's terms of employment, making it clear that this must comprise an increase or decrease in pensionable pay of over £4000 per annum, pro-rated for part-time employees. This change is in accordance with the Council's employer discretions applying to the Local Government Pension Scheme, the change being the pro-rating for part-timers of the increase/decrease in pensionable pay of over £4000 per annum.

Other necessary updates to terminology and wording have also been made.

### **6. IMPACT**

An Equality and Human Rights Impact Assessment has been carried out in relation to the proposed changes to the policy and procedure with no negative impacts identified.

### **7. MANAGEMENT OF RISK**

The changes proposed in this report to the Managing Retirement policy and the Pension Contribution Rate Appeals procedure are all related to the changes to the Council's two pension schemes with no risks identified in relation to these.

### **8. BACKGROUND PAPERS**

The Local Government Pension Scheme (Scotland) Regulations 2014, see website at:  
<http://www.legislation.gov.uk/ssi/2014/164/contents/made>

HR Guide to the LGPS 2015 Scheme see website at:  
<http://www.lgpsregs.org/index.php/scotland/scot-hr-payroll-guides/lgps2015-hr-guide>

Scottish Teachers' Pension Scheme 2015 Framework Document see website at:

[http://www.sppa.gov.uk/Documents/STSS/STSS%20Pension%20Scheme%202015/STSS\\_Framework%20Document\\_191213.pdf](http://www.sppa.gov.uk/Documents/STSS/STSS%20Pension%20Scheme%202015/STSS_Framework%20Document_191213.pdf)

2015 Scottish Teachers' Pension Scheme – FAQs see website at:  
[http://www.sppa.gov.uk/index.php?option=com\\_content&view=article&id=885%3Aproposed-2015-scottish-teachers-pension-scheme-faqs&catid=414&Itemid=1574](http://www.sppa.gov.uk/index.php?option=com_content&view=article&id=885%3Aproposed-2015-scottish-teachers-pension-scheme-faqs&catid=414&Itemid=1574)

Report to the Finance, Policy and Resources Committee of 9 June 2015 entitled Employer Discretions – New Local Government Pension Scheme

9. REPORT AUTHOR DETAILS

Keith Tennant, Team Leader, Policy and Performance  
E-mail [ktennant@aberdeencity.gov.uk](mailto:ktennant@aberdeencity.gov.uk)  
Tel: (01224) 523094



# **MANAGING RETIREMENT**

**POLICY & OTHER RETIREMENT RELATED  
SCHEMES**

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## **SECTION 1: INTRODUCTION**

### **Policy statement**

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The Council does not operate a compulsory employee retirement age. It is committed to and recognises the contributions of a diverse workforce, including the skills, knowledge and experience older employees bring to an organisation. The Council is also of the view that employees should be permitted to continue working for as long as they wish to do so, provided they meet the performance standards required of their job.

## **SECTION 2: SCOPE AND PRINCIPLES**

### **Scope**

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This policy covers all employees of the Council but does not apply to any casual or agency worker where a contract of employment does not exist.

### **Core principles**

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This policy complies with legislation concerning removal of the Default Retirement Age and the equality and diversity obligations in terms of age contained in the Equality Act 2010.

The policy reflects the ACAS guidance on 'Working without the Default Retirement Age'.

Any discussions with an employee about retirement will not result in assumptions being made about an employee's commitment to the Council.

Any concerns about an employee's work performance will be addressed through the Managing Performance policy/procedure or the Framework on Teacher Competence (whichever applies), regardless of age.

Employees will be expected to co-operate with handover arrangements and in the transfer of knowledge and skills prior to their retirement.

Within the process special allowance will be made for those employees whose first language is not English or who have difficulty expressing themselves.

### **SECTION 3: RETIREMENT IN GENERAL**

For most people the decision to retire is influenced by their access to pension benefits as most Council employees are in a pension scheme.

At times the Council, as the employer, may deem it necessary to reduce the size of the workforce and the employee may wish to retire early. In this situation the Council's Voluntary Severance/Early Retirement Scheme (or equivalent scheme for teachers) details the arrangements and process that applies, with an estimate of benefits issued where there is support for a case.

In addition, there is a facility for employees who are pension scheme members to apply for flexible retirement (phased retirement for teachers) where they can access their pension benefits but remain in employment. This provision allows the Council to retain experienced staff with valuable skills, provided the employee meets the eligibility criteria in the respective scheme. The Scottish Teachers' Pension Scheme also has a 'winding down' provision which allows a teacher to continue in employment on a part-time basis whilst protecting their overall final retirement pension entitlement.

Flexible working options in general are available to all employees of any age, including older employees who may be nearing retirement. Flexible working options are discretionary and not a right and as such require prior management approval.

### **SECTION 4: THE RETIREMENT PROCESS AND OTHER ISSUES**

#### **Deciding to Retire**

Where an employee decides that they wish to retire, they should inform their line manager as far in advance as possible to allow the necessary preparation for retirement. In all cases the employee needs to put their decision in writing, with the minimum notice required being that set out in their contract of employment. Following the employee stating their intention to retire, a meeting should be organised to discuss and plan the arrangements for retirement.

#### **Discussing Future Plans**

It is important that the employee's future plans and work aspirations are discussed on a regular basis. The Council's Performance, Review and Development Scheme (PR&D) or Professional Review and Development process for teachers is the setting where such discussions will take place. The



ACAS guidance promotes “open discussions between employers and employees about future plans ... can help facilitate the transition from work to retirement.”

Within the PR&D process (Professional Review and Development for Teachers), no account of the age of the employee must be taken but the meeting is the opportunity to look forward and may involve a discussion about where the employee sees themselves in the organisation in the future. Such a discussion may lead to a conversation about retirement. Should the employee raise the issue of retirement then a discussion should take place, however, it should not result in any assumptions being made about the employee’s commitment to the Council.

In short, the Council seeks to retain the best talent, including older employees, with such discussions being an opportunity for both the line manager and the employee to plan jointly for the future.

## **Performance Management**

Any issues and concerns about an employee’s work performance, regardless of age, will be addressed through the Council’s Managing Performance policy/procedure or Framework on Teacher Competence (whichever applies). No assumptions will be made about an employee’s performance in relation to their age.

## **Pension Arrangements and Benefits**

There are two pension schemes operating in the Council, the Local Government Pension Scheme (LGPS), available to all employees except Teachers and the Scottish Teachers’ Pension Scheme (STPS) available to teachers (and associated professionals as set out in the SNCT handbook), with separate rules and regulations applying to each.

Scheme members who have decided to retire on a specified date may request an estimate of benefits. General information on the schemes and benefits is also available at the contact addresses and numbers detailed in the guidance notes associated with this policy.

## **Retirement provisions of recognised pension schemes**

Within the LGPS and the STPS there are a variety of differing provisions which detail ways employees can retire and/or access their pension benefits. **The provisions of the schemes differ so it is important to check with the particular scheme as some of the following options may not apply to both schemes.** Some examples of the provisions of the schemes are:

- Flexible Retirement (see provisions below)
- Teachers' Phased Retirement (see provisions below)
- Teachers' Winding Down (see provisions below)
- Teachers' Premature Retirement (see separate provisions)
- Ill-Health Retirement (see separate procedures )
- Actuarially Reduced Pension Benefits (applies to both LGPS and STPS)
- Rule of 85 (Protected benefit for LGPS only)

## **Employees not in a pension scheme recognised by the Council**

Where an employee is not in one of the pension schemes recognised by the Council (i.e. LGPS or STPS) and decides that they wish to retire, any such request should be progressed in the same way as an employee in one of the pension schemes, as detailed in this policy, with a discussion on future plans also taking place as part of their annual PR&D (or professional review and development for teachers).

## **SECTION 5: RETIREMENT SCHEMES – ELIGIBILITY CRITERIA**

### **Flexible Retirement Scheme**

The provision to flexibly retire is contained within the Local Government Pension Scheme regulations. A flexible retirement request is where an employee seeks the Council's consent to either reduce their hours of work and/or grade of post, at the same time accessing their pension benefits either in full or in part. As a result the employee would not have to retire completely from employment. The employee can also continue to pay contributions into the pension scheme and accrue further pension service once the change in hours and/or grade has occurred.

The Council recognises that benefits of flexible retirement can include:-

- an improvement to an employee's work life balance
- the retention of experienced employees with valuable skills
- the extension to employees' working lives

Attempts will be made to accommodate flexible retirement requests where they are financially and operationally feasible, with cases requiring the approval of a Service Manager.

### **Eligibility**

The following are conditions that **MUST** be met before a flexible retirement arrangement can be approved and amended working arrangements are put in place:-

- The employee must be a member of the Local Government Pension Scheme
- The employee must have at least 2 years' service in the pension scheme
- The employee must be aged 55 or over.
- The employee's basic salary must reduce by at least 25%. This can be achieved either through a reduction in hours or a reduction in grade
- The employee must apply for flexible retirement in accordance with the agreed procedure
- Normally, only one application may be made by an employee in any 12 month rolling calendar period

Once a flexible retirement arrangement has been agreed and implemented, any subsequent contractual changes arising from a flexible retirement application must result in a continued reduction of at least 25% of the employee's salary. All further changes may only be made by mutual consent.

In addition, where a flexible retirement is agreed, the benefits payable will be subject to any applicable actuarial reduction. The Council will not waive any such reduction in whole or in part.

The Council has sole discretion whether or not to approve applications for flexible retirement.

Where an employee, who is 55 or over, seeking Flexible Retirement meets the Rule of 85 and the case is approved, the Council automatically meets the Strain on the Fund cost.

The procedure for applying for flexible retirement is detailed in the guidance notes which accompany this policy.

## **Teachers' Phased Retirement Scheme**

Members of the teachers' scheme are allowed to reduce their working commitment (i.e. hours) whilst releasing a proportion of their pension benefits in the lead up to full retirement.

### **Eligibility**

The conditions of Phased Retirement are set by the pension scheme itself and in summary are:

The applying teacher must:

- Be aged 55 or over (but cannot be older than 75 when they apply)
- Have been in pensionable employment on or after 1 April 2007

In addition:

- The maximum amount of total retirement benefits a member is permitted to take is 75%
- There must be a reduction of at least 20% of the member's pensionable salary
- The reduction in pensionable pay must apply for at least 12 months.

A member may apply for Phased Retirement on three occasions before applying for their final retirement benefits, twice before age 60 and once when 60 or over, or three times when 60 or over. The benefits the member chooses to take will be Actuarially Reduced if they are applying before their Normal Pension Age (NPA). With each application for Phased Retirement there must be a 20% reduction of the member's pensionable salary prior to their application and at least 25% of their total benefits must remain in the scheme.

The Council has sole discretion whether or not to approve applications for phased retirement. The procedure for applying for phased retirement is detailed in the guidance notes which accompany this policy.

## **Teachers' Winding Down Scheme**

Winding Down is a phased retirement option for teachers. It applies to members who are either 'protected' or have 'tapered protection' and have entered the STPS 2015 following winding down. It offers those members approaching retirement age the opportunity to continue in employment on a part-time basis whilst protecting their overall final retirement pension entitlement.

## **Eligibility**

The Regulations for eligibility to Wind Down were amended from 1 April 2007 to allow members who have a Normal Pension Age (NPA) of 65 to be included. Therefore, to participate in Winding Down employment a teacher must:-

- Have attained the age of 56 if NPA is 60 OR 61 if NPA is 65
- Have been in full-time service for a period of 10 years immediately prior to commencing Winding Down employment
- Have accrued a minimum of 25 years' teaching service prior to commencing Winding Down (i.e. the member must have had a contract to teach for at least 25 years). The period may include, for qualifying purposes, a maximum of 5 years during any break or breaks in teaching service which will count towards the requirement of having 25 years' teaching service, (although will not count towards the calculation of benefits)
- Reduce their working hours equal to or more than 0.5 full-time equivalent
- Remain in Winding Down employment up to a maximum of 4 years prior to NPA. Where a teacher ceases to be in the Winding Down Scheme employment (leaving during or at the end of the 4 years permissible) and returns to teaching service, the service credit during the period of Winding Down employment will be removed.

The Council has sole discretion whether or not to approve applications for Winding Down. The procedure for applying for Winding Down is detailed in the guidance notes, which accompany this policy.

<h2><b>Long Service Award Scheme</b></h2>
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The purpose of the Long Service Award Scheme is to recognise the loyalty of those employees who have dedicated their main employment to Aberdeen City Council (including its predecessor authorities), subject to the following eligibility requirements:

- employees must have 25 years' or more continuous service
- only one Long Service Award will be made per employee

The Long Service Award will be made when the employee decides to leave employment with the Council. The award will not apply where the employee is dismissed by the Council for reasons of discipline.

The Long Service Award will be a monetary value for the employee to purchase a gift as a memento of service with the Council. Below are the monetary values of the levels of award.

No of years of continuous service	Monetary Award (inclusive of VAT)
Under 25	nil
25 up to 40	£300
Over 40	£600

The process for making a Long Service Award is detailed in the guidance notes which accompany this policy.

## ***SECTION 6: REVIEW OF THE POLICY***

HR and Customer Service will review this policy every 3 years. It will, nevertheless, be subject to continual review and amendment in light of experience of its operation, employment best practice and statutory requirements. Changes will only be made following normal consultation arrangements.



# **PENSION CONTRIBUTION RATE APPEALS PROCEDURE**

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## **PENSIONS CONTRIBUTION RATE APPEALS PROCEDURE**

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## PENSIONS CONTRIBUTION RATE APPEALS PROCEDURE

### **SECTION 1: THE PROCEDURE**

#### **1.1 INTRODUCTION**

The Local Government Pension Scheme has a tiered employee contribution rate structure, with tiers operating on a banding system. The current table of contribution rates is included with the employee's pension contribution rate letter.

All employees in the Pension Scheme will pay pension contributions based on the appropriate tier. The Council calculates the pension contribution rate each year using the employee's pensionable pay plus pensionable allowances and informs each employee in writing of the pension contribution rate he/she will pay. The pension contribution rate is fixed for the whole of the forthcoming financial year (April to March); unless there is a permanent and material change to the employee's terms of employment comprising an increase or decrease in pensionable pay of over £4000 per annum (pro rata for part-time). The tiers on which contribution rates are set are adjusted from the beginning of each financial year in line with the change in the Consumer Price Index.

Before this appeals procedure can be instigated, where an employee considers that their pension contribution rate has been incorrectly identified, they must first enquire with the Payroll Section by telephone about how their pension contribution rate was identified, by asking what pensionable pay plus allowances figure was used to determine the rate. The enquiry must be made within 10 days of receipt of the letter confirming the pension contribution rate. If following receipt of an answer in writing to the enquiry, the employee still considers that their pension contribution rate has been incorrectly identified and the Payroll Section do not agree with the employee's view, the employee has the right of appeal against the identified pension contribution rate within 10 days of being notified in writing by the Payroll Section. Any error identified in the setting of an employee's pension contribution rate will be appropriately corrected.

This procedure has been designed to deal with such appeals and to enable them to be dealt with promptly and fairly.

#### **1.2 SCOPE AND CORE PRINCIPLES**

##### Employees covered by this Appeals Procedure

This procedure applies to all employees of the Council who are members of the Local Government Pension Scheme.



## **PENSIONS CONTRIBUTION RATE APPEALS PROCEDURE**

### Individual and group appeals

Appeals can be made on an individual or group basis. Group appeals would only apply in respect of employees in the same job earning exactly the same pensionable pay plus pensionable allowances and where the agreement of the individual employees and their trade unions (where appropriate) has been obtained. In the case of group appeals, arrangements can be made, where the parties agree, for a spokesperson to attend the appeal hearing on behalf of the group of employees.

### Representation at the Appeal Hearing

Employees will have the right to be accompanied by a trade union representative or work colleague of their choice at the appeal hearing. In the case of group appeals, more than one trade union representative can be present where employees are being represented by more than one union. They will not be permitted to be accompanied by a legal practitioner, partner or spouse.

### Offer of Assistance

Throughout the procedure, appropriate assistance and arrangements will be made available to employees whose first language is not English and to employees with a disability.

## **1.3 GROUND FOR APPEAL**

An employee can appeal if they consider that:-

- The pensionable pay plus pensionable allowances used to determine the employee's pension contribution rate has been incorrectly identified. The employee would be required to state the reason(s) why they considered this to be the case.

## **1.4 REGISTERING AN APPEAL**

### How to Appeal and Timescales

An employee appealing against the identified pension contribution rate does so by registering the appeal in writing to the Head of HR and Customer Service within 10 days of receipt of the letter from Payroll informing them of how their rate was calculated for the coming year. The employee would set out the ground for the appeal in the letter. Appeals will only be considered if submitted in accordance with the above.

### Who Hears the Appeal?

The Head of HR and Customer Service will nominate an appropriate officer at Service Manager level or above to hear the appeal. The officer hearing the appeal will write to the employee to invite them to the appeal hearing as soon as practicable following being nominated as chair of the hearing (see Appendix 1).



## PENSIONS CONTRIBUTION RATE APPEALS PROCEDURE

### Who Attends the Appeal Hearing?

In addition to the chair of the hearing, the appellant will attend along with their companion (restricted to a trade union representative or work colleague). In the case of group appeals, a spokesperson may attend on behalf of the group. The appellant is permitted to submit written evidence in advance if they do not wish to attend the appeal hearing in person. An HR representative will be present to provide advice and guidance on the appeals procedure and to answer general queries relating to the operation of the pay bands and the tiered contribution rate structure.

(An interpreter/signer/support worker can be present, where necessary, to assist employees whose language is sign or whose first language is not English or to assist people with disabilities).

### **1.5 FORMAT OF THE APPEAL HEARING**

The appeal hearing will comprise the following steps:-

Step	Description
Introduction	The Chair explains the purpose and format of the hearing and deals with any procedural issues.
Presentation	Appellant or their companion presents the key points of their appeal explaining why they consider the incorrect pension contribution rate has been identified in their case.
Information Gathering	The Chair will then ask questions in order to gain more information to confirm that the grounds for appeal are valid.
Closing Statements	The Chair will give the appellant or their companion the opportunity to make closing remarks.
Adjournment	<p>The hearing is adjourned to allow the chair to consider the merits of the appeal. The chair will decide whether to:</p> <ul style="list-style-type: none"> <li>• Uphold the appeal, in which case the appellant's pension contribution rate will be changed to be based on the pensionable pay plus pensionable allowances identified by the appellant (please note that any decision to uphold the appeal must be in accordance with the pension regulations).</li> <li>• Reject the appeal, in which case the pension contribution rate will stand, with there being no further right of appeal for the employee.</li> <li>• Suspend the appeal to allow for additional information to be gathered before making a decision.</li> </ul>
Decision	The chair will reconvene the hearing and verbally inform the employee of the decision. The decision is then confirmed in writing within 10 days of the hearing. The letter will include the reason(s) for arriving at the decision (see Appendix 2). There is no further right of appeal to the employer following this process.

Note: the Payroll and Pension sections will both be informed of the outcome of the appeal and if upheld, the appropriate amendment will be made to the employee's pension contribution rate as soon as practicable. This will take effect from the



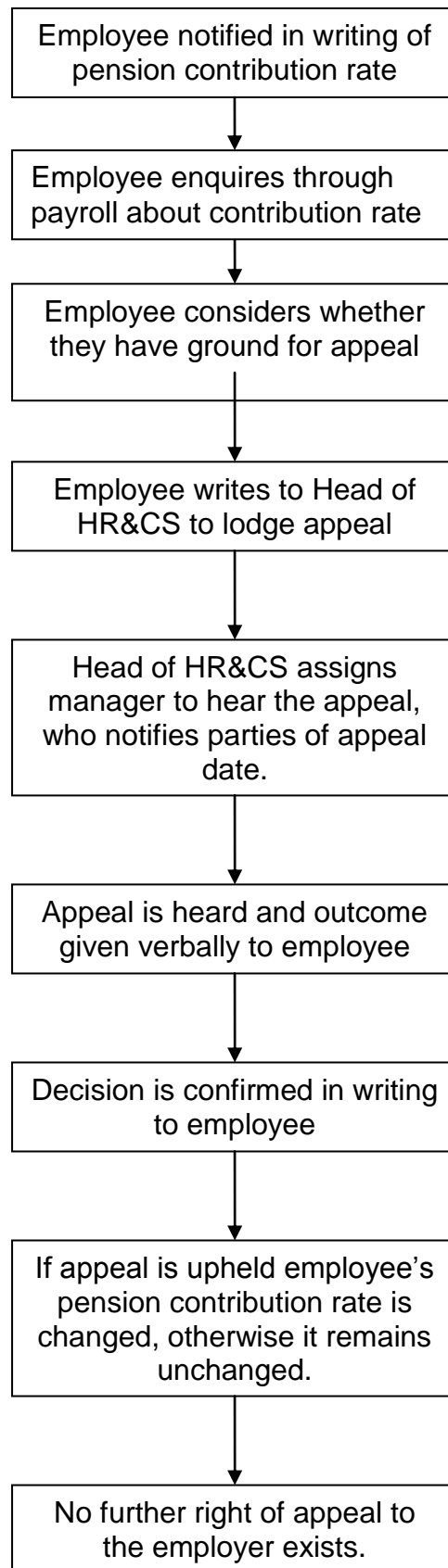
## **PENSIONS CONTRIBUTION RATE APPEALS PROCEDURE**

commencement of the particular financial year. Any arrears of over or underpayment of pension contributions will be appropriately addressed.



## PENSIONS CONTRIBUTION RATE APPEALS PROCEDURE

### SECTION 2: OVERVIEW OF THE APPEALS PROCESS





## **PENSIONS CONTRIBUTION RATE APPEALS PROCEDURE**

### **SECTION 3: REVIEW OF THE PROCEDURE**

HR and Customer Service will review this procedure as required. It will, nevertheless, be subject to continual review and amendment in the light of experience of its operation, employment best practice and statutory requirements. Changes will only be put into effect following the normal consultation arrangements.



## **PENSIONS CONTRIBUTION RATE APPEALS PROCEDURE**

### **MODEL LETTER – CALLING EMPLOYEE TO APPEAL HEARING**

#### **PERSONAL**

Dear

#### **NOTICE OF APPEAL HEARING FOR PENSION CONTRIBUTION RATE**

You have appealed against the decision with regard to the identification of your pension contribution rate confirmed to you in writing on \_\_\_\_\_. I will be hearing the appeal.

#### **When appeal will be heard**

I wish to hear the appeal on \_\_\_\_\_ (date/time) at \_\_\_\_\_ (location).

#### **Format of the appeal hearing**

I intend to conduct the appeal hearing using the following procedure:

1. Firstly, I will explain the purpose and format of the hearing and deal with any procedural issues that may arise.
2. I will then ask you to state your grounds and reasons for the appeal.
3. I will ask questions of you and my colleague(s) may also do so as a means of clarifying matters.
4. I will give you and your companion the opportunity to ask any questions and to then make a closing statement.
5. I will allow adjournments during the course of the hearing where they are necessary.
6. At the end of the hearing, I will adjourn the meeting.
7. During this adjournment, I will consider all of the relevant issues that have emerged from the hearing to make my decision
8. I will then reconvene the hearing and announce my decision, along with the reasons for arriving at that decision. I will thereafter confirm my decision in writing



## PENSIONS CONTRIBUTION RATE APPEALS PROCEDURE

### Potential outcome of hearing

I will carefully consider your grounds for appeal and then decide whether there are sufficient and reasonable grounds to either:

- (a) uphold the appeal in which case your pension contribution rate will be amended and arrears of contributions appropriately addressed (any decision to uphold the appeal must be in accordance with the pension regulations)
- (b) reject the appeal in which case the identified pension contribution rate will stand
- (c) suspend the appeal to allow for additional information to be gathered before making a decision

### Your right to be accompanied

You have the right to be accompanied by another work colleague or a trade union representative if you so wish. Please note however that the procedure does not allow you to be accompanied by your partner, a spouse or a legal practitioner.

I will be accompanied by *(name of officer)*.

The decision of this appeal hearing is final and there is no further right of appeal to the employer.

### Confirming your attendance

Please confirm that the above date and time for the hearing is suitable and whether you will be accompanied and, if so, by whom.

Yours sincerely

### NAME OF OFFICER CONDUCTING HEARING

cc HR Adviser  
Personal File





## PENSIONS CONTRIBUTION RATE APPEALS PROCEDURE

### **MODEL LETTER – TO CONFIRM OF OUTCOME OF APPEAL HEARING**

#### **PERSONAL**

Dear

#### **CONFIRMATION OF OUTCOME OF APPEAL HEARING**

On ..... (*date of letter*), you appealed against the decision with regard to the identification of your pension contribution rate

I heard the appeal on ..... (*date of hearing*) in the presence of ..... (*names of officers present, including companions if applicable*).

This letter confirms my decision.

#### **Outcome of appeal hearing**

Having given full consideration to the issues that emerged during the course of the appeal hearing, I write to confirm my decision, \*to uphold the appeal and hence your pension contribution rate will be appropriately amended with effect from the beginning of the financial year and arrears of contributions appropriately addressed/  
\*to reject the appeal and hence your pension contribution rate will stand (\**delete one option*).

#### **Reasons for my decision**

My reasons for arriving at this decision and the factors that I considered relevant were: (*to insert*)

You have now exercised your right of appeal to your employer under the Council's Pension Contribution Rate Appeals Procedure and my decision is final.

Yours sincerely

#### **NAME OF OFFICER CONDUCTING HEARING**

cc     HR Adviser  
       Personal File