



Retirement and Re-joiner Policy

Policy & Procedure:	Retirement and Re-joiner Policy	
Approved by which board (or Chief Officer) and date:	COG – 19 August 2022	
Owner:	HR Department	
For release under Freedom of Information?	Yes	
Contact for advice:	Ann Dobinson/Kate Ruddick	
Support information: <small>(List any legislation, APP, other policies, etc. that this policy & procedure complies with)</small>	<ul style="list-style-type: none"> • Police Pension Regulations 1987, 2006 & 2015 • NPCC Retirement & Re-joiner Guidance 5.7.2022 • Regulation 36 Guidance – Feb 2023 	
Review date: <small>(Policy & Procedure must be reviewed every 3-years)</small>	August 2025	

If changes have been made to an existing Policy & Procedure document, you must complete the boxes below

Amendments made <small>(Please detail the amendment(s) made and when)</small>	<p>Revised policy following receipt of NPCC guidance issued July 2022.</p> <p>Revised policy following receipt of Home Office guidance issued February 2023.</p>
Date and Version Number	

You may wish to supplement this policy and procedure with FAQs. If you do produce these, please add them to the end of this document so that they can be put online in the right place with the right links.

Any other background information you may wish to produce should also be added to the end of this document.

Neither of these is mandatory.

The Code of Ethics is at the heart of all our policies and procedures, and underpins our decision-making.

The Code of Ethics

The Code of Ethics applies to everyone who works in policing in England and Wales. It sets out the principles and standards of behaviour expected of Police personnel, whether a warranted officer, police staff, volunteer or someone contracted to work in a police force.

“Doing the right thing and doing it the right way”

The code consists of two parts:

1. Policing Principles
2. Standards of professional behaviour

The Policing Principles are

- Accountability – you answerable for your decisions, actions and omissions.
- Fairness – you treat people fairly.
- Honesty – you are truthful and trustworthy.
- Integrity – you always do the right thing.
- Leadership – you lead by good example.
- Objectivity – you make choices on evidence and best professional judgement.
- Openness – you are open and transparent in your actions and decisions.
- Respect – you treat everyone with respect.
- Selflessness – you act in the public interest.

Each principle links closely to [The Police Standards of Professional Behaviour](#), which are

<p>1. Honesty & Integrity I will be honest and act with integrity at all times, and will not compromise or abuse my position</p> <p>2. Authority, respect & courtesy I will act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy. I will use my powers and authority lawfully and proportionately and will respect the rights of all individuals</p> <p>3. Equality & diversity I will act with fairness and impartiality. I will not discriminate unlawfully or unfairly</p>	<p>4. Use of force I will only use force as part of my role and responsibilities, and only to the extent that it is necessary, proportionate and reasonable in all the circumstances</p> <p>5. Orders & instructions I will, as a police officer, give and carry out lawful orders only, and will abide by Police Regulations. I will give reasonable instructions only, and will follow all reasonable instructions</p> <p>6. Duties & responsibilities I will be diligent in the exercise of my duties and responsibilities</p>	<p>7. Confidentiality I will treat information with respect, and access it or disclose it only in the proper course of my duties</p> <p>8. Fitness for work I will ensure, when on duty or at work, that I am fit to carry out my responsibilities</p> <p>9. Conduct I will behave in a manner, whether on or off duty, which does not bring discredit on the police service or undermine public confidence in policing</p> <p>10. Challenging or reporting improper behaviour</p>
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		I will report, challenge or take action against the conduct of colleagues which has fallen below the standards of professional behaviour
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POLICY STATEMENT

The Government's commitment to the recruitment of an additional 20,000 police officers means that almost 10% of the overall workforce in England & Wales will have under 2 years' service as of 31 March 2023.

As a result, front line response policing, is expected to be heavily populated by short-service recruits.

The changes to pension schemes from April 2022, mean that officers may choose to retire now in order to maximise benefits under the 1987 Scheme because they perceive that remaining in the service may result in a disadvantage to them.

By introducing this Retirement and Re-Joiner policy and allowing officers to 'draw down' their legacy pension lump sum and re-join policing when their knowledge and experience is relevant, will assist Cumbria to retain experienced officers, to support Uplift generally to retain specialist skills and experience, and to help provide support, coaching and mentoring to recruits who lack wide experience of operational policing.

This policy replaces the previous force Police Officer 30+ Re-Joiner scheme and now follows the National Reward Team and National Police Chief's Council (NPCC) guidance issued on 5th July 2022. [NPCC Retirement & Re-joiner guidance](#).

This policy works within existing Police Regulations and looks to pay benefits under the 1987 and 2006 Police Pension schemes.

Previous 30+ Re-joiner policy targeted specific skills and or roles and had a clearly defined tenure term, this new policy is designed to apply to any eligible officer subject to the conditions set out.

This policy will be used in accordance with the force Police Officer Promotion, Development and Promotion procedure is supported by an Equality Impact Assessment.

POLICY

The Retirement and Re-Joiner policy allows officers who are eligible to retire, the opportunity to draw-down their legacy scheme benefits and be re-engaged as an officer, if they meet the eligibility conditions detailed below:

Eligibility:

1. **Former members of the 1987 Scheme**

All officers with membership of the 1987 Pension Scheme either:

- have attained 30 years' pensionable service, or
- have attained at least 25 years' pensionable service and are aged at least 50, or
- attained age 55 years if Constable & Sergeant or 60 for Inspector rank and above.

2. **Former members of the 2006 Scheme**

All officers with membership of the 2006 Pension Scheme where they have attained age 55.

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3. This policy applies to all eligible officers across all ranks and roles.

Criteria:

Those who re-join will be appointed at their former rank and pay level but be treated as a new entrant in terms of allowances, such as replacement allowance which would no longer be payable.

Re-joiners will no longer be eligible for certain allowances such as rent/housing allowances that may have previously applied prior to retiring. They would receive other allowances paid to new entrants, such as London allowances and Southeast allowances if applicable.

Participants will continue to be eligible for promotion.

To protect officers' protected pension ages, **all** participants must stay in retirement for at least 32 days before being re-engaged, as a shorter period of retirement could in some instances result in tax charges for both the officer and the retaining force or officers having to pay back their pension.

Officers should provide at least 3 months' notice prior to intended retirement date.

Entitlement to annual leave and sick pay will remain as per their previous engagement as an officer, however the annual leave year and entitlement to sick pay will restart on their "new" date of commencement.

Officers not at the top of their pay scales on return will have increments dates recalculated to exclude any breaks in service.

Officers will upon re-joining be auto enrolled into the 2015 Scheme and periods of service in the Scheme will be aggregated (provided a break in service is less than 5 years and 2015 Pension benefits are not in payment), to provide benefits under that Scheme on future retirement. Any benefits are not payable until age 55.

Where a break in service is less than five years, there is no requirement for a medical on re-joining the 2015 Scheme, however the force may require you to undertake a medical examination for employment purposes.

Eligibility for an injury award (and other injury benefits) is retained.

Ill health retirement and death in service benefits are available for members of the 2015 Scheme. (Access to ill health retirement benefits will be based on 2015 Scheme service only and then only after completion of 2 years' service).

Re-appointment will be subject to the normal fitness requirements for new entrants.

Additional criteria for application:

- Officer must have a satisfactory attendance record in line with the Attendance Support Policy.
- Officer must not have any current disciplinary sanctions / live or recent PSD issues
- Officer must have a current and satisfactory performance record as per PDR

All participants will need to be re-attested after a break in service.

Re-vetting may also be needed depending on the status of an officer's security clearance.

Any appointment under this scheme will have no specific end date but be subject to regular performance reviews.

Re-joiners will be subject to different probationary periods depending on the time out of force.

- Those who left policing less than one year before their re-appointment as a police officer are subject to a six-month probationary period.

- Those who left policing more than one year before their re-appointment, or who re-join at a different rank to that which they previously served at are subject to a 12-month probationary period.

In all instances, Chief Officers have the discretion to extend probation as they see fit.

If an individual wishes to participate and re-join on a part-time basis, this will need to be agreed in advance in accordance with the force's normal policy on agreeing part-time working arrangements. However, under this policy the normal approach would be to abate any pension (see below) so the individual would receive pay only for the hours worked – not pay plus pension.

Abatement:

Ordinary pension benefits are subject to full abatement (reduction) and will be agreed following individual case by case assessment. Any decision not to abate pension in full will only be made only in exceptional circumstances.

All abatement cases will be assessed and agreed in accordance with the Equality Impact Statement.

Full abatement means that NO pension will be payable during re-employment as a police officer. Therefore, an individual would receive pay only for hours worked, not pay plus pension accrued. This includes those officers who re-join on a part time basis. When the re-employment ends, the pension is reinstated to the full amount with any applicable increases.

Access to any lump sum or commutation that an individual officer may choose on retirement is excluded from abatement, so an officer can access a lump sum or commutation in the normal way then re-join as a salaried officer. Pension would be paid in full from date of retirement to date of re-joining.

Any decision to abate is made by the force who is paying the pension and not the new employer. Therefore, any officer retiring from Cumbria and re-joining another force will have their pension fully abated in line with this policy.

WHAT DO I NEED TO DO? [The procedure for officers](#)

You will be responsible for notifying your line manager of your intention to retire and that you wish to apply under the Retirement and Re-joiner policy.

Or

You will be responsible for contacting the HR Department before applying to re-join the Constabulary under this scheme.

You need to read this policy and ensure you meet the eligibility criteria before applying.

Applications will be made by the following [form – attached](#):

Applications can be submitted no earlier than 6 months prior to retirement but with a minimum of 3 months' notice.

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You will be responsible for obtaining independent financial advice prior to progressing with your application as this scheme may offer potential incentives and disincentives depending on an individual officers' personal circumstances. This advice should include any tax implications.

You must make yourself available to undertake and pass the fitness requirements for all new entrants as required.

Officers who wish to be re-appointed under this guidance may be required to undergo a medical assessment with the Force OHU to ensure they are fit for full operational duties.

Officers who re-join Cumbria from another force will need to notify their former force that they are a Re-Joiner with Cumbria and seek advice as to the Abatement Rules agreed by that force. Any pension abatement is at the discretion of the previous force.

If your application is successful, you must retire for a minimum period of 32 days before starting back with the Constabulary.

WHAT DO I NEED TO DO? [The procedure for managers and supervisors](#)

Managers and supervisors are responsible for ensuring applications are considered with appropriate recommendations made in consultation with HR in relation to the eligibility criteria.

Identifying suitable roles within their business areas if they were unable to maintain officer numbers in those posts. Having informal discussions with officers who are in such roles to ascertain their future career intentions.

Responsible for monitoring and managing the probationary period as required.

Head of Department

Are responsible for ensuring applicants meet the eligibility criteria prior to submission to Chief Officers for comment.

Chief Officers

Chief Officers are responsible for ensuring applicants meet the eligibility criteria as per this policy and for making any discretionary decision around abatement.

WHAT DO I NEED TO DO? [The procedure for any specialist function](#)

HR Department

Providing the relevant SLT the names and roles of officers who are nearing their retirement date and intend retiring so they can be considered.

Notifying the officer of the outcome as per the Chief Officer decision.

Arranging for medical examination and fitness tests where it is agreed that an officer can be re-appointed under this policy.

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Notifying the Central Services department of the officers' re-appointment.

EQUALITY ANALYSIS

An Equality Analysis must be completed before and during development of a policy & procedure to inform its content, and the template presented below must be used.

Without an Equality Analysis, our policies and procedures can be challenged in court.

When carrying out an Equality Analysis the following documents may be of use:

- The essential guide to the public sector equality duty.
- Equality Act 2010 public sector equality duty – what do I need to know?
- Equality Act 2010 specific duties to support the equality duty – what do I need to know?
- Constabulary equality objectives in the current Police & Crime Plan.
- Equality data workbook on the performance dashboard.
- Other equality data (e.g. from external sources).

The essential guide to the public sector equality duty and the Equality Act 2010 quick start guides are all available on the Policy Library site.

In summary, the Equality Duty has three aims:

- **Eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Equality Act 2010.
- **Equality of opportunity** between people who share a protected characteristic and people who do not share it.
- **Foster good relations** between people who share a protected characteristic and people who do not share it.

You can get advice from Sarah Dimmock, Diversity Manager.

1. What is the potential impact in relation to the General Duty of this proposal on each of the protected groups below?

Protected characteristics	Positive Impact				Negative Impact (provide details)	No Impact (√)
	Does the proposal:					
	eliminate unlawful discrimination (provide details)	advance equality of opportunity (provide details)	Foster good relations (provide details)	Other positive impact (provide details)		
Age	The scheme applies to those who are eligible to retire therefore this will affect those older in service and only those that are within a role that the Constabulary requires the expertise of that person.	By having a scheme which is clear who can re-join the force gives the transparency and criteria for those expressing an interest	The scheme is open to those officers who want to re-join where there is an expert role that needs trained officers, reducing the cost of training a new person			
Disability	Reasonable adjustment would be provided if required.	By having a scheme which is clear who can re-join the force gives the transparency and criteria for those expressing an interest	The scheme is open to those officers who want to re-join where there is an expert role that needs trained officers, reducing the cost of training a new person			
Sex	The scheme is open to anyone what ever the gender identity of the candidate	By having a scheme which is clear who can re-join the force gives the transparency and criteria for those expressing an interest	The scheme is open to those officers who want to re-join where there is an expert role that needs trained officers, reducing the cost of training a new person			

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VAWG	The policy itself does not impact on VAWG, unless this is an area that the Constabulary would like continuity in and re-employ those officers with experience.	By having a scheme which is clear who can re-join the force gives the transparency and criteria for those expressing an interest	The scheme is open to those officers who want to re-join where there is an expert role that needs trained officers, reducing the cost of training a new person			
Sexual orientation	No impact identified	No impact identified	No impact identified			
Gender reassignment	The constabulary has a separate policy for any member who wishes to gender re-assign. This would be applied to anyone who wishes to rejoin	The scheme is open to those officers who want to re-join where there is an expert role that needs trained officers, reducing the cost of training a new person	The scheme is open to those officers who want to re-join where there is an expert role that needs trained officers, reducing the cost of training a new person			
Marriage and civil partnership	No impact identified	No impact identified	No impact identified			
Pregnancy and maternity	It is unlikely that there would be any impact, unless the officer concerned was fostering or adopting etc. Other constabulary policies would apply	No impact identified	No impact identified			
Race	Any adjustment that applied prior to retiring for religious/cultural observation, would continue.	By having a scheme which is clear who can re-join the force gives the transparency and criteria for those expressing an interest	The scheme is open to those officers who want to re-join where there is an expert role that needs trained officers, reducing the cost of training a new person			
Religion and belief including non-belief	Any adjustment that applied prior to retiring for religious/cultural	By having a scheme which is clear who can re-join the force gives the	By having a scheme which is clear who can re-join the force gives the			

	observation, would continue.	transparency and criteria for those expressing an interest	transparency and criteria for those expressing an interest			
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If there is no potential impact (positive or negative) please provide a brief explanation why this is the case, e.g. the data utilised in arriving at the decision, summary of responses to consultation etc.

Brief explanation of the 'no impact' decisions above

N/A

DATA PROTECTION IMPACT ASSESSMENT

A DPIA is required for any project/policy where the processing of personal data could result in a high risk to the rights and freedoms of individuals.

(Information Management) can advise when the requirement is statutory and when it is required as part of our policy development.

A DPIA ensures the force can meet its legal obligations to evidence that information risks, along with Data Protection principles and obligations, have been fully considered relating to the intended processing, and that control measures are considered and proportionate.

The introduction of all new projects, initiatives and policies that involve the processing of personal data or sensitive operational data require the completion of a DPIA Screening Questionnaire for review and consideration by the Data Protection Officer/Information Management Team

Triggers for completion of a screening questionnaire include:

- Procurements;
- **Policy publication;**
- IT Project business cases;
- Partnership working and Information sharing initiatives; and
- Equality Impact Assessments – where Article 8 consideration is identified

Where the outcome of a screening questionnaire is that a Stage 2/Full DPIA is required, it is the responsibility of the policy lead to complete the documentation with the support of IM if necessary.

A DPIA questionnaire must be completed before the development of a policy & procedure to inform its content, and the template presented below must be used.

If you have answered ‘yes’ to any of the screening questions, please contact Information Management for advice to see if a full DPIA is required.

You can get advice from David Cherry, DPO /Lesley Johnson, GDPR PM

	DPIA Screening Questions	Yes	No	N/A
1	Will the project/policy involve the collection of new information about individuals? (provide details)	X		
	Where any applicant under this scheme is a re-joiner from outside the Constabulary.			
2	Will the project compel individuals to provide information about themselves? (provide details)	X		
	Individuals will need to provide personal information to enable us to appoint and pay them and apply any pension abatement. Only information necessary for this purpose will be collected.			
3	Will information about individuals be disclosed to organisations or people who have not previously had routine access to the information? (provide details)		X	
4	Does the project/policy involve multiple organisations, whether they are government agencies (e.g. as a joint working initiative) or private sector organisations (e.g. providing a service as data processor). (provide details) If any shared data will be anonymised prior to being shared, please state here what will be shared and how it is anonymised.		X	
5	Are you using information about individuals for a purpose it is not currently used for, or in a way it is not currently used? (provide details):		X	
6	Does the project/policy involve you using new technology which might be perceived as being privacy intrusive? For example, the use of biometrics or facial recognition. (provide details):		X	
7	Will the project/policy result in you making decisions or taking action against individuals in ways which can have a significant impact on them? (provide details)		X	
8	Is the information about individuals of a kind particularly likely to raise privacy concerns or expectations? For example, health records, criminal records or other information that people would consider to be particularly private.		X	

	(provide details)			
9	Will the project/policy require you to contact individuals in ways which they may find intrusive?		X	
	(provide details)			