



Gwasanaeth Tân ac Achub
Fire and Rescue Service

SERVICE ADMINISTRATIVE POLICY & PROCEDURE ORDERS

Section 7 Order No. 5

Subject: Re-Employment of Retired Firefighters

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2. Definitions and Abbreviations

- NWF&RS - North Wales Fire & Rescue Service
- SAPPO - Service Administrative Policy & Procedure Order. A mandatory internal document, which must be complied with, detailing an Administrative Order in the form of a Service Policy or Procedure(s), which is controlled from within NWF&RS's Documentation System.
- FPS - Firefighters' Pension Scheme

3. Purpose

- 3.1 The purpose of this Order is to specify the policy and procedures in the Re-employment of Retired Firefighters who are members of either the Firefighter's Pension Scheme or the New Firefighter's Pension Scheme.

4. Scope

- 4.1 This order is directed at Operational Staff who are members of either the Firefighter's Pension Scheme or the New Firefighter's Pension Scheme

5. Responsibilities

- 5.1 It is the responsibility of the Human Resources Department for the content, issue and any further amendment of this Order.
- 5.2 To ensure the effectiveness of this policy it is the responsibility of all personnel to indicate any fault, omission or amendment that may be considered, in order to improve the effective use of the policy.
- 5.3 It is the responsibility of all relevant personnel to make themselves familiar with this Order to ensure that all areas are adhered to.

6. Internal/External Related and Other Relevant Documents

- 6.1 SAPPO Section 7, Order No. 38 – Equal Opportunities and Fairness at work Policy
- 6.2 Firefighter's Pension Scheme (1992)
- 6.3 New Firefighter's Pension Scheme (2006)
- 6.4 The Employment Equality (Age) Regulations 2006

7. Equal Opportunities

NWFRS is an equal opportunities employer with a commitment to the employment of people with disabilities, those with children and other caring responsibilities and employees on part time hours. Every effort will be made to ensure fair and consistent application of this policy.

8. Introduction

8.1 The NWFRS recognises the benefit of a policy for the re-employment of individuals (covered by the Firefighters' Pension Schemes) in order to retain the skills, expertise and knowledge of staff voluntarily retiring from service. This policy also promotes age diversity within the workforce and gives more flexibility to the individual in planning for retirement.

9. Eligibility Criteria

9.1 In all instances the requirements of the organisation will be considered prior to a decision being made. There is no automatic right to be re-employed under the policy, the decision will be strictly based on organisational needs.

9.2 For an individual to be considered for re-employment, the following criteria must be satisfied. However, these criteria are not exhaustive.

9.2.1 The level of sickness absence should be such that the individual has not been liable, or received any warnings, under the Attendance Management and Capability Policy within the last 3 years.

9.2.2 The individual must be medically fit to continue in role as determined in the most recent periodic medical appointment with the Authority's Medical Advisor.

9.2.3 The individual's performance and conduct will also be considered, including any current disciplinary awards.

9.2.4 There is no automatic right to be re-employed, each case will be judged on its own merits in conjunction with 10.1.3.

9.2.5 Individuals retiring on the grounds of ill-health, regardless of whether a lower tier or higher tier award, and individuals retiring with an injury award will not be considered.

9.2.6 An individual must achieve, or is about to achieve 30 or more years' pensionable service with the Fire and Rescue Service, and have reached the minimum or normal pension age as detailed in the Firefighter's Pension Schemes of which the individual is a member.

10 Procedure

10.1 Application for Re-Employment

10.1.1 A member must retire in order to draw a pension benefits.

- 10.1.2 Applications should be made in writing, to the HR Manager, at least 6-12 weeks prior to the intended date of retirement. The application will be considered by a Panel who will consider the organisational requirements in accordance with the criteria laid down in Section 9.
- 10.1.3 Membership of the panel will consist of:
- 10.1.3.1 Deputy Chief Fire Officer, Area Manager (or above) and Senior HR Advisor for applications from individuals in posts below the level of Assistant Chief Fire Officer.
 - 10.1.3.2 Chief Fire Officer and Senior HR Advisor for applications from the Deputy Chief Fire Officer, Assistant Chief Fire Officer and Assistant Chief Officer .
 - 10.1.3.3 Chair and Clerk of Authority for applications from the Chief Fire Officer.
- 10.1.4 If approved, the HR Department, in consultation with the respective line manager, will agree a start date and issue a Contract of Employment after the end of the break period.

10.2 Appeals

- 10.2.1 A written appeal must be received by the HR Manager within 7 working days on receipt of written confirmation of the decision.
- 10.2.2 The HR Manager will acknowledge the appeal within 3 working days of receiving the letter.
- 10.2.3 The appeal hearing will be arranged within a reasonable time following receipt of the appeal in writing.
- 10.2.4 The appeal will be heard by a panel consisting of:
- 10.2.4.1 The Chief Fire Officer, HR Manager and an Area Manager or above (who were not part of the original decision) for applications from individuals in posts below the level of Chief Fire Officer, Deputy Chief Fire Officer and Assistant Chief Fire Officer.
 - 10.2.4.2 A committee appointed by the Executive Panel (members who were not part of the original decision under Point 10.1.3.2) for applications from the Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officer and Assistant Chief Officer.
- 10.2.5 A written confirmation of the decision will be sent within 3 days of the decision of the appeal panel.

10.2.6 The appeal panel marks the end of the appeals process, there is no further internal appeals mechanism within the NWFRS.

10.3 Terms & Conditions of Re-Employment

In addition to the standard contractual terms and conditions appropriate to the individual's role, the following general terms and conditions for re-employment will apply.

10.3.1 Break in Service

10.3.2 An individual must have a break in employment of at least one month before being re-employed. Previous service prior to retirement will not count towards continuous service, apart from the annual leave entitlement as stated in Point 10.3.7.

10.3.3 Contract of Employment

10.3.4 The offer will be on the basis of a permanent contract, up to the default retirement age of 65.

10.3.5 Role on Re-Employment

10.3.6 An individual will be re-employed in the same substantive role as they hold upon retirement.

10.3.7 Pay

10.3.8 An individual will be re-employed on the same level of pay appertaining to the role they hold on retirement. Provision is made within the terms of the two Firefighters' Pension Schemes for the abatement of a Pension payable under the FPS, for any period during which the pensioner is employed as a regular Firefighter. The NWFRS will exercise its right, as the Service responsible for payment of the pension, to withdraw the whole or part of the pension on the principle that the annual rate of pay as a firefighter following re-employment, plus the annual rate of Pension should not exceed the annual rate a Firefighter received immediately prior to retirement.

10.3.9 Place of Work

10.3.10 An individual who is re-employed will be expected to serve at any suitable location appropriate to their role, expertise and knowledge. This may not be the location at which they served previously. The decision as to the specific location at which they will be re-employed will be based upon organisational needs.

10.3.11 Pension

10.3.12 An individual who is re-employed will be entitled to receive their commuted lump sum. Individuals will no longer be members of the Firefighters' Pension Scheme 1992. Individuals up to the role of Watch Manger may join the New Firefighters Pension Scheme 2006. However, individuals within the role of Station Manager and above may join the Local Government Pension Scheme. The pension payments may be frozen on re-employment as outlined in Section 10.3.4

10.3.13 Holiday

10.3.14 Annual leave and public holidays will be in accordance with Conditions of Service based on the role and qualifying years before retirement. Leave cannot be carried into the new contract of employment.

10.3.15 Promotion

Any individuals re-employed under this Policy will be able to apply for promotion. It should be noted that if promoted during the period of re-employment, their pension will not increase to take account of this promotion. This is because the level of pension has been already determined on the basis that no further contributions will have been made to the existing scheme.

11. Policy Review

11.1 All policies and procedures which form the basis of a SAPPO will be reviewed on a pre-determined basis. This will be the responsibility of the Head of the Department responsible for the Order, and conducted after every 1, 2 or 3 years, depending on the importance of the document, from the date of issue or amendment.

11.2 This Order will be reviewed annually.



Simon Smith
Chief Fire Officer