

REPORT REFERENCE NO.	DSFRA/23/8
MEETING	DEVON & SOMERSET FIRE & RESCUE AUTHORITY
DATE OF MEETING	19 APRIL 2023
SUBJECT OF REPORT	APPLICATION FOR RETIREMENT & RE-EMPLOYMENT
LEAD OFFICER	Chief Fire Officer
RECOMMENDATIONS	<i>That the application for retirement & re-employment as identified in paragraph 2.3 of this report be approved.</i>
EXECUTIVE SUMMARY	The Authority has an approved Pay Policy Statement for 2023-24 in accordance with the requirements of the Localism Act 2011 and which sets out the arrangements for consideration of any requests for re-employment of employees following retirement. This report sets out specific requests for approval from one non-operational member of staff.
RESOURCE IMPLICATIONS	Cost circa £11k pa (including on costs) representing a saving of £110k pa as the Directors post will not be back filled. Part of these savings will be used to cover the cost of providing an external Monitoring Officer, subject to an item elsewhere on this agenda.
EQUALITY RISK & BENEFITS ASSESSMENT	The Retirement & Re-Employment Policy has had an equalities impact assessment.
APPENDICES	Nil
BACKGROUND PAPERS	DSFRA Pay Policy Statement for 2023-24.

1. **INTRODUCTION**

- 1.1 The Authority's Pay Policy Statement for 2023-24 sets out the arrangements for consideration of any requests for re-employment of employees following retirement. The re-employment of any employee (up to Area Manager or non-uniformed equivalent) who has retired will be subject to approval by the People Committee (the Committee).
- 1.2 The Pay Policy Statement sets out that the Authority will, in principle, allow the re-employment of employees who have retired, subject to a break in service of at least one month, because it is recognised that this often represents an effective way of retaining specialist knowledge and skills without any increase in cost to the Authority (and noting that costs to the Pension Scheme are no more than would be the case for normal retirement).
- 1.3 The Pay Policy Statement also notes that the Fire and Rescue National Framework for England, published by the Home Office in May 2018, sets out that "fire and rescue authorities must not re-appoint principal fire officers after retirement to their previous, or a similar, post save for in exceptional circumstances when such a decision is necessary in the interests of public safety". In this context, Principal Officers refers to those officers at Area Manager and above, or those with comparable responsibilities to those roles. The Fire and Rescue National Framework also states that fire and rescue authorities will "have regard to this principle when appointing at any level".
- 1.4 For staff within the Local Government Pension Scheme, where an individual is re-employed on the same terms and conditions as previously, the same abatement rules as apply to those within the Fire Fighters Pension Scheme will be applied. However, the Authority's policy on Pension Discretions refers to flexible retirement and states that this "may be subject to abatement during such time as the individual remains employed by the Service". This allows the Authority to use flexible retirement opportunities where key employees may wish to continue working as they get older but step down in grade or reduce their working hours. This can be beneficial to the Authority in retaining key skills, knowledge and experience whilst also reducing costs.
- 1.5 With this in mind and taking account of the National Framework provisions, the Authority has agreed the following approach in relation to requests for re-employment following retirement, subject in each case to an approved business case:
- (a). the Chief Fire Officer has delegated authority to approve such requests up to and including Watch Manager level (or non-uniformed equivalent posts);
 - (b). the People Committee has delegated authority to approve such requests for Station Manager up to and including Area Manager level (or non-uniformed equivalent posts); and

- (c). the approval of the full Authority is required for the re-employment, following retirement, of any post-holder at Brigade Manager (or equivalent non-uniformed) level i.e. in effect, any member of the Service Executive Board (the Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officers, Director of Governance & Digital Services and Director of Finance, People & Estates).

1.6 The Chief Fire Officer has considered the application for retirement and re-employment set out within paragraph 2.3 of this report and considers that the request is beneficial in helping to retain key skills and knowledge within the Service. The request for retirement and re-employment is therefore submitted to the Authority for approval in accordance with paragraph 1.5.(c). above.

2. RETIREMENT AND RE-EMPLOYMENT

2.1 The Service policy on retirement & re-employment is linked to workforce planning arrangements. It also provides a transition for the employee from full employment into retirement.

2.2 An application has been received from the Director of Governance & Digital Services to be re-employed following his retirement and a break in service of one month. Re-employment would be on existing terms and conditions and on the basis of a zero hours contract, initially for 12 months. The Chief Fire Officer would manage the extent of the engagement. This would ensure that key skills and corporate knowledge are retained to be called upon where appropriate, given that the postholder has been with the Authority since combination in 2007. It will provide an important balance of knowledge and skills on the Executive Board, maintaining effective internal challenge and provide for business continuity during the transition to the new Monitoring Officer model, while also generating a savings opportunity.

2.3 The request for retirement and re-employment is as summarised in the table below:

Role	Position	Station/Dept.	Decision
Non-Operational	Strategic Adviser	Service Headquarters	FTC initially for 1 year on a zero hours contract from June 2023

2.4 Approval of this application provides the Service and its Executive Board with an important balance of knowledge and skills together with resilience given recent changes including retirements.

LEE HOWELL
Chief Fire Officer