Chapter 26: Resignation, Retirement, or Dismissal

1. About this Chapter

1.1 This chapter explains:

- what to do if you want to resign from the service of the House
- matters relating to retirement
- some aspects of dismissals, especially by reason of redundancy or non-renewal of a fixed term contract

1.2 The rules on confidentiality remain in force indefinitely, even after leaving the House. This applies whether you resign, retire or are dismissed.

2. Resignation

2.1 If you wish to resign from the House, write to your Line Manager. You do not have to give reasons for resigning. Your Line Manager will write to you to confirm your last day of service and notify the HR Advisory Service.

2.2 If you have a season ticket or other loan, you will need to contact Payroll Services as soon as possible so that arrangements can be made for you to repay any outstanding amounts. You should also contact Payroll Services if you receive childcare vouchers.

Notice periods

2.3 Your letter of appointment will state the amount of notice you need to give if you wish to resign from the House. In most cases this is one month. If you were recruited or promoted to pay band A1 or A2 after 1 April 1991, in which case your notice period is a minimum of three months. SCS staff have a notice period of six months.

Outstanding leave

2.4 You should normally take any outstanding leave during your notice period. However, this may not always be possible: for example if you are required to give notice of leave. If your Line Manager agrees that it is not practicable to take all outstanding leave, you may be paid for any days that are left. If you have exceeded your leave entitlement, the appropriate amount will be deducted from your final pay.

Exit interviews

2.5 You will be asked to complete a confidential exit survey prior to your leaving date. An exit interview may also be arranged.
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2.6 On your final day, please ensure that you hand in your photo identity pass, car parking permit (if you have one), any equipment, (including both home and office ICT equipment) or uniform belonging to the House, and other work items such as desk keys and other materials to your Line Manager. If you fail to return your ICT equipment, you are in possession of unauthorised official equipment and may be subject to formal proceedings, and the House may seek to recover the cost of any non-returned equipment.

References

2.7 The House may in the future be asked to supply a prospective employer with a reference about you. We will ask for evidence that you have provided consent before a reference is supplied.

Pension benefits

2.8 Your pension benefits are held under the Civil Service Pension Scheme (CSPS) and administered by MyCSP.

2.9 You may have some choice of what to do with your pension benefits when you leave. Please go to the CSPS website and refer to the guide for your scheme. Alternatively please contact the Staff Pension Section:

Staff Pension Section

People and Culture
House of Commons
London SW1A 0AA
Phone: 0208 219 2656/5759
Email: Pensionshocstaff@parliament.uk.

2.10 Information about the CSPS is given in chapter 27.

2.11 Please note that in any case of conflict, the prevailing rules of the pension scheme will take precedence over the contents of this Staff Handbook. The rules can be found on the CSPS website.

3. Retirement

3.1 There is no specific age at which staff must retire. In law, a retirement is the same as a resignation and you should write to your Line Manager as outlined above. If you decide that you wish to claim your House pension on leaving, you should notify the Staff Pension Section in writing, and give at least four months’ notice in order to secure prompt payment of your benefits; shorter notice may lead to delay in payment.

3.2 The Staff Pension Section will inform MyCSP who will contact you directly with details of your pension benefits. If you retire at any time after your 60th birthday (65th birthday for staff in the
Nuvos pension scheme or your state pension age for staff in the Alpha pension scheme) you can draw benefits based on your salary and/or service and salary, depending on the scheme you were a part of. You can also partially retire under the partial retirement scheme outlined in paragraphs 3.8 to 3.11 below. Early retirement before age 60 (65 for staff in Nuvos or your state pension age for staff in Alpha) is also possible on the terms set out in section 5 below.

3.3 Requests to continue working under partial retirement, in a different post or with different terms and conditions will be considered using the flexible working procedures which can be found in chapter 11.

3.4 Benefits, terms and conditions and standards of performance, attendance and conduct are the same for all staff whatever their age. Where these standards are unsatisfactory, dismissal may occur, following normal House procedures. Please see chapter 20 for further information.

Pension benefits

3.5 Each year you will be sent a pension benefits statement by the pension administrators, MyCSP. These statements are an estimate of your pension at pension age (age 60 for Classic, Premium & Classic Plus; age 65 for Nuvos; your state pension age for Alpha). If you are over pension age, the statements provide an estimate of benefits earned to the previous 31 March. You will, therefore, have an indication of your expected pension before retirement.

3.6 If you decide that you intend to retire you should notify the Staff Pension Section, who will liaise with MyCSP, who will then send you a retirement statement. MyCSP requires a minimum of four months’ notice of the date of your retirement. If, during the four-month period, changes are made to the retirement date, this could delay the payment of your pension benefits. MyCSP will try to arrange for benefits to be paid on time, but this cannot be guaranteed. Please see chapter 27 for the contact details of the Staff Pension Section and MyCSP.

3.7 The Department for Work and Pensions (DWP) will send individuals approaching State Pension age separate information about entitlement to a State Pension. If you require information in advance of retirement you should ask your local social security office for form BR19. This form can also be found on the DWP website.

Partial retirement

3.8 Partial retirement allows you to work fewer hours or at a lower level, with the intention of facilitating a gradual move from full-time work to full-time retirement. If you partially retire, you carry on working (but fewer hours and/or at a lower level), your pensionable earnings are reduced by at least 20%, and you can draw some or your entire pension. Partial retirement is subject to approval; there is no right to changes in working hours, duties or job level.

3.9 If an agreed reduction in working hours occurs, but you have not drawn any pension, you can exercise the option to do so later. However, this has to be no later than three months after a reduction in pensionable earnings of at least 20% has occurred.

3.10 If you wish to take advantage of partial retirement, you must bear the following points in mind:
• pension benefits cannot be taken before age 50 (age 55 for staff who joined on or after 6 April 2006)
• pension benefits taken before pension age will be reduced for early payment
• pension benefits not taken will continue to build up if you are still in work, subject to any overall pension scheme reckonable service limit
• abatement will apply where benefits in payment plus pay exceed pay before the partial retirement (this means the pension will be reduced or suspended)
• partial retirement will reduce reckonable service for subsequent benefits
• partial retirement can be taken only if it is expected to be permanent
• if, exceptionally, your pay increases significantly in the future, the pension will be subject to abatement. Normal pay rises are unlikely to trigger abatement.

3.11 Further information on partial retirement can be found on the relevant page of the CSPS website. A partial retirement calculator is also available on the website.

Pre-retirement seminars

3.12 A pre-retirement seminar is organised by the Learning and Development team. The course is available to all staff, although it is most useful within the five years leading up to retirement. You can secure a place on this course via ACT, the learning management system, on: http://intranet.parliament.uk/employment/careers-development/training/act-parliamentary-elearning-system/ or by contacting the Learning and Development team on ext. 5144.

4. Retirement on Health Grounds

4.1 If your health deteriorates you may be considered for, or apply for, ill health retirement under the CSPS if you are a member of the scheme. You can find details of the benefits of the CSPS ill health retirement scheme on this page of the CSPS website.

4.2 Your manager and HR Adviser will discuss the CSPS ill health retirement procedures with you if appropriate. These procedures are set out in the relevant members’ guide and include provision for an appeal if you disagree with the findings of the medical assessment.

5. Early Retirement and Severance

5.1 Benefits payable on Early Retirement are paid under the rules governing your particular section of the CSPS. The benefits payable under severance are paid under the Civil Service Compensation Scheme (CSCS).

Early retirement - actuarially reduced pension

5.2 From age 50 (55 if you joined the HOCSPS or CSPS after 6 April 2006), you can retire and draw an actuarially reduced pension. This means that both the pension and any lump sum are reduced on a permanent basis by around 5% for each year before pension age. The reduction takes into account the longer period your pension is likely to be in payment. Please see the MyCSP website for further details.
5.3 To claim an actuarially reduced pension, you need to give six months’ notice. Please notify the Staff Pension Section, who will arrange for MyCSP to provide estimates of the benefits payable. The reduction can be considerable, and you should not take this course of action without careful consideration.

5.4 Please note that your reduced pension will have to pass a test to show that it is at least equal to your Guaranteed Minimum Pension (GMP). This is broadly the pension you would have received if you had been in the second State Pension system (S2P - see chapter 27, section 7). If your pension does not exceed this amount, you cannot claim it until it does.

**Voluntary exit and voluntary redundancy**

5.5 The Civil Service Compensation Scheme (CSCS) specifies the benefits payable if you leave the House early through voluntary exit or voluntary redundancy. Full details would be provided in individual cases, and are subject to the CSCS rules at the time, but the benefits can be summarised as follows:

**Age on exit Benefits payable**

5.6 Below normal pension age on exit: three weeks’ pay for each year of service up to 18 months’ salary. Above normal pension age on exit: three weeks’ pay per year of service up to a maximum of six months.

5.7 All staff will receive three months’ notice and will normally work through this notice period. Pay in lieu of notice would only be allowed in exceptional circumstances.

5.8 Staff who have reached the minimum pension age (either 50 or 55) may choose to take early retirement benefits. To receive the full value of these benefits, some or all of any compensation payment due would need to be given up. Full and detailed guidance will be provided to individuals as required.

5.9 Voluntary exit can be offered at any time, at the discretion of the House.

6. **Compulsory Redundancy**

6.1 Under the terms of the CSCS, all staff who face compulsory redundancy will first have had the opportunity to exit under voluntary redundancy terms. The maximum payable under compulsory redundancy is 9 months’ salary, and is therefore lower than the maximum payable under voluntary terms.

6.2 In the event that an individual who has been informed that their post is at risk following the start of formal consultation does not apply for the voluntary terms and is then subsequently selected for compulsory redundancy, the compulsory redundancy terms will apply.

6.3 Further information on the CSCS can be found on the [CSPS website](https://www.csp.gov.uk).
7. Ending of Fixed-term Contracts

7.1 If you are on a fixed-term contract, your end date will have been indicated on your initial contract of employment or subsequent extension letters. No notice period will be given if a contract is not renewed:

- If your fixed term contract is not going to be extended or made permanent, your line manager will send you a formal letter giving the reason for not renewing your contract and notifying you of your last day of service, any outstanding leave and any other relevant matters.
- You have the right of appeal against the ending of your fixed-term contract if you feel that you have been discriminated against or have been treated unfairly. Any appeal must be made in writing to your Countersigning Manager within seven working days of receiving the letter confirming your last day of service.
- Your appeal will be considered using the steps laid out in the House of Commons grievance policy at the appeal stage (see chapter 21). The appeal date may be after your last day of service. You will be notified in writing of the outcome of any appeal.

8. Dismissals

Notice periods for dismissal

8.1 Staff of the House cannot demand a period of notice as of right if their appointments are terminated. Normally, however, if the dismissal is on any grounds other than gross misconduct, the House may apply the following periods of notice:

- less than four years of continuous service: five weeks’ notice
- Four years or more of continuous service: the minimum period is not less than one week per year of continuous employment plus one extra week up to a maximum of 13 weeks.

8.2 For security reasons, owing to the nature of working on the Parliamentary Estate, if you are dismissed and a notice period is given, you may be paid in lieu of notice and not allowed to retain security access to the Estate.

Effect of dismissal on pay

8.3 When a member of staff is dismissed, the House may apply appropriate rules to recover any losses to public funds. This means that your pension benefits can be withheld (in whole or in part) if you are convicted of any criminal offence that might lead to serious loss of confidence in the House of Commons Service.

8.4 For dismissals involving loss of public money, any unpaid salary may be withheld and offset against the loss. The balance can be recovered from your pension benefits (see chapter 27).

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