# Guidance Notes f

# dling Retirements

#### 1. Introduction

- 1.1 During 2011, the and the default reand they will be arrangements are
- 1.2 This means that, issue notifications

## 2. Statutory provisions ar

- 2.1 Under the statuto are required to w less than 6 mo employee that h allowed to reques
- 2.2 Employers are at employer's normal September 2011, statutory retirement has the letters ne They will be remo

#### 3. Compulsory retirement

- 3.1 When the DRA is employees just be
- 3.2 From 1 October employees unless be very difficult to so, the employer legitimate aim of were proportionat
- 3.3 "Proportionate" n
  - 3.3.1 what the e
  - 3.3.2 the discrin importance
  - 3.3.3 the emplo that it is ta
- 3.4 An aim could be '

h apply to retirement dismissals 65 years are being phased out October 2011. Transitional om 6 April 2011.

loyers will no longer be able to DRA and statutory procedures.

oly until 5 April 2011, employers more than 12 months, but not or 65th birthday informing the retirement and that he/she is te.

who reach the age of 65 (or the is higher) at any time before 30 oyee is given notice under the fore 5 April 2011. Simply-docs statutory retirement procedure. April 2011.

will not be able to dismiss their d the age of 65.

t be able to compulsorily retire objectively justified. It is likely to irement age and, in order to do at they were acting to further a the actions to achieve that aim

illy achieving its aim;

significantly outweighed by the timate aim; and

onable alternative to the action

for example:





- 3.4.1 economic running a
- 3.4.2 the health
- 3.4.3 the particu
- 3.5 Where the Emplo age can be object legitimate aim, thi

The [Company's/age)]. When you an end by reason give you advance

## 4. Options for Employers

- 4.1 Employers can d
  This means that
  Instead, the empl
  Employer can dis
  instance, lack
  redundancy, havi
- 4.2 The employer ca However, the en justification is no amount to age dis
- 4.3 The employer can some specific rol retirement age for

#### 5. Voluntary Retirement

- 5.1 Obviously, emplo circumstances, th giving as much r give the employe employment.
- 5.2 The employer she to retire.

#### 6. Benefits

Under the Employment from 6 April 2011, reduc or over and this action w

eeds of and the efficiency of

e individual; or of the job.

aining a compulsory retirement ortionate means of achieving a the employment contract:

ment age is [65/(or higher bloyment will normally come to [the Company/Employer] will etirement date.

t a compulsory retirement age. be able to 'retire' employees. o retire and the only reason the ne potentially fair reasons of, for duct, statutory restriction or procedure.

ctively-justified, retirement age. are that the test of objective and a fixed retirement age will be objectively justified.

tively-justified retirement age for it operate without a compulsory

to retire voluntarily. In those m his/her line manager, ideally minimum, the employee must set down in his/her contract of

ee acknowledging his/her notice

11, employers may, with effect benefits for employees aged 65 rimination.