



**Isle of Man
Government**

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Civil Service Commission Consultation

Policy on Re-Employment of Public Service Staff Following Retirement

June 2013

Draft Policy on Re-Employment of Public Service Staff

Following Retirement

1. Policy Statement

It is Isle of Man Government policy that a staff member's employment¹ in the Public Service will cease on a permanent basis upon their retiring². This policy outlines principles relating to the re-employment of staff whose employment with the Isle of Man Government has ceased, or is due to cease, and who is in receipt, or due to be in receipt, of retirement scheme benefits.

2. Scope

This policy applies to all staff employed by the Isle of Man Government, Department, Boards and Offices excluding the following:

- i. Staff in hard to recruit positions where there is a skills shortage
- ii. Qualified Teachers on the Supply Register
- iii. Registered Nurses on the Department of Health Bank and in the Department of Social Care
- iv. Doctors on the Department of Health Bank
- v. Seasonal Staff
- vi. Casual workers
- vii. School crossing patrol officers, seasonal cycling instructors, sessional lecturers, special needs escorts and any staff who are hard to recruit below the normal retirement age
- viii. Members of staff reaching their contractual retirement age while engaged on a key project where they have particular expertise that is crucial to its success

This list may be changed by Council of Ministers as the needs of the service change.

3. Re-employment of Public Service Staff

- 3.1 A staff member not excepted by virtue of Section 2 above who takes a retirement scheme benefit will not be eligible for re-employment unless approval is given by the Accounting Officer.
- 3.2 This restriction includes employment as an independent consultant or under a company name or partnership.
- 3.3 In determining whether a staff member may be re-employed, the Accounting Officer will take into account the following:
 - a) The specific skills, experience and/or qualifications required for performance of the duties of a particular position

¹ For the purposes of this policy, **employment** will mean **appointment** in respect of civil servants

² For the purposes of this policy, **retired** will refer to any individual who is in receipt of retirement scheme benefits

- b) Whether the Employing Authority would find it difficult to replace the individual in the short term
- c) Whether the individual is involved in a time bound project upon reaching their contractual retirement age, and if so, whether it would be of detriment to the Department, Board or Office for the individual to retire during the course of the project
- d) The steps that the organisation has taken to fill the employment opportunity (extent of advertising etc)
- e) The type, level and conditions attached to any compensation scheme benefit received by the member of staff when they left the employ of the Isle of Man Government
- f) Resource planning and funding
- g) Consideration of the business need of the Department, Board or Office at the time of application for a job
- h) Individuals' past work performance and conduct/absence record
- i) The health of the individual and level of attendance
- j) The impact of re-employing a person who is retired in respect of succession, preventing promotion or development opportunities for other staff, or the development of the overall workforce diversity profile in relation to the wider community
- k) Any other relevant factors

4. Appointment Procedures

- 4.1 A job vacancy in respect of a retiring individual must be advertised and made available to suitably qualified individuals via a process of fair and open competition. The retired person may apply for the job subject to satisfying the criteria above.
- 4.2 The recruitment process must follow the usual process.
- 4.3 The retired individual would be required to declare as part of the recruitment process that they were in receipt of a Government pension. If the retired individual is re-employed, it can only be following a statutory break in continuity of service and re-employment with a new contract of employment.
- 4.4 Staff who retire and take their pension benefits and then return to work cannot rejoin any public sector pension scheme to earn additional pension.
- 4.5 The member of staff is responsible for understanding any taxation implications (including penalties) which may arise as a result of re-employment following receipt of a redundancy or early retirement scheme benefit.

Note: This policy should be consulted in conjunction with the *Isle of Man Government Retirement Policy*

http://www.gov.im/lib/docs/hr/HR_Policies/isleofmangovernmentretirementpo.pdf



This document can be provided in large print or audio tape on request

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