

Report of Head of Legal Services

11. Retirement of Chief Fire Officer

Purpose of report

1. To consider a request from the Chief Fire Officer for permission to retire with effect from 31st March 2016.

<p>It is recommended that the press and public be excluded from any discussion of this report on the grounds that it is likely to involve the disclosure of Exempt Information – namely information relating to an individual.</p>

Recommendations

It is recommended that:

- (i) the Chief Fire Officer's request to retire with effect from 31st March 2016, be approved; and*
- (ii) the Appointments Committee commence the recruitment and selection of a new Chief Fire Officer and determine all matters in connection therewith, subject to ratification of the appointment by the full Authority before any offer of employment is made.*

Introduction and Background

2. Although the normal retirement age under the Firefighters Pension Scheme 1992 is 55 years, staff are eligible to retire at any time after age 50 years if they have a minimum of 25 years service. A full pension is accrued after 30 years' service and many firefighters choose to retire once they reach this milestone as 30 years is also widely accepted as a full career in the uniformed fire service.
3. Prior to his date of commencement with this Authority in 2010, the CFO was given written confirmation on behalf of the Authority that he had the right to elect retirement at age 50. However, under the provisions of the FPS a Chief Fire Officer is required to obtain the permission of the Fire Authority in order to retire before the age of 55. This restriction no longer applies to Chief Fire Officers appointed after 1st July 2013 and so would not apply to any successor who may be appointed.
4. The Chief Fire Officer has written to the Chairman requesting permission to retire with effect from 31st March 2016, by which time he will be aged 52 years and have over 32 years continuous service.

5. Although the regulations and rules surrounding the retirement of members of the FPS are clear it was considered prudent by the Head of Legal Services to obtain advice from leading Counsel which subsequently confirmed that the Chief Fire Officer is eligible to retire and that there would be no legal or tax implications for the Authority should permission be granted.

Recruitment of Successor

6. The selection and recruitment of a new Chief Fire Officer falls within the terms of reference of the Appointments Committee but under the Officer Employment Procedure Rules within the constitution, their recommendation will need to be ratified by the Authority before an offer of employment can be made.

Conclusion/Summary

7. The Chief Fire Officer has requested permission to retire with effect from 31st March 2016 by which time he will be aged 52 years and will have accrued over 32 years service. He is eligible to retire with a full pension under the terms of the FPS, subject to the permission of the Authority. When appointed in 2010, the CFO was given written confirmation that he would be able to elect to retire once he reached age 50 years.
8. The selection and recruitment of a successor would be undertaken by the Appointments Committee and their recommendation would be reported to the Authority for ratification before an offer of appointment was made.

Corporate Considerations

Resource Implications (identify any financial, legal, property or human resources issues)	The costs of recruitment and selection will be contained within existing budgets.
Strategic Policy Links (identify how proposals link in with current priorities and policy framework and if they do not, identify any potential implications).	The recruitment and selection process will ensure compliance with the strategy which is to "have the right people, with the right skills and training to carry out the right job at the right time".
Risk Management / Health & Safety (identify any risks, the proposed control measures and risk evaluation scores).	None
Consultation (identify any public or other consultation that has been carried out on this matter)	None

Equalities (has an Equalities Impact Assessment been completed? If not, why not?)	This will be part of the recruitment and selection process
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Supporting Information

Background papers –

- Firefighters Pension Scheme 1992

Contact Officer

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