| Police Scotland logo | Freedom of Information Response Our reference: FOI 23-1711  Responded to: 08 August 2023 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

**How many individuals have applied to Police Scotland in the last 5 years for Flexible Retirement.**

**Please break this down to individual years & the following age categories - 40-45, 45-50, 50-55, 55-60, 60-65, 65-70**

**How many have been refused.**

**How many were refused due to a strain on the fund, despite advising that they were willing to pay the strain, therefore meaning no financial constraint to the organisation.**

I regret to inform you that I am unable to provide you with the information you have requested, as it would prove too costly to do so within the context of the fee regulations.

As you may be aware the current cost threshold is £600 and I estimate that it would cost well in excess of this amount to process your request.

As such, and in terms of section 16(4) of the Act where section 12(1) (Excessive Cost of Compliance) has been applied, this represents a refusal notice for the information sought.

To explain, there is no formal process within our People and Development Team for recording applications and no corresponding data is collated.

Whilst we can provide data on successful applications, refused applications are managed via different means.

I’m advised that *there may* be information in the individual’s personnel file but not in every case. Information may only be saved in P&D general files instead.

As a minimum we would therefore have to review the personnel files of all staff members over the age of 55 (the lower age limit) during the past 5 years, to determine whether or not they had applied.

Such an exercise is estimated to cost more than £600 but additionally, for the reasons outlined above, it could not be guaranteed to provide a definitive response.

**How many of those have been approved.**

45 have been approved.

To be of assistance with reference to your first question, I can advise you that 5 individuals were aged 50-55, 19 55-60, 18 60-65 and 3 more than 65.

**How many were approved with a financial strain, ie. a financial cost**

2 - although there was no financial cost to the organisation as the members took an actuarial reduction on their pension.

**How many were allowed to pay the strain.**

0

**A copy of the Police Scotland Policy/Guidance/SOP for Flexible Retirement supplied to P & D staff, which should also include reference to any Appeal Process.**

The Scottish Police Authority does not have a general policy of exercising its discretion to allow members of the Local Government Pension Scheme (LGPS) to reduce grade or working hours and draw some or all their pension at the same time.

However, it may exercise this discretion where a business case shows it is part of a planned strategy for reducing the workforce and is endorsed by the departmental budget holder.

All requests will be considered, but they will not be agreed unless there is a clear business case that it is in the interests of the efficient delivery of the service.

There is no right of appeal against decisions not to grant flexible retirement.

It should be noted that processes around flexible retirement can be lengthy, and applications must be made using form (122-005) at least six months before any implementation of flexible retirement date.

To obtain estimates from your local pension provider please contact People Direct.

Further information of flexible retirement is available on the [Local Government Pension Scheme in Scotland website](https://www.scotlgpsmember.org/your-pension/planning/taking-your-pension/#the-85-year-rule).

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.