

Employer Justified Retirement Age (EJRA)

The EJRA was established following changes in national legislation which removed the default retirement age. It allows employers to have a retirement policy where this is a proportionate means of achieving a legitimate aim, such as workforce planning (the need for organisations to recruit, retain and provide promotion opportunities and manage succession effectively).

The University of Oxford has operated an EJRA of 30 September before the 68th birthday for all academic and academic-related staff since October 2011. It was agreed that the EJRA would operate for an initial period of ten years, with an interim review after five years.

The policy includes an exceptions procedure, under which individuals approaching retirement may apply to extend their employment beyond the EJRA. Applications are considered by the EJRA Committee, with a right of appeal to the University's Appeal Court if the request is declined.

Revised aims and procedure

The exceptions procedure was revised with effect from 1 October 2015. Substantive changes were made to the procedure to take account of relevant case law and to address comments made by the University's Appeal Court in September 2014, following an appeal that was upheld. The revised procedure is set out at www.admin.ox.ac.uk/personnel/end/retirement/revisedejra/revproc

Minor revisions were also made to the Aims of the policy for the purpose of clarification. The revised Aims are set out at www.admin.ox.ac.uk/personnel/end/retirement/revisedejra/revaim.

Review of the EJRA

A working party to review the EJRA was established by Council in July 2015. It began work in Michaelmas 2015 and is due to report to Personnel Committee in Hilary 2017 once it has had the opportunity to review the data from the full five-year period of operation of the EJRA.

The working party will consider the following issues in the context of the latest case law and an evidence-based analysis of the policy's impact over a five-year period:

- i. the extent to which the EJRA is achieving the Aims;
- ii. whether the EJRA is appropriately set at the 30 September before an individual's 68th birthday; and
- iii. whether the policy covers the appropriate staff groups.

The working party will develop outline proposals for the Personnel Committee on the future of the EJRA, including whether it should be retained and, if so, whether it should be revised. Personnel Committee will then make recommendations to Council, which will decide on subsequent action, including consultation with Congregation on the emerging proposals.

The working party has a broad representative membership, including a senior representative from each of the four academic divisions; a senior representative from ASUC and from UAS; a member of Council elected to Council by Congregation; a member with specific responsibility for equality and diversity matters; and two representatives from the Conference of Colleges - one from the Senior Tutors' Committee and one from the Legal Panel. The group, all of whom are members of Congregation, includes individuals with a spread of ages.