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Retirement Policy
(Teachers)

The Council’s retirement policy will assist teachers approaching retirement age by explaining the various options available and the associated processes.

The policy is applicable to all teaching employees of the Council covered by The Scottish Negotiating Committee for Teachers (SNCT) conditions. It may not be possible under this policy for all requests from teachers to be approved.

Individuals who are not in the Scottish Teachers Pension Scheme (STPS) and are in the Local Government Pension Scheme (LGPS) should refer to the Retirement Policy (non teaching).

Retirement Date

State Pension Age (SPA)
For all employees, the State Pension age is currently 65 although this is set to increase from 65 to 68 between 2024 and 2046.

With the removal of the default retirement age (65yrs), there is no longer an automatic date when you retire.

Pension Scheme
On 31 March 2015 the Scottish Teachers Superannuation Scheme (STSS) closed. From 1 April 2015 most members (excluding those protected subject to age) automatically joined the STPS.

In the STPS Scheme, Normal Pension Age (NPA) will be the same as your State Pension age. Your benefits will be worked out in a different way using pay throughout the length of your career and not just final pensionable pay. This is known as Career Average Re-evaluated Earnings.

If you have pension benefits under the STSS, these remain in the STSS and will be paid on retirement. Protection arrangements are in place for specific groups, subject to age and scheme membership. The SPPA will notify full/tapered protected members directly.

- If you have full protection, you remain in the STSS. If you are protected, subject to scheme membership, normal pensionable age is 60 or 65.
- If you have tapered protection, you will have been given a date from Scottish Public Pensions Agency (SPPA) when you are due to join the STPS scheme.

Further details on full and tapered protection can be found on http://2015.sppa.gov.uk/scheme/teachers

If you are not protected under age arrangements pension benefits earned before 1 April 2015 can be accessed at normal pension age. Where appropriate, pension benefits will be made up in two parts:

- the benefits earned in the STSS
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(Teachers)

- the benefits earned in the STPS on a Career Average Re-evaluated Earnings basis.

Benefits earned after 1 April 2015 will have to be taken with a reduction if they are taken early or deferred for access at a later date.

More information can be found at http://2015.sppa.gov.uk/scheme/teachers

The STPS is regulated and administered by the SPPA. You can join and make contributions up to the age of 75.

**Retirement Options & Criteria**
You should seek advice from the SPPA before making a decision on any retirement option.

**Member of STPS – Phased Retirement and Actuarially Reduced Pensions (ARP) Scheme**
Applying for phased retirement allows you to draw up to 75% of your total benefits whilst still working and building up more benefits in the scheme. You must be at least age 55 to apply and your pensionable pay must fall by at least 20% or more for a minimum of 12 months.

Your pension will be reduced to reflect early payment. You can apply for phased retirement on 2 separate occasions before applying for your final retirement benefits.

If you are between 55 and NPA you can request early retirement under the ARP scheme and take reduced benefits. Both the pension and the lump sum will be reduced using factors relating to your age at the retirement date.

If you are considering phased retirement or ARP you should submit an application using the flexible retirement form to your head teacher.

This should be submitted as early as possible to allow enough time for your head teacher to assess the application. It is recommended that you submit the application 3-6 months before the date you wish your amended working arrangements to start.

Although employer consent is required for the ARP scheme, consent cannot be withheld for more than 6 months from the date of application if you have qualified for benefits.

**Member of STSS – Winding Down Scheme**
The Winding Down Scheme is available if you have full protection. If you have tapered protection you must begin winding down before you join the STPS scheme.

Winding down is not available in the STPS. More information on winding down is available at www.sppa.gov.uk

**Recruitment Checks**
Medical checks will only be carried out where there is a genuine occupational requirement or there are concerns about your ability to carry out the duties of the post. The checks will be carried out in line with normal Occupational Health referral procedures. Where the retirement option means a transfer to a different post, then
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(Doctors)

the recruitment checks as per the Council’s Recruitment and Selection policy will apply. Any queries concerning this matter should be directed to Human Resources.

Risk assessments should be carried as per the normal process. In addition you also have a responsibility to raise any health concerns you may have to your head teacher.

How to Tell Us You Are Retiring

You must give your contractual notice period if you wish to retire.

Non STPS Member
If you decide to retire and are not a member of the STPS, you should complete the retirement notification form to confirm that you are retiring.

Member of STPS – Normal Retirement
If you are a member of the STPS and wish to retire at or after the normal retirement age applicable to the scheme, you should complete the relevant section of the retirement notification form and submit this to your head teacher. You should be aware that the SPPA require 4 months notice of retirement to release pension benefits and the process period for pensions is approximately 4 weeks from receipt of the completed forms by the SPPA.

Member of STPS – Normal Retirement
You can retire at any time after your minimum retirement age. This is currently age 55.

Your pension will be reduced for early payment if you take it before your normal pension age. Your normal pension age is the same as your state pension age.

Continue working
There is no default retirement age. You can continue to work in your current post while you are able to perform the duties of your post to the required standards. If you fail to meet these standards, this will be dealt with through the Council’s Capability Procedure.

You do not need to apply to continue working.

You can delay retirement and continue contributing to the scheme and building up pension for each year of service. Pension will be revalued in accordance with scheme rules.

While there is no maximum period of service that you can build up, you will not be able to pay into the scheme or earn any further benefits beyond age 75.

Re-employment with Falkirk Council
Whilst retirement options will enable the Council to retain the skills and knowledge of experienced teachers, if you have retired early from the Council you will not normally be able to return to employment. The Council has a responsibility to create
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(Teachers)

opportunities to enable newly qualified teachers to gain experience. This supports the Government's aim to refresh the profession.

If you take early retirement you will not be able to return to work for the Council when you have accepted an offer of early retirement and a cost has been incurred by the Council or you are in the process of winding down. Only where there is no cost associated with the retirement can you be accepted onto the supply list.

If you retire after reaching your normal pensionable age and you wish to continue teaching you must register on the supply list.

In specific circumstances and to meet service requirements, the Director of Children's Services, in consultation with the Head of Human Resources and Business Transformation, may authorise a short term arrangement for recruitment of a retired teacher for either supply or temporary work, however this must be time limited, normally for a maximum of 3 months and only with permission from the Chief Executive can this be extended. This may not be repeated in the same calendar year and in general the same ex employee should not be re-engaged regularly.

Responsibilities

Your responsibility
You have a responsibility to ensure that you have the relevant information to help you to make a decision about your retirement options. Information is available from a number of sources including www.direct.gov.uk, Inside Falkirk, your head teacher, Human Resources and The Scottish Public Pensions Agency www.sppa.gov.uk

You are responsible for completing the correct forms and submitting these in good time. Late applications could mean a delay in the release of your pension benefits. You are expected to communicate the outcome of your SPPA pension application to your head teacher.

Head teacher/ Staffing & Recruitment Team Responsibility

Normal retirement
Head teachers should pass on retirement forms to the Staffing & Recruitment team who will complete a termination form and submit this to Payroll. The Staffing & Recruitment team will write to you to confirm dates and other relevant details.

Phased Retirement, APR or the Winding Down Scheme (STSS only)
Your head teacher should arrange to meet with you to discuss your request in more detail along with any options available. You are entitled to representation at this meeting.

Your head teacher should consider your application and make a recommendation taking account of your circumstances and service provision within the school. The application will then be passed to your Service Manager for consideration in relation to the wider Service needs and legislative criteria. The Service Manager will consult
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with relevant officers to ensure that you meet the criteria for length of service and pension contributions.

Your head teacher should contact the Staffing & Recruitment team to complete a notification of change form through HR Forms Online and to issue the appropriate forms and letters. A new contract of employment, where applicable, will be issued to you in relation to the new working arrangements. Alternatively a contract amendment may be outlined in the successful application letter and this can be attached to your statement of particulars where the amendment is minor. The Staffing & Recruitment team will send you relevant SPPA paperwork.

It is the Staffing & Recruitment team’s responsibility to record any agreed phased retirement arrangements under this policy in Resourcelink on the flexible working screens and to refer these to the head teacher to review these arrangements in good time, ensuring that there is appropriate communication and notification to both you and Payroll at the end of any agreed period.

Information on Non Approval/Deferment of Phased Retirement, ARP Scheme and Winding Down Scheme Applications
Service Managers have the right to refuse an application for the Phased Retirement, ARP Scheme or Winding Down Scheme for the reasons shown below:

- A genuine occupational requirement that you do not meet, such as not being able to carry out a task of the new job/arrangements required for the scheme
- A legitimate reason such as your health, safety and welfare or economic factors such as where you wish to continue in employment on a different working pattern, which cannot be accommodated due to business reasons
- If you do not meet the criteria for entitlement for an option under the STPS regulations.

Phased Retirement can be refused on the following grounds:

- If you are not aged 55 or over
- If your pensionable pay is not reduced by at least 20% for a minimum of 12 months, for example by lowering your grade or reducing your hours accordingly

The Actuarially Reduced Pension (ARP) Scheme can be refused on the following grounds:

- You do not fall between the age of 55 to 59 for those with a NPA of 60 and 55-65 for those with a NPA of 65;
- The pension entitlement at the time of application does not meet the guaranteed minimum pension to which you would be entitled to at state retirement age.

The ARP scheme cannot be refused for more than 6 months from the date of application if you have qualified for release of benefits under this scheme.
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The Winding Down Scheme can be refused on the following grounds:

- You are not aged 56 or over for those with a NPA of 60 or 61 or over for those with a NPA of 65
- You are not protected under STSS
- You do not have the relevant length of service
- For service delivery reasons
- Due to excessive costs which are unreasonable for the Service budget to accommodate.

It is advised that advice is sought from the Scottish Public Pensions Agency (SPPA) in relation to these options before any decision is taken.

The Service Manager should contact their HR Business Partner if considering refusing an application to ensure that the test of objective justification is met before any discussion takes place with you.