

NORTH LANARKSHIRE COUNCIL**REPORT**

To: Education Committee	Subject: Teachers' Premature Retirement Scheme Proposals for 2001/2002
From: Director of Education	
Date: February 2001	

Purpose of Report

This report outlines proposals for the use of the Teachers' Premature Retirement Regulations during the period 2001/2002. If approved, it would give authority to the director of education to agree to the premature retirement of certain categories of teacher on the conditions laid down in the paper. It would also provide for special cases to be referred to the Personnel Services (Early Retirement) Sub Committee for decision.

It should be noted that while the approval of these proposals would give the director of education the authority to vary the timing of individual retirements, it is anticipated that, other than in exceptional circumstances, retirements under the general scheme would take place at, or before, the end of the 2000/2001 school session in order to minimise any disruption to the service.

Recommendation

It is recommended that:

- (a) the proposed scheme for 2001/2002 permitting the premature retirement of teachers be approved in accordance with the proposals contained in paragraphs 4-6 of the main report.
- (b) consideration be given to the applications from teachers for premature retirement in summer 2001 according to the established criteria
- (c) the timing of individual retirements in accordance with these proposals be as determined by the director of education having regard to the wishes of the individual concerned and the interests of the service, although it is expected that the majority of retirements under this scheme will take place at the end of the 2000/2001 school session
- (d) teachers with less than 20 years of actual teaching service be awarded enhancement of not more than half their actual teaching service, subject to the maximum stated elsewhere in this paper

- (e) appropriate individual cases be presented for approval to the Personnel Services (Early Retirement) Sub Committee as special cases for exceptional consideration.
- (f) this report be referred to the Personnel Committee.

Michael O'Neill

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NORTH LANARKSHIRE COUNCIL

DEPARTMENT OF EDUCATION

PREMATURE RETIREMENT OF TEACHERS : PROPOSALS FOR 2001/2002 SCHEME

1. BACKGROUND

- 1.1 Local Authorities may, under The Teachers (Compensation for Premature Retirement and Redundancy) (Scotland) Amendment Regulations 1997, grant early retirement to teachers over 50 years of age who so request and who can be released without affecting the statutory responsibilities of the authority.
- 1.2 The regulations allow for the payment of pension enhancement through the crediting of additional years of service for the purpose of calculating pension entitlement.
- 1.3 The maximum enhancement period of service to be credited must not exceed the shortest period from among the following:
 - a) that which when added to the aggregate service reckonable for pension purposes equals 40 years,
 - b) that which the teacher would have aggregated were he/she to have continued in employment to his/her 65th birthday,
 - c) a period equal to actual reckonable service
 - d) 10 years service.
- 1.4 Subject to the above limits, authorities may devise schemes which best suit their needs.

2. BENEFIT TO THE AUTHORITY

- 2.1 The benefit to the authority is that it assists personnel planning by:
 - a) allowing vacancies to be created thus enhancing levels of recruitment,
 - b) creating vacancies in promoted posts at all levels, enhancing career opportunities and encouraging innovation in management,
 - c) affording the opportunity to protect curricular balance and to respond to the introduction of new curricula requiring staff with particular skills and training, and

- d) maintaining an appropriate balance of age and experience within the profession.

2.2 The scheme is funded through the savings made by not replacing the staff who have retired; by employing as replacements teachers with less service whose salaries therefore lie at lower points on the salaries scales, and by the payment of salaries for newly promoted teachers which are in line with lower pupil rolls. Less obvious savings also accrue where teachers who would otherwise be surplus are appointed as replacements.

3. **REVIEW OF CURRENT SCHEME**

3.1 At the end of session 1999/2000 14 teachers in the North Lanarkshire area were granted premature retirement under the general conditions approved by North Lanarkshire education committee for financial year 2000/2001. This number included 3 teachers from the primary, nursery and special sectors, and 11 secondary teachers.

3.2 While a cost is incurred by the authority in terms of lump sums, enhancement to lump sums, pensions and enhancement to pensions for the teachers concerned, counter-balancing savings accrue through the recruitment of replacement teachers at lower initial salaries and the freeing from conservation of salaries for promoted posts at levels which applied at a time when pupil rolls were far higher.

4. **PROPOSALS FOR 2001/2002 SCHEME SECONDARY EDUCATION**

4.1 As at September 2000, the secondary pupil roll in North Lanarkshire schools was 22,725. It is projected that this number will remain essentially unaltered for session 2001/2002.

4.2 North Lanarkshire Council Education Department Standard Circular 65 sets out the basis for the structure of promoted posts in secondary schools. In terms of this circular, head teachers have agreed with the deputy director of education the future structure of promoted posts in their schools. A number of teachers presently hold posts which are not to be included in these proposed structures and would require to be carried as surplus to them. It would assist schools in arriving at the revised promoted post structures if such teachers were to be afforded the opportunity for premature retirement. Taking account of the current staffing standard, the projected number of teachers surplus to establishment in certain subjects due to curricular changes, the present wastage rate subject by subject, the difficulty at certain times of the year in supplying teachers of particular subjects for absence cover, the following proposals are made for secondary education in 2001/2002:

- (i) to exclude secondary head teachers and deputy head teachers from this scheme

- (ii) to invite the following to apply for consideration for early retirement:
 - (a) unpromoted secondary teachers who are aged 55 years or over may apply. Consideration will be given to applications only from teachers in subject areas surplus across the authority for session 2001/2002, as determined at 31 March 2001. Those aged under 58 years will have their enhancement, if granted, limited to that which would have been applicable had they been aged 58 at the point of retiral with the proviso that, in the main, the maximum level of enhancement will be limited to 4 years.
 - (b) a teacher with dual qualifications, one of which is in a subject in surplus will be considered as a teacher of that subject if the teacher has taught the subject as a significant part of his/her timetable during the last 5 years.
 - (c) any teacher over 55 who holds a promoted post which is not included in his/her school's revised structure of promoted posts as per Standard Circular 65. Those aged under 58 years will have their enhancement limited to that which would have been applicable had they been aged 58 at the point of retiral with the proviso that, in the main the maximum level of enhancement will be limited to 4 years.
- (iii) to exclude all other secondary teachers.

4.3 Qualifying age is as at the date of retirement which will normally be 16 August 2001.

5. PROPOSALS FOR PRE-FIVE, PRIMARY, SPECIAL EDUCATION

5.1 The annual staffing exercise begins in January. It appears that taking account of the staffing standard the projected number of teachers required to staff Pre 5, Primary and Special schools for August 2001 is greater than the number of teachers currently employed on a permanent basis in these sectors. It is therefore proposed that no general scheme for premature retiral be made available in Pre 5, Primary and Special school sectors during this year and that the situation be reviewed for financial year 2002/2003.

5.2 North Lanarkshire Council Education Department Standard Circular 66 sets out the basis for the entitlement to promoted posts in primary schools. Taking account of changes in pupil rolls, the promoted post entitlement in some schools has changed causing some posts to become surplus. For this reason, the proposal is made for primary education in 2001/2002 to invite any teacher in the primary sector, aged 55 or over who holds a promoted post which is surplus according to standard circular 66, to apply for consideration for early retirement. Those aged under 58 years will have their enhancement, if granted,

limited to that which would have been applicable had they been aged 58 at the point of retiral with the proviso that, in the main, the maximum level of enhancement will be limited to 4 years.

6. SPECIAL CASES

It is recognised that from time to time there will be personal circumstances and instances of personnel planning which will warrant individual consideration of applications for premature retirement from teachers, including senior promoted staff who are not eligible to apply in terms of the premature retirement criteria in the preceding paragraphs. To be considered in terms of special case procedures, applications normally meet one of the following requirements:

- (a) the teacher is no longer able to cope
- (b) there would be a net saving to the authority.

Such exceptional cases will be considered by the director prior to referral to the Personnel Services (Early Retirement) Sub Committee.

7. RECOMMENDATIONS

It is recommended that:

- (a) the proposed scheme for 2001/2001 permitting the premature retirement of teachers be approved in accordance with the proposals contained in paragraphs 4-6 above.
- (b) consideration be given to the applications from teachers for premature retirement in summer 2001 according to the established criteria
- (c) the timing of individual retirements in accordance with these proposals be as determined by the director of education having regard to the wishes of the individual concerned and the interests of the service, although it is expected that the majority of retirals under this scheme will take place at the end of the 2000/2001 school session
- (d) teachers with less than 20 years of actual teaching service be awarded enhancement of not more than half their actual teaching service, subject to the maximum stated elsewhere in this paper
- (e) appropriate individual cases be presented for approval to the Personnel Services (Early Retirement) Sub Committee as special cases for exceptional consideration.
- (f) this report be referred to the Personnel Committee for noting.