

North Lanarkshire Council Report

Finance and Resources Committee

approval noting

Ref AM/DB

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Teacher's Premature Retirement Scheme

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Executive Summary

This report outlines proposals for the use of the Teachers' Premature Retirement Regulations during the period 2019/20. If approved, it would give authority to the Service to agree to the premature retirement of certain categories of staff which fall within teachers' conditions of service on the conditions laid down in the paper.

Recommendations

It is recommended that Finance and Resources Committee:

- (i) approve the proposed scheme for 2019/20 permitting the premature retirement of teachers in accordance with the proposals in this report.
- (ii) request that appropriate individual cases be presented to the Finance and Resources Committee as special cases for exceptional consideration.

Supporting Documents

Council business plan to 2020 The recommendations outlined in this report contributes to the council's business priority to support all children to realise their full potential

Appendix 1

Appendix 2

1. Background

- 1.1 Under The Teachers' (Compensation for Premature Retirement and Redundancy) (Scotland) Amendment Regulations 1998, local authorities may grant early retirement to teachers and other professional staff covered by SNCT conditions over 55 years of age 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.
- 1.3 The maximum enhancement period of service to be credited must not exceed the shortest period from among the following:
 - (i) that which when added to the aggregate service reckonable for pension purposes equals 40 years,
 - (ii) that which the teacher would have aggregated were he/she to have continued in employment to his/her 65th birthday,
 - (iii) a period equal to actual reckonable service,
 - (iv) 10 years' service.
- 1.4 Teachers with less than 20 years of actual teaching service may be awarded enhancement of not more than half their actual teaching service, subject to the maximum stated elsewhere in this paper.
- 1.5 Subject to the above limits, authorities may devise schemes which best suit their needs

2. Report

- 2.1 The premature retiral proposals have the following specific objectives:
 - (i) to manage the teacher workforce in a cost effective way,
 - (ii) to create vacancies which will allow the recruitment of more newly qualified teachers,
 - (iii) to promote the establishment of more efficient management structures in line with the Teaching Profession for the 21st Century report,
 - (iv) to provide the best match between teacher expertise and curriculum and requirements,
 - (v) to maintain an appropriate balance in age and experience across the workforce.
- 2.2 In respect of the financial impact of this policy there can be an additional pension contribution to be made to the teacher pension body (SPPA) and the value of this contribution will depend on the individual circumstance of each employee in terms of their length of service and pension membership.

However, the number of actual teacher retirements as a result of this policy are relatively low each year. For example, there has been a total of 10 employees who have retired during the previous 3 financial years. In addition, the retiring staff will generally be at the top of their salary scale and be replaced by staff who join on the entry level of the respective salary scale.

As a consequence, this scheme has had limited financial impact on the Service in recent years and it is anticipated that this trend will continue.

2.3 The Proposed Scheme

2.3.1 In line with the rationale outlined above, the premature retiral scheme detailed in this section is targeted at resolving the following issues:

- (i) reducing the number of unpromoted teachers who are surplus to requirements taking account of the education needs of the service, the revised staffing standards for the ASN sector and pupil roll fluctuations,
- (ii) reducing the number of promoted teachers. The existing structure of promoted posts in school was agreed by the council within the parameters of the Teaching Profession for the 21st Century Agreement. However, in a number of cases there are teachers in promoted posts who are not now included in the agreed structures. These generate additional costs and are surplus to requirement. Additional costs are also associated with promoted post holders who carry a salary conservation,
- (iii) the commitment to create opportunities for recently qualified teachers.

2.3.2 Secondary Schools

It is proposed that the premature retiral scheme for teachers in secondary schools be restricted to staff in the following categories:

- (1) unpromoted teachers considered to be surplus to the requirements of the service taking account of:
 - (i) subject specialism requirements. In the case of teachers with dual qualifications an additional consideration will be the balance of their teaching timetable over the last 5 years
 - (ii) roll related requirements across the service
- (2) teachers in promoted posts:
 - (i) who hold a salary conservation
 - (ii) who are in posts which are not included in the school's management structure
 - (iii) who teach a subject specialism surplus to requirement

2.3.3 Primary and Early Years

It is proposed that the premature retiral scheme for teachers in the primary and early years sector be restricted to staff in the following categories:

- (1) teachers who hold a promoted post which is surplus to the roll related entitlement or who hold a salary conservation
- (2) unpromoted teachers considered to be surplus to the requirements of the service taking account of
 - (i) roll related requirements across the authority

2.3.4 ASN Sector

It is proposed that the premature retiral scheme for teachers in ASN schools and units be restricted to staff in the following categories:

- (1) teachers in promoted posts;
 - (i) who hold a salary conservation
 - (ii) who are in posts not included in the school's management structure
- (2) unpromoted teachers considered to be surplus to the requirements of the service taking account of:
 - a. roll related requirements across the authority
 - b. the availability of suitable recently qualified teachers

2.3.5 General Restrictions

The maximum level of service enhancement will be 4 years. The number of staff released under the scheme will be limited by the available funding resources.

2.4 Special Cases

It is recognised that from time to time there will be situations which will justify consideration of applications for premature retirement for example personal circumstances and the need for more effective service delivery. These include senior promoted staff who are not eligible to apply in terms of the premature retirement criteria in the preceding paragraphs. To be considered under the special case procedures, applications will normally require to meet one of the following requirements:

- (i) the teacher is no longer able to cope with the demands of the post
- (ii) the retiral would generate a net saving to the Council.

Such exceptional cases will be considered by the Service prior to referral to the Finance and Resources Committee.

3. Equality and Diversity

3.1 Fairer Scotland N/A

3.2 Equality Impact Assessment N/A

4. Implications

4.1 Financial Impact

4.1.1 The costs linked to the scheme can be accommodated within existing staffing budgets.

4.2 HR/Policy/Legislative Impact

4.2.1 Discussions in relation to the proposals as outlined in this paper have been discussed with the appropriate teachers' trade unions.

4.2.2 Furthermore, discussions have taken place with the HR Business Partner Team in relation to the outlined proposals

4.3 Environmental Impact

4.3.1 There are no environmental impacts.

4.4 Risk Impact

4.4.1 Consideration should be given to potential inability to backfill consequential vacancies given the current national shortage of Teachers within specific sectors and subject areas and the impact on pupil teacher ratio.

5. Measures of success

5.1 The proposed scheme for 2019/20 will permit the premature retirement of teachers in accordance with the proposals and opportunities detailed in the report and will improve the demographics of the workforce and refresh the profession to ensure an engaged workforce fit for teaching in the 21st century



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