

**SOLIHULL MBC**

**PREMATURE RETIREMENT SCHEME**

**(TEACHING STAFF)**

**December 2002**

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### PREMATURE RETIREMENT SCHEME FOR TEACHERS

#### Guaranteed Scheme

1. Teachers may be awarded premature retirement in the following circumstances:
  - 1.1 Where the Governing body has declared a redundancy situation (in accordance with Stage 1 of the Staffing Reduction procedure) and, during the formal consultation process, has received applications for early retirement which, if accepted, would avert the need for a dismissal for reasons of redundancy.
  - 1.2 Where the Governing body has declared a redundancy (as in para 1.1 above) and, in the absence of volunteers, has selected a teacher for redundancy. If the premature retirement conditions were met (ie the teacher in question was over 55 years of age with more than 2 years' service) such employees would be offered the opportunity to apply for premature retirement as an alternative to dismissal for reasons of redundancy.

#### 2 Discretionary Scheme

- 2.1 Teachers and Leadership Spine employees may make an application to be recommended for premature retirement by their Board of Governors, providing the Board of Governors can verify and support that the application would support the school's programme of school improvement and meets criteria set out in the paragraphs below. The written application will be reviewed and an aggregate score for each application will be determined. It is not a requirement of the scheme that all points detailed in the criteria are satisfied.
  - 2.1.1 Age – all applicants **must** be aged 55 plus and have a minimum of 5 continuous or aggregated teaching years service with Solihull MBC.
  - 2.1.2 That the position and level of responsibility within the context of the school has a major impact upon the general achievement, development, morale, and reputation of the school.
  - 2.1.3 Substantial and material changes have recently taken place (or are planned to take place) in the school which the present individual is not equipped to deal with.
  - 2.1.4 Where an individual's performance deteriorates after many years of effective and loyal service, and where the intervention is appropriate to avert likely damage to his or her health or an unreasonable reliance on formal capability or disciplinary procedures.
  - 2.1.5 Significant health issues that are supported by Solihull MBC's Occupational Health Service but where the Teacher has been unable to satisfy the criteria for Ill Health Retirement (permanent incapacity to teach/fulfil role for which employed).
  - 2.1.6 Significant personal reasons which are impacting upon the teacher's ability to render a full and efficient service.

- 2.1.7 It can be demonstrated that alternative working arrangements have been considered which would include: redeployment within the school, stepping down to a position of less responsibility, reducing hours/job sharing, but are not considered appropriate or feasible in the circumstances.
- 2.2 Written applications to the Discretionary Scheme will be considered by a panel which will consist of the Director of Education and Childrens' Services or his nominated representative; a representative of the Education and Childrens' Services Human Resources Team and two Teacher Association Representatives (1 from the recognised professional teacher associations and 1 from the recognised headteacher associations). An Association will be required to declare an interest and withdraw from the panel when reviewing an application for a member of their own Union or colleague from within their own work environment.
- 2.3 Discretionary applications can be made annually and cases will need to be submitted to the Human Resources Manager - Education and Children's Services Officer by 31 March each year.
- 2.4 The Panel as described in 2.2 above will consider, in private, all applications to the discretionary scheme.
- 2.5 Written applications will be reviewed and an aggregate score for each application will be determined. The Panel will form a judgement to either recommend or reject the application.
- 2.6 All applications will be passed to a wider panel, which will include representation from all of the professional teacher associations and education officers from the original panel
- 2.7 The wider panel will review previous outcomes before making final recommendations to the relevant Cabinet Member who will be required to finally approve the applications.
- 2.8 Approval to the applications will be dependent upon
- i) finance being available within the Early Retirement budget
  - ii) a judgement that the granting of the application would support the school's programme of school improvement as assessed against the criteria as detailed in paragraphs 2.1.1 – 2.1.7.
- 2.9 In the first year of operation, these decisions will be taken annually and wherever possible applicants will be advised of the decisions no later than 31 May.
- 2.10 Once approval to access Early Retirement is given applicants will need to agree with their school an appropriate termination date taking into consideration the recognised resignation and notice periods and any operational difficulties. Where resignations may cause significant operational difficulties, Governing Bodies will have the discretion to delay access to the pre – retirement scheme by up to 1 term.
- 2.11 There will be no right of Appeal against the decision made under the Discretionary Scheme.

2.12 Those applicants who are not approved by the Panel or cannot be supported due to lack of finance will have two alternatives;

- a) to make application in a subsequent year;
- b) opt to take an actuarially reduced pension (ARP) in accordance with the Teachers Pensions Scheme provisions.

2.13 Whichever circumstances apply, (Guaranteed or Discretionary) award of premature retirement will not attract any enhanced ('added years') element.