

EAST RENFREWSHIRE LNCT AGREEMENT

AGREED PROCEDURES FOR CONSIDERATION OF PHASED RETIREMENT FOR EMPLOYEES COVERED BY SNCT CONDITIONS OF SERVICE

1. GENERAL PRINCIPLES

1.1 Phased retirement allows employees the opportunity to reduce their working commitment and at the same time to release part of their pension. It is a specific provision under the Scottish Public Pensions Scheme for Teachers, the scheme into which the majority of SNCT employees contribute.

[Planning for retirement | SPPA \(pensions.gov.scot\)](#)

1.2 Only those employees who meet the criteria laid out in the SPPA Scheme (listed below) are able to apply to their Head Teacher or Line Manager for consideration of phased retirement. To be eligible employees must:

- be aged 55 and over (and under 75 for those in the CARE scheme);
- be a member in pensionable employment who has qualified for retirement benefits;
- submit an application within 6 months of the salary reduction taking place;
- agreeing that the reduction in salary be effective from the chosen phased retirement date.

1.3 With phased retirement, an employee may take up to 75% of their total retirement benefits. To do this, you must reduce your pensionable salary by at least 20% for a minimum of 12 months. This can be achieved by either:

- reducing the number of hours worked, or
- by moving to a post of lesser responsibility

Where an employee has multiple part time contracts, they can reduce salary by terminating one of their contracts or by reducing them all.

1.4 It is for the Department to decide whether the exigencies of service provision allow a phased retirement application to be granted, as the needs of pupils should take precedence over other matters when applications are considered. Whilst employees have the right to request phased retirement, there is no right to a guarantee that the request is granted. In addition to matters regarding continuity of learning and teaching, serious consideration will be given to ensuring the resulting appropriate cover arrangement for colleagues granted phased retirement can be made.

- 1.5 For those few SNCT employees who contribute to Strathclyde Pension Fund there is a similar option named Flexible Retirement, the details of which can be found here [Taking your pension: LGPS Scotland \(scotlgpsmember.org\)](https://www.scotlgpsmember.org) Applications for Flexible Retirement are governed by the Flexible Retirement Policy which can be located on the Council Intranet. [Intranet ~ Leaving your job \(resignations & retirements\) \(erc.insider\)](#)

2. APPLICATION PROCESS AND AUTHORISATION

- 2.1 It is for the employee to establish through contact with the SPPA whether they meet the criteria to enable them to request phased retirement. Once the employee has established that the criteria is met, an employee who wishes to request consideration of phased retirement should submit their application (Appendix 1) in writing to their Head of Establishment or Line Manager, stating how they wish to reduce their salary by a minimum of 20%. The date of commencement of the phased retirement period should normally correspond with the beginning of a school term. Applications should be submitted at the earliest possible opportunity and at least 6 months prior to the proposed date of commencement.
- 2.2 For each request, Heads of Establishment/Line Managers need to carefully consider how the remaining element of the employee's post will be covered for the duration of the period of their phased retirement.
- 2.3 Upon receipt of an application for a phased retirement the Head of Establishment/Line Manager will arrange a meeting with the applicant. The meeting should be arranged sufficiently far in advance to allow the applicant the opportunity to be accompanied by a trade union representative, but in any event will be held no more than 10 working days from receipt of the application. The applicant should be informed of their right to trade union representation at this meeting, if they so wish, however it is their responsibility to ensure availability of their chosen representative.
- 2.4 The purpose of this meeting is to discuss the employee's reasons for the application for phased retirement, and to explore the resultant ability of the school to meet pupil needs. The meeting will be used to explore the benefits to the employee and also the strategies to address possible service requirements and any appropriate alternatives to the requested phased retirement.
- 2.5 Where the staff member requesting consideration for a phased retirement holds a management post, the Head of Establishment must be satisfied that the necessary arrangements can be put in place to ensure continuation of the managerial remit at no additional cost to the Education Department.
- 2.6 Once the phased retirement application has been discussed, including consideration of any amended proposals, the outcome will be communicated to the member of staff, with permission granted or rejected, within 5 working days of the meeting. If rejected, the business reasons will be given as to why the application has been rejected.
- 2.7 If the application for a phased retirement has been refused or agreed with caveats and/or amendments to the original application, an applicant is afforded the right to appeal the decision made. The appeal should be submitted in writing within 10 working days of receipt of the written decision by the Head Teacher. The appeal should be submitted on the appropriate form (Appendix 2) and emailed in the first instance to the HR Education Business Support mailbox at hreducationbusinesssupport@eastrenfrewshire.gov.uk who in turn will submit it to

the appropriate member of the Education Leadership Team for consideration. The relevant member of the Education Leadership Team, will Chair the appeal (or delegate to an appropriate colleague). The appeal must be dated and should clearly address the business reasons for refusal.

3. Phased retirement Arrangements

- 3.1 Where the phased retirement is agreed, Head Teacher/Line Manager should submit the employee's phased retirement application form to the mailbox hrededucationbusinesssupport@eastrenfrewshire.gov.uk Arrangements will be made for the appropriate pension paperwork to be issued to the employee i.e. (TEACH:RET). The employee will complete part one and the employer will complete part two.
- 3.2 An employee on a phased retirement may continue to work in this reduced way until their full retirement.
- 3.3 If granted a period of phased retirement, an employee may make an application to return to full time work. The process is as detailed in section 2 and the conditions are set out in 1.4. Employees should always contact the SPPA for advice on pension implications if returning to full time employment after a period of phased retirement.
- 3.4 It should be further noted that if an employee is an STSS scheme member, they can take two phased retirements before finally retiring. Members of the 2015 scheme can have three phases before retiring, but only two can be before the age of 60.

4. TERMS AND CONDITIONS

- 4.1 Entitlement to annual leave during the leave years in which the phased retirement commences and ends will be calculated pro-rata to the part year period of service.
- 4.2 Whilst on phased retirement, it is the employee's responsibility to ensure that they maintain their professional registration with the GTCS.

Mark Ratter
Director of Education
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