



Pension Policy Statement: 1 April 2015

Teachers' Pension Scheme Regulations Policy Statement for all eligible employees

Discretions provided for in the Teachers Pension Scheme Regulations (TPS) are published and will be kept under review as a Statement of Policy to explain how the Council will apply certain discretions allowed under these Pension Regulations.

This statement is applicable to all employees of Walsall Council who are eligible to be members of the TPS. This includes all Foundation and Voluntary aided schools who are funded through the Local Education Authority.

Before the exercise of any discretion it will be necessary in each individual case to consider the full financial cost implications to the Council and the Pension Scheme.

All other past policies and discretions will be revoked following the approval of this policy. The discretions detailed in this policy will apply from 1st April 2015.

Part 1: DECISIONS TO BE MADE AT START OF EMPLOYMENT

THE TEACHERS' PENSION SCHEME REGULATIONS 2014

1. Section 3 – Regulations 204 and 222: Power to allow inwards transfer values to be accepted after 12 months membership

No policy change.

Explanation	Council Policy
This discretion allows the extension of the 12 month time limited transfer of pension rights from previous funds to be extended	To allow this discretion in limited circumstances only. Each specific case will be judged equally and fairly on its own merits having fully considered service delivery and financial costs.

2. Schedule 2, Part 2: Power to award additional pension

No policy change.

Explanation	Policy
This discretion allows the employer to award a scheme member additional pension benefits of not more than £6,500 a year, payable from the same date as scheme benefits, or an	The Council has <u>NOT</u> adopted this discretion.

amount determined by the Treasury for that financial year.	
--	--

Part 2: DECISIONS TO BE MADE AT TERMINATION OF EMPLOYMENT

The Teachers (Compensation for Redundancy and Premature Retirement) Regulations 2015

1. No limit on weekly pay for calculation of redundancy payment

No policy change

<p>Explanation The Council may decide to calculate a redundancy payment entitlement as if there had been no limit on the amount of the week’s pay used in the calculation</p>	<p>Council Policy The Council has decided to adopt this discretion and base redundancy payment calculations on an unrestricted week’s pay.</p>
--	---

2. Part 3 – Discretionary compensation for termination

No policy change

<p>Explanation A one-off lump sum compensation payment may be awarded to an employee up to a maximum value of 104 weeks pay (2 years) inclusive of any redundancy payment made.</p>	<p>Council Policy The Council has decided to adopt this discretion in part and will award an additional lump sum compensation payment equal to the value of the statutory redundancy payment – maximum payment 30 weeks – but only in cases of some compulsory redundancies on the joint authority of the relevant Executive Director with overall responsibility for the service in which the employee works, the Head of Finance and the Head of Human Resources.</p> <p>Each award will be subject to a cap to be paid to an employee who is paid less than the full time equivalent value of NJC scale point 29.</p> <p>Each specific case will be judged equally and fairly on its own merits having fully considered service delivery and financial costs.</p>
--	---

3. Premature retirement - Mandatory compensation

Revised Policy

<p>Explanation The employer can determine that a member of the Teachers' Pension scheme who has attained age 55 and has not reached normal pension age can be granted premature retirement.</p> <p>This is a discretionary award that can only be used where the scheme member is made redundant or leaves on efficiency grounds and is granted immediate access to unreduced retirement benefits.</p>	<p>Policy The Council has adopted this Regulation to apply only to approved early retirements of teachers in the following circumstances:-</p> <ol style="list-style-type: none"> 1. A school closure 2. The redundancy of teachers 3. Compassionate grounds <p>It is the decision of the governing body of each school to determine whether or not it will offer any premature retirement compensation. In cases where the governing body decides to offer such compensation, the decision must then be endorsed by the Local Authority.</p> <p>For avoidance of doubt, the mandatory costs of premature retirement will be met as described in the Walsall Children's Services Scheme for Financing Schools document.</p> <p>Each specific case will be judged equally and fairly on its own merits, having fully considered service delivery and financial costs.</p>
--	--

4. Chapter 5: Voluntary early retirement – actuarially adjusted benefits

No policy change

<p>Explanation A teacher can elect to apply for immediate payment of their pension benefits from age 55.</p>	<p>Council Procedures – How the Regulation is to be administered The Council requires a teacher to provide 6 month notice of intent to retire. Pension benefits will be paid on an actuarially reduced basis in accordance with the Regulations.</p>
---	---

5. Regulation 39 and 40 (TPR 2010 regulations) - Restriction on average Salary

No policy change.

<p>Explanation</p> <p>This Regulation applies in certain circumstances to restrict the salary used in the calculation of retirement benefits to 10% plus the standard increase.</p> <p>The employer may decide to pay the additional employers costs that reflect the value of the pension and lump sum produced from the actual salary that has been paid.</p>	<p>Policy</p> <p>This is a cost to the service and will not be adopted for funding from Council funds. School Governors' may choose to fund the addition from the school's budget but must judge each specific case equally and fairly on its own merits having fully considered service delivery and financial costs.</p>
--	---

PART 3 – INJURY ALLOWANCES

1. Conditions of Service for School Teachers in England and Wales Section 9

No policy change.

<p>Explanation</p> <p>The Council operates The Walsall Council Injury Allowance Scheme which will be awarded to employees subject to the teachers pay and conditions</p>	<p>Council Policy</p> <p>The Council has decided that all claims are to be submitted to and agreed by an Injury Allowance Panel. The panel will consist of The Head of Legal Services, The Head of Finance, The Head of Human Resources and a representative from the Pensions Management Team, or their appointed nominees.</p> <p>Only temporary allowances are available within the teachers pay and conditions. Each award will be judged on the relevant evidence presented to the panel. Payments will be made from the schools budget.</p>
---	--

PART 4 – APPEAL PROCESS

No policy change.

<p>Explanation</p> <p>Responsibility for determination of appeals and disputes lies with a "Specified Person" at the employing authority.</p> <p>The Executive Director (Children's) is the appointed Specified Person for the purposes of the appeal process. If this</p>	<p>Council Policy</p> <p>Any disputes about decisions made relating this policy should be sent in writing to:</p> <p>The Executive Director (Children's) The Council House Walsall Council</p>
---	---

presents a conflict of interest when the complaint relates to a member of the Children's directorate, the Chief Executive will act as the Specified Person	WS1 1TW or The Chief Executive if the complaint relates to member of the Resources Directorate.
--	---

Guidance on how to apply the policy will form part of the policy statement

July 2015