Teachers' Pension Scheme (TPS) Discretions Policy Statement

Version 1

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Name of Responsible Committee/Individual:	Trust Board
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1. Purpose

This policy statement sets out how the Brighter Futures Learning Partnership Trust will exercise its discretionary powers under the Teachers' Pension Scheme (TPS) Regulations (for example, about granting premature retirement, awarding additional pension, or how flexible retirement is handled). All decisions will be approached to ensure decisions are fair, consistent and financially responsible. Decisions will need to consider the needs of the Trust with appropriate stewardship of public funds.

2. Scope

This policy applies to all employees of the Trust who are members of the Teachers' Pension Scheme. It covers the discretions available to the employer under the scheme's statutory framework. Decisions will be made on a case-by-case basis, considering both the circumstances of the individual and the operational/financial needs of the Trust.

3. Principles

- The Trust will not normally agree to any discretionary benefits that result in significant additional cost, unless there is a clear business or educational case.
- All decisions will be taken at the appropriate level of authority and recorded for audit purposes.
- Equality legislation and the Trust's equality policies will be applied in all decision-making.

4. Employer Discretions and Policy Positions

4.1 Premature Retirement

The Trust has discretion to agree to premature retirement for teachers where employment is terminated on the grounds of redundancy or in the interests of the efficient discharge of the employer's function.

- **Policy position**: Premature retirement will only be considered in exceptional circumstances where there is a clear business case, and where the cost to the Trust is affordable. Approval must be given by the Trust Board.

4.2 Actuarially Reduced Benefits (Early Retirement)

Teachers may request early access to pension benefits before normal pension age, subject to actuarial reduction.

- **Policy position**: The Trust will not normally consent to applications for early retirement before age 55 unless there are exceptional compassionate grounds.

4.3 Award of Additional Pension

The Trust has discretion to award additional pension to an active member or to a teacher at retirement.

- **Policy position**: The Trust will not normally award additional pension due to cost implications.

4.4 Flexible Retirement (Phased Retirement)

The Trust may agree to a teacher accessing part of their pension benefits while continuing to work on reduced hours or at a lower grade.

- **Policy position**: Applications for ***flexible retirement*** will be considered on a case-by-case basis. A letter should outline your reasons for the request and be discussed with the Headteacher in the first instance. Approval will depend on the needs of the Trust, affordability, and the impact on pupils and school operations. ***Staff should check with the Trust the rules on working when they take their pension (retirement or partial retirement) as there are clear rules and responsibilities for both parties.***

4.5 Compassionate Grounds for Early Access

The Trust may allow access to benefits before the minimum pension age on compassionate grounds.

- **Policy position**: The Trust will only consider compassionate grounds in line with Teachers' Pensions definitions, and where medical or personal circumstances are exceptional.

5. Decision-Making Process

- Applications must be submitted in writing to the Trust HR Manager, who will make an initial assessment and forward recommendations to the Trust's HR Committee.
- The HR Committee (or delegated panel) will consider applications against this policy, financial implications, and legal advice as necessary.
- Decisions will be communicated in writing to the employee, with reasons clearly stated.

6. Right of Appeal

Employees have the right to appeal discretionary decisions under the Trust's grievance policy. Appeals will be heard by a panel of Trustees not involved in the original decision.

7. Review of Policy

This policy will be reviewed every three years, or sooner if required due to changes in Teachers' Pension Scheme regulations or employment legislation.

Teachers' Pension Scheme (TPS) Discretions Policy Statement Version 1 agreed at Trust Board October 2025