

# Education Policy - Early Voluntary Retirement Scheme v2.0





## **Early Voluntary Retirement Scheme for School Based Employees Policy Statement**

*Denbighshire County Council recognises the need to retain the skills and experience of older employees for the benefit of the organisation and society as a whole. Denbighshire County Council is therefore committed to working with employees to facilitate a flexible retirement arrangement which will meet the needs of both the individual and the service.*

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## **Introduction**

The Early Voluntary Retirement Scheme (EVR) for School based staff within Denbighshire County Council is a joint Agreement between the Council, schools and the recognised unions / associations.

This document details the conditions of the scheme, the criteria for selection, the application process and the terms of the benefits payable to successful applicants.

Decisions relating to all applications will be made by the Governing Body supported by the appropriate criteria and evidence.

## **Aims**

This procedure aims to provide Governing Bodies, Headteachers, Line Managers and employees with a concise procedure for dealing with Early Voluntary Retirement in order to ensure fair, consistent treatment for all employees.

## **Application/Scope of Policy**

The scheme applies to:

- All permanent staff employed within Denbighshire County Council schools
- All Centrally employed teaching staff

## **Engagement /Participation/Consultation**

This procedure has been created following consultation with the recognised teaching and non-teaching unions/associations to ensure that all employees to which the procedure pertains, are treated in a fair and equitable manner.

## **Legal & Other References**

The policy complies with the statutory minimum set out in the Human Rights Act 1998 and with consideration to the following legislation:-

- Employment Act 2002
- Employment Rights Act 1996
- Equality Act 2010

No employee shall be treated less favourably on the grounds of sex, race, ethnic or national origin, religion or belief, disability, sexual orientation, marital status, age or language.

## **Policy Details**

### **6.1 Conditions of Scheme**

#### **6.1.1 Eligibility:**

- Applicants must satisfy the following eligibility criteria:
- Hold a permanent post within Denbighshire County Council on the proposed date of retirement
- Be eligible to receive payment of superannuation benefits in accordance with the terms and conditions of the Teachers and Local Government Pension scheme
- Must be under normal pension age and aged 55 or over and must have attained this age on or before the proposed date of retirement

#### **6.1.2 Decisions**

The decision to offer Early Voluntary Retirement to applicants will be the decision of the Governing Body of the School as the budget holder. However there will be discussion and consultation opportunities through the consultative forums.

The decision to approve the release of individuals under the terms of the scheme will be that of the relevant school Governing Body / Head of Service.

### **6.1.3 Date of Release**

In accordance with the provisions of the EVR scheme, there will normally be three applicable dates in any year upon which staff may apply to be granted EVR:

- 31<sup>st</sup> August
- 31<sup>st</sup> December
- 30<sup>th</sup> April

The first date upon which applicants may be released under the terms of the EVR scheme will be 31<sup>st</sup> December in the academic year of application.

There is no guarantee that the date of release under the EVR scheme will be the same as the date requested.

### **6.1.4 Re-employment:**

Successful applicants will not be eligible to apply for permanent or fixed term/temporary teaching contract with Denbighshire County Council following retirement from the Council under the EVR scheme.

Note:

Employees who would wish to access part of their pension and continue working may wish to consider the 'Phased Retirement' option available under the Teachers or Local Government Pension Scheme. For further information please contact the Human Resources.

Successful applicants will be eligible to enrol on the Denbighshire County Council Supply Teacher Register.

## **6.2 Benefits Payable**

Benefits payable to successful applicants will be in accordance with the relevant terms and conditions of the Teachers Pension Scheme (TPS) and the Local Government Pensions Scheme (LGPS).

Release under the EVR scheme will be without added years.

Employees considering applying for EVR may wish to apply for an estimate of their pension benefits before doing so. For information on how to access this information, please contact Human Resources.

## **7. Procedure**

### **7.1 Application**

Applicants must complete an application form (appendix 1) and submit to The Chair of Governors/Head of Service by a date to be agreed. This application must be supported by the Headteacher/Line manager and in the case of a Head teacher by the Head of School Improvement and Inclusion

Staff employed within a school must also submit a copy of the application form to the Headteacher/Chair of the Governing Body

Staff employed centrally by the LEA must submit a copy of the application form to the relevant Line manager and must obtain their support.

Quotes for all the applicants must be obtained via the HR Business Partner for the service. This will include capitalisation costs. These estimates will be provided within 10 working days of enquiry,

The Chair of the Governing Body / Line manager is required to submit a written business case to the Finance committee and staffing committee/Head of Service , detailing the school's position regarding each application. This will be considered in conjunction with the application form

All applicants will receive written confirmation of receipt of their application from the Chair of the Governing Body or Head of Service The letter will give applicants the opportunity to withdraw their application by a specified date prior to any final decisions to be taken by the above.

## **7.2 Selection Process**

All applications will be considered by the Governing body /head of service as detailed.

The scheme's budget position will determine the level of finance available to fund the decisions of EVR. In the case of a school recommendation will then be made the staffing committee following advice from the LEA Finance and HR Services and the schools finance committee and Head teacher

During the selection process, the Governing Body/Head of Service will give consideration to the following:

- The audited finances of the school/service
- The copies of the application forms
- The reports from relevant Staffing committee /line manager outlining the school's/service's position with regard to each application. This is to include the impact that granting EVR to the applicant would have on such things as potential staffing reductions or efficiency savings, or employment legislation implications. It is essential that advice is sought from both DCC Finance and HR Services

### **7.2.1 Selection Criteria**

The Governing body/Head of Service will have regard to the following criteria when considering all applications. It should be noted that the criteria are not listed in any order of priority.

- The leadership capacity within the school/service
- The Curriculum/Service needs of the school
- The School/Service Development Plan
- The application must be supported by the Headteacher/Head of Service and following the advice of DCC finance and HR services
- Staffing reductions in schools and any potential redeployment / redundancy implications



- Teachers affected by reorganisation and / or school closure, for whom a post of equal status cannot be found
- The efficiency of the service

The employer's cost of each application in order that the cost can be repaid as efficiently as possible and to the full benefit to the service.

### **7.3 Notification Process**

On conclusion of the EVR decision meeting/s, the Chair of Governor Body/Head of Service will notify relevant Employee/ line Manager / Union Branch Secretaries as to the outcome of applications from their school / service.

For successful applicants, school Governing Bodies / Heads of Service will be requested to inform Human Resources of their approval to release the relevant personnel.

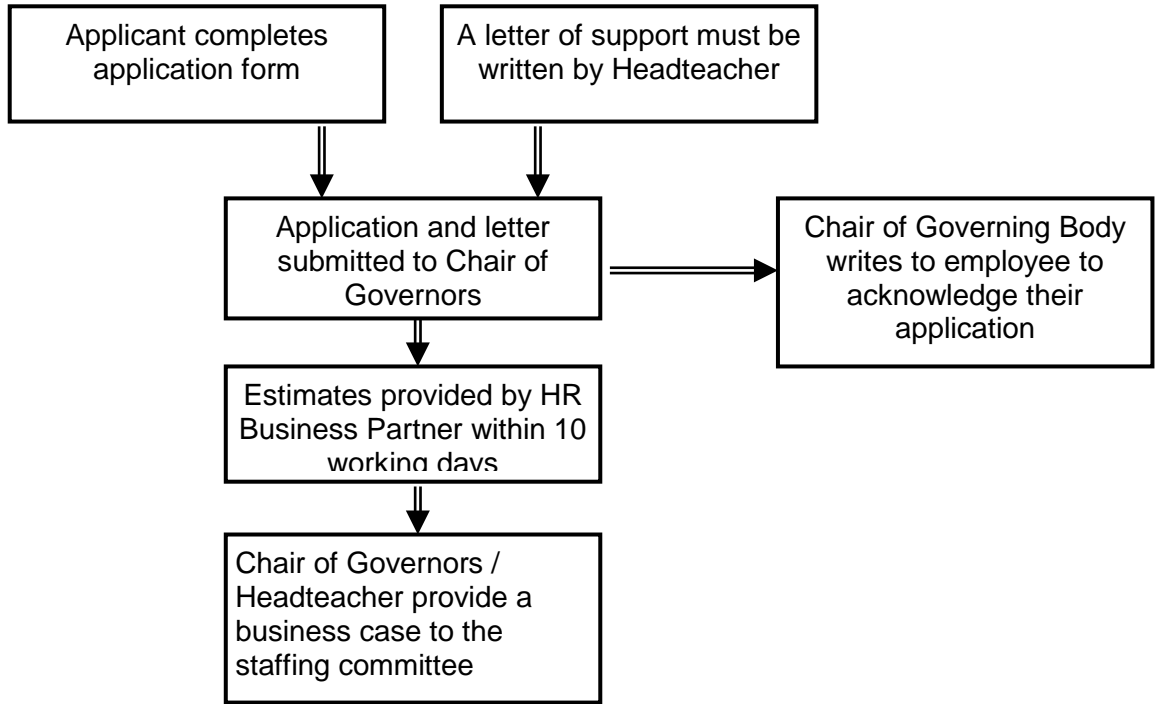
All applicants will receive written notification from the School as to the outcome of their application.

If the employee is unhappy with the decision of the Governing Body /head of Service they have the right to invoke the School/ Council Grievance procedure

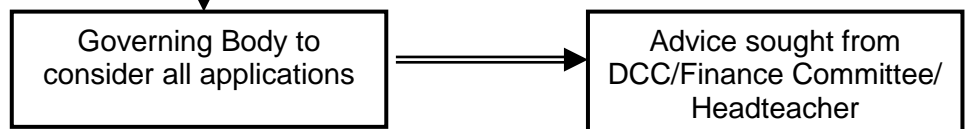
The Finance Committee/LLL Finance manager will submit a report of the decisions to the Schools Governing Body / the LifeLong Learning Scrutiny Committee for information

## 8.Supporting Documents

### Application Process



### Selection Process



### Notification Process

