

**Title:** Winding Down and Phased Retirement    **Number:** E7    **Date:** April 2011

*Scottish Borders Council supports both the Winding Down and the Stepping Down Schemes, and will treat all requests to enter the Schemes seriously.*

### **Winding Down**

The authority will make every effort to meet the request, but reserves the right to refuse or delay the process if the operational efficiency of the service would be adversely affected. Anyone contemplating Winding Down should discuss this with their Head Teacher (or the Head of Schools if they are a Head Teacher) as soon as possible, but at least six months in advance of the proposed date.

#### **For non-promoted posts**

The main issue will be the ability of the school to meet the demands caused by the reduction in teaching time. This could be addressed in a variety of ways:

- Making no adjustment, as the staffing situation in the school does not need it due to falling roll or other circumstances
- Appointing another teacher part-time to carry out the relevant duties on a temporary contract or increasing the hours of a part-time teacher who is seeking more work
- Transferring the applicant to another post which is not full time
- Moving the applicant to a new post as a RICCT teacher available on the appropriate number of days in each week

#### **For promoted posts**

Here also the main issue will be the ability of the school to meet the demands caused by the reduction in teaching time. If a promoted teacher wishes to wind down, then this could be addressed by:

- Appointing another teacher part-time to carry out the relevant duties on a temporary basis. This will require a suitable candidate to be available. If no suitable candidate were found, the request would be refused, unless option 2 is possible.
- It might be possible to reassign some of the promoted post holder's responsibility to another promoted teacher. This could involve resizing the latter's post, after referral to SNCT 28.

Winding Down can take place for a maximum of four years, and the commitment must be to a minimum of 0.5 of a full-time post. When winding down is agreed, the hours of work will either be a whole day or a full morning or afternoon, other than by agreement with the teacher concerned. The pattern of work will be determined by the Council. It will be reviewed on an annual basis by April 30<sup>th</sup> of each year for implementation for the following school year. This review will take into account appropriate timetabling requirements, and, if possible, the teacher's preferred working pattern.

A teacher who is seeking to wind down may request to have the actual days of working fixed for the entire period of winding down. This is an option which the employer will consider.

## SPPA conditions

To participate in winding down employment a teacher must –

- (a) have attained the age of 56;
- (b) have been in full-time service for a period of 10 years immediately prior to commencing winding down employment;
- (c) subject to sub-paragraph (b) above have a minimum of 25 years teaching service immediately prior to commencing winding down employment, which period may include a break or breaks in teaching service not exceeding 5 years in total; and
- (d) have the consent of his employer.

The member completes the Winding Down application form. If the employer gives consent on the form, it is sent to SPPA to determine eligibility. When teaching service has been accrued outwith Scotland the applicant may need to provide evidence of teaching employment in support of their application.

- The SPPA recommend that applications should be made three months in advance of the proposed Winding Down date.
- The SPPA determine whether the applicant is eligible and advise the employer and employee accordingly.
- If the application is approved, we ask the employer for a TSS2 and TSS1 at that point – not before.

The contributions you and your employer pay are based on the **actual salary** received during Winding Down Employment.

If you simultaneously Step Down and Wind Down i.e. the full time equivalent salary is less than the salary rate prior to Winding Down, then your employer will be required to pay both the employee and employer contributions on the difference.

Further information can be found at the following websites:

[http://www.sppa.gov.uk/scot\\_teachers/documents/WD1andWD2.pdf](http://www.sppa.gov.uk/scot_teachers/documents/WD1andWD2.pdf)

### LEAFLET Winding Down 1 (2005)

[http://www.sppa.gov.uk/scot\\_teachers/documents/Circular20051-WindingDownCircular.pdf](http://www.sppa.gov.uk/scot_teachers/documents/Circular20051-WindingDownCircular.pdf)