

ANNEX A



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DEPARTMENT OF EDUCATION

**Consultation on the Teachers' (Compensation for Redundancy and
Premature Retirement) Regulations (NI) 2016**

Outcome of Consultation

February 2016

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1. Introduction

1.1 The consultation document set out the Department of Education's proposals to make regulations which would provide for the extension of arrangements for compensation for redundancy and premature retirement by members of the NI Teachers' Pension Scheme (NITPS) to members of the Career Average Revalued Earnings (CARE) scheme introduced in April 2015. The proposed regulations will revoke and replace the Teachers' (Compensation for Redundancy and Premature Retirement) Regulations (NI) 2010 (the 2010 Regulations); they do not change the compensation that employers may pay to members of the Final Salary scheme as set out in 2010 Regulations.

2. Consultation process

2.1 On 27 October 2015 the Department published a consultation document detailing proposals to replace the 2010 Regulations and make consequential amendments to the Teachers' Superannuation Regulations (NI) 1998 and the Teachers' Pension Scheme Regulations (NI) 2014. The consultation period ran for 12 weeks from 27 October 2015 to 19 January 2016.

2.2 As part of the of the consultation exercise the Department published the draft Teachers' (Compensation for Redundancy and Premature Retirement) Regulations (NI) 2016 in an annex to the consultation document.

2.3 The consultation document was published on the Department's website. The Department also notified those persons, and their representatives, who appear to the Department likely to be affected by the proposed amendment - this is in accordance with section 21 of the Public Service Pensions Act (NI) 2014¹. Responses could be returned by email or by post before consultation closed on 19 January 2016.

¹ The list of those whom the Department would normally expect to consult with on pensions issues has been published and can be viewed on the [DE website](#)

3. Key Findings

- 3.1 3 responses to the consultation were received - two from teaching union / representative bodies, the Association of School and College Leaders (ASCL) and the National Association of Schoolmasters Union of Women Teachers (NASUWT), and the other from a union representative (NASUWT) in a school.

ASCL was broadly supportive of the changes.

NASUWT restated its call for teachers made redundant at age 55 and over to be entitled to access their pension without actuarial reduction, with the costs being met by employers or the Department. The Department's position remains that it has no plans to make the pension enhancements compulsory for over 55s who are made redundant. The question of whether compensation should be offered is a matter of agreement between the employer and employee and, as such, is an employment issue and not a pension issue.

The union representative expressed dissatisfaction with the process for selecting candidates for redundancy within some schools, which lies outside the remit of this consultation.

4. Conclusion and next steps

- 4.1 The Department is grateful for responses to the consultation and would like to thank those who submitted their views.
- 4.2 The Department has concluded that the proposals set out in the consultation document represent the most appropriate way forward and will proceed to make the legislation.