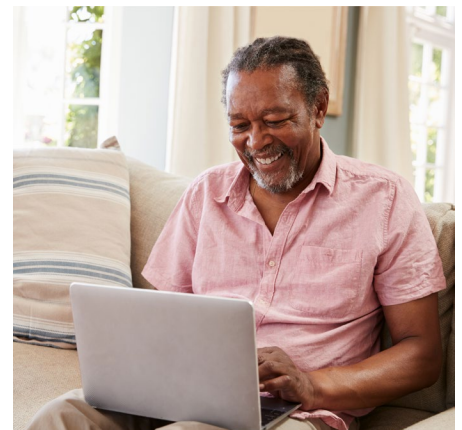




Retirement Planning: Your guide to your pension

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Introduction

You don't have to be on the verge of retirement to start planning for it.

In fact, the sooner you familiarise yourself with your options, the more relaxed you'll feel about the whole process. Hopefully you'll then be better placed to make the right decisions about an important phase in your life.

Qualification

You must have two years service completed after 6 April 1988 or five years pensionable service completed at any time to be able to receive benefits from the Teachers' Pension Scheme. Your service may just be in the Final Salary or Career Average arrangement or a combination of both. For example if you have completed six months in Final Salary and then a further 18 months in Career Average, you will qualify for benefits.

The earliest retirement benefits can be paid is age 55, unless you are granted Ill health benefits.

Please note that the minimum pension age of 55 is set by the Government who have stated that they intend to raise it to 57 in 2028, and then keep it ten years below the State Pension age.

Can I increase my benefits?

Final Salary and Career Average members

Buying Additional Pension

You can buy Additional Pension which is calculated separately from your main pension benefits. The cost depends on various aspects such as your age and how much Additional Pension you want to receive. It'll be index-linked both while you're working and after you retire. You can buy Additional Pension for your pension only or to also count towards 'family benefits' - more information on this below. This flexibility is available to all members regardless of which pension arrangement they are in.

Additional Pension can be bought in multiples of £250. There's a couple of easy ways you can buy Additional Pension:

- Through monthly deductions paid via your employer directly from your salary
- Pay a one-off lump sum.

The maximum payment over which monthly deductions from salary can be made is 20 years and must be completed before your Normal Pension Age (NPA). However, a member in the Final Salary arrangement who has a Final Salary NPA of 60 and continues in service beyond age 60 can still apply for a further Additional Pension election, but this will be based on a Final Salary NPA of 65.

Members should be aware that payments will be reviewed after each Scheme valuation. That means contributions may increase or decrease depending upon the outcome of the valuation. It's important that you check that the correct amount is being deducted. If you identify a mistake you must contact your employer immediately.

Your Additional Pension will be paid when you take your Scheme benefits, though if you take Phased Retirement you do not have to take your Additional Pension at the same time. If you choose

to take your benefits before you reach your NPA and this is before the end of your payment period, your Additional Pension will be based upon the contribution you've paid up to the day you leave the Scheme. If you take your benefits before you reach your NPA your Additional Pension will be adjusted, to take into account that it will be paid out for a longer period of time.

Just like your standard pension, some of your Additional Pension benefits you've chosen to pay for can also be taken as a lump sum. Once again, there's a maximum allowable lump sum figure but you're free to choose any amount up to the maximum.

If you opt for the Additional Pension to cover 'family benefits', half of the amount you've purchased will be used to supplement the pensions paid to your surviving adult - your spouse, civil partner, or qualifying partner - as an additional (surviving adult) pension.

There is a limit to the amount of Additional Pension you can have. Please see our [updates pages on the website](#) for the latest figures.

Career Average members only

Faster Accrual

Faster Accrual gives you the opportunity to pay higher contributions to increase your pension for a particular Scheme year (1 April to 31 March). This option is only available to members in the Career Average arrangement.

An election for Faster Accrual must be made before the Scheme year it takes effect, ideally no later than January and it only applies for one year. A new election needs to be made every Scheme year and each election starts on 1 April and ends on the following 31 March. If you're taking up a new post mid-year you can make an election to cover the remainder of that year, but you must make an election within one month of taking up your new post.

There are three rates at which you can choose to build up benefits (instead of the standard rate of 1/57th of your pensionable earnings). The rates are 1/45th, 1/50th or 1/55th.

If an election is not processed before your April payroll your employer may need to recover arrears of contributions. The increased contributions that you'll have to pay are based on a number of factors such as your age and the rate you are purchasing.

It's important that you check that the correct amount is being deducted, and if you identify a mistake you must contact your employer immediately.

Buy Out

Members who are in the Career Average arrangement also have the option to Buy Out the standard rate of reduction that will be made to their benefits if they decide to retire before reaching their Normal Pension Age (NPA).

You can Buy Out the actuarial adjustment for up to three years, depending on the number of years between 65 and your Career Average NPA. If your new NPA is:

- 66 - you'll be able to Buy Out one year's actuarial adjustment
- 67 - you'll be able to Buy Out one or two years actuarial adjustment
- 68 - you'll be able to Buy Out up to three years actuarial adjustment.

You only have one opportunity to the Buy Out reduction and this must be done within six months of you first entering Career Average. Contributions towards the Buy Out option last throughout your career, unless you decide to revoke your election.

This is a long term commitment and the rates you will be required to pay may change over the course of your career. Contributions are based on factors such as your age and the period you wish to 'Buy Out'. It's important that you check that the correct amount is being deducted, and if you identify a mistake you must contact your employer immediately.

If you revoke the Buy Out election, you'll only receive the Buy Out adjustment in respect of those benefits built-up while you were paying the additional contributions. If you take Early Retirement before the age of 65, the normal Early Retirement reduction will apply, but your Buy Out election will be taken into account (the actuarial reduction will be less).

Paying Additional Voluntary Contributions (AVCs)

AVCs are another way of increasing your benefits. Your contributions build up an additional pension that is separate from your teachers' pension. The Teachers' Pension Scheme has AVC arrangements with Prudential but you can use other companies.

Annual Allowance

Membership of the Teachers' Pension Scheme doesn't exclude you from having other pension investments, the combination of those investments and your teachers' pension. If you do have other pension investments it could take you over your Annual Allowance and you may incur a tax charge.

The Annual Allowance is a limit on the amount of contributions (Defined Contribution schemes) and / or accrual of pension benefit (Defined Benefits schemes, like the Teachers' Pension Scheme) in any one tax year. You can find out the current value of the Annual Allowance on HMRC website www.hmrc.gov.uk/pensionschemes.

We're not authorised to provide financial advice, so we recommend you seek independent advice before making any decisions about your pension and before investing in any other scheme.

How are my benefits calculated?

Final Salary arrangement

If your Normal Pension Age (NPA) is 60 your Final Salary benefits are:

- A pension calculated by multiplying your service by your average salary and then dividing by 80; and
- A lump sum equal to three times your pension.

If your NPA is 65 your Final Salary benefits are:

- A pension calculated by multiplying your service by your average salary and then dividing by 60.

Career Average arrangement

Your Career Average benefits are based on 1/57 of your pensionable earnings each year, which is then revalued (index-linked). The index-linking is applied in April each year and is generally in line with the annual rate of CPI in the preceding September, plus an additional 1.6% if you're an active member of the Scheme. This amount is banked each year with your eventual pension made up of all the amounts that have been banked.

What is average salary?

The average salary is used to calculate your Final Salary benefits when you retire. It's calculated using the better of:

- The average of your best consecutive three years re-valued salaries in your last ten calendar years or
- Your salary recorded with the last 12 months of pensionable service before your retirement.

If you're in Career Average when you retire and have Final Salary benefits then the salaries you've earned in Career Average will be used. If you have had a break in service after 1 April 2015 of more than five years then the salaries used will be those at the time of the break.

If you have no pensionable service on or after 1 January 2007, your average salary will be the best year in the last three years before you left service.

Restricted Salary Provision – Final Salary

If your pensionable salary in the final three years of pensionable employment was increased by more than the maximum allowable or 10%, the increase in that salary or salaries will be restricted to the maximum allowable or 10% whichever is the higher. This maximum allowable figure is reviewed each year in line with factors provided by HM Treasury.

For the latest figure see the [updates](#) section of our website.

Where this restriction applies, any contributions not used in the calculation of the final average salary will be refunded if the service to which the salary relates is in the Final Salary arrangement.

Where a member in the Career Average arrangement has a Salary Link, meaning the salaries earned during service in the Career Average arrangement are taken into account to determine the best final average salary, the restriction will apply when determining the best final average salary used to calculate benefits in the Final Salary arrangement. The restriction does not apply in respect of the accrual of pension in the Career Average arrangement. Consequently there is no refund of contributions as the total pensionable earnings are applied in the accrual of benefits in the Career Average arrangement.

What happens if I've had a break in service?

Final Salary members

If you were a Final Salary member with an NPA of 60 and had a break in service of more than five years with a return date of on or after 1 January 2007, your NPA remains at 60 for the service before the break, but is 65 for the service after the break.

Any period of less than 60 days qualifying service or 30 days reckonable service in any period of 365 days is not be counted for the purposes of maintaining a Normal Pension Age of 60.

All Members

If you're a [protected or tapered](#) member and have a break in service of more than five years after 1 April 2015 you'll enter the Career Average arrangement when you return to pensionable service.

If you retire and later re-enter pensionable service you'll enter the Career Average arrangement.

If you've benefits in both the Final Salary and Career Average arrangements your Final Salary benefits are protected and will remain in Final Salary. When you retire we'll use your salaries earned in Career Average to calculate your Final Salary benefits. This is called the Final Salary link. If you have a break in pensionable service of more than five years ending after 1 April 2015, then the salary link is broken and we will use the salaries at the time of the break to calculate your Final Salary benefits.

Conversion of pension to lump sum

If you've Final Salary service that includes service before 1 January 2007 you'll receive an automatic lump sum when you take your Final Salary benefits.

If you only have Final Salary service after that date, or have any Career Average service, you'll not receive an automatic lump sum when you take your benefits. However you can choose to give up part of your pension to receive a lump sum. Your pension will be reduced for your lifetime and you must make your decision before completing your application form. For each £1 of pension that you give up you'll receive £12 of lump sum.

The maximum amount of lump sum that you can receive is 25% of the total value of your benefits. To help you decide how much pension you want to give up, and the lump sum you'd like to receive, please use the [Estimate Your Pension Value Calculator](#). Please note that once you've submitted your application the conversion choice is set, and you cannot change the amount of pension you'd like to convert to lump sum.

Changes to my benefits

Restoring service

If you received a repayment of your pension contributions before 1 June 1973 and are currently in pensionable service, you may be able to repay those contributions and interest. That will restore that service in the Teachers' Pension Scheme.

Divorce or dissolution

If you're subject to a Pension Sharing Order, your benefits will be reduced, in line with that order.

What if I have any outstanding contributions when I retire?

If you're still paying some types of additional contributions when you leave service you may have the option to either pay the remaining balance or receive a pension based on your contributions to date.

If your additional contributions are for additional survivor benefits, you'll be required to pay the full amount of outstanding contributions.

You cannot use your lump sum to increase your pension benefits as that could result in a tax charge if you breach the 'recycling' rule. More information on this is available on the HM Revenue and Customs website.

Lifetime Allowance (LTA)

The LTA is the total value of benefits that can be taken from all registered pension schemes before an additional tax charge is payable. The tax charge is called the LTA charge. You can find out the current value of the LTA on HMRC website

www.hmrc.gov.uk/pensionschemes.

You can find your current LTA percentage on your most recent Benefit Statement. If we're aware that a tax charge applies to your benefits we'll deduct it before paying you any benefits.

How the LTA is calculated:

$$\text{LTA\%} = \frac{\text{Annual pension} \times 20 + \text{lump sum}}{\text{Lifetime allowance}} \times$$

Types of Retirement

There are several possible ways you could claim your benefits but this guide aims to provide you with information about the different types of retirement and when you may retire. Retirement benefits are not paid automatically; you must complete an online application or in some instances a paper form that can be found on the website.

If you are planning to take Early Retirement or Premature Retirement you will be required to be in a genuine cessation of all pensionable employment at the payable date. If you have already left pensionable employment, the payable date of the pension will be 6 weeks after the date of application

You should ensure that your application is submitted no more than four months before your proposed retirement date, as there may be salary changes that could affect your benefits if submitted too early.

Age Retirement

Age retirement benefits are payable when you reach Normal Pension Age (NPA) or from the day after you leave pensionable service. If you continue working and remain an active member of the Scheme through to and after reaching your NPA your pension will be payable from the day after you left pensionable service, which may be earlier than the date of leaving pensionable employment.

You may have more than one NPA depending upon when you joined the Scheme, for example in the Final Salary arrangement (possibly in both sections), and in the Career Average arrangement.

Final Salary Arrangement

The NPA for service in Final Salary is 60 or 65 depending on when you entered pensionable employment.

If you were in service before 1 January 2007 your NPA is 60 provided you have not:

- Had a repayment of contributions

- Transferred the service out of the Scheme
- Had a disqualifying break where you were out of service for more than five years ending after 31 December 2007.

If you entered pensionable service on or after 1 January 2007, or after a disqualifying break, your NPA will be 65.

Career Average Arrangement

Your NPA in Career Average is either your State Pension age or age 65 whichever is the later date.

If you've more than one NPA you can take all of your benefits once you reach the first NPA providing you are no longer in pensionable employment, but any benefits with a later NPA will be reduced. Alternatively, you can choose to wait and apply for the benefits with a later NPA once you reach the appropriate age.

If you're not in pensionable employment when you reach your NPA and do not claim your benefits until a later date, then any arrears of pension and any interest due on those arrears will be paid as a lump sum and will be subject to tax.

If you continue teaching after your 75th birthday, any service after that date is not treated as pensionable, but your retirement benefits are payable from your 75th birthday. A lump sum cannot be paid out at age 75 if you continue teaching after that date.

Phased Retirement from age 55

Want to combine your pension with more flexible working arrangements? You have the option to access your pension benefits from age 55, without having to give up work completely.

The minimum pension age of 55 is set by the Government who have stated that they intend to raise it to 57 in 2028, and then keep it ten years below the State Pension age.

Phased Retirement allows you to decide how much

you wish to take of the benefits you have accrued - up to a maximum of 75% of your total benefits. You can take Phased Retirement without having a break in employment, but only if your pensionable salary reduces by at least 20% of the average salary you received in the previous 12 months. The reduction in salary has to be for a minimum of months, but we take any cost of living rises into account when checking.

You can still apply for Phased Retirement if you've left employment, as long as you return to pensionable employment within six months of leaving and your new pensionable salary is at least 20% less than your previous salary. Again the reduction needs to be maintained for at least 12 months after you start your new employment.

In both cases you must complete your election to take Phased Retirement within three months from the date your salary reduction starts. How could this happen? You could take a post with less responsibility or you could work reduced hours.

You should be aware that:

- Your application for Phased Retirement must be made within three months of starting employment in a reduced capacity
- You'll need to agree this arrangement with your employer as they'll be required to provide confirmation of your salary reduction on your application form
- The maximum pension you're allowed to take is 75% of the total value of your pension. Please note this applies with further Phased Retirement applications; it's still 75% of the total value, which includes the value of the pension you've already received. So, a second or third Phased Retirement doesn't mean you can take 75% of the remaining "pot". If you take 75% at your first Phased Retirement, you'll only be able to take 75% of the new accrual (new pension built-up while still working during your Phased Retirement) as part of any second or third Phased Retirement.

Final Salary arrangement

If you're in the final arrangement you can exercise this option twice before final retirement.

Career Average arrangement

If you're in the Career Average arrangement then you can exercise this option three times before final retirement but no more than twice before age 60.

Benefits in Final Salary and Career Average

If you have benefits in more than one arrangement you can choose to take different proportions of each of your Final Salary and Career Average benefits.

Early Retirement Benefits (Actuarially Adjusted Benefits)

You may claim retirement benefits if you are 55 or over, and have been in pensionable teaching employment on or after 30 March 2000.

If you apply whilst in service, Early Retirement Benefits (AAB) are paid from the day after the last day of pensionable employment. If you retire early, your pension benefits will be actuarially adjusted as they're being paid out for a longer period of time than for which they were designed and costed. This means that you'll receive a smaller annual pension and lump sum than you would have done if you'd retired at your NPA.

You need to be aware that:

- If you're applying for Early Retirement Benefits (AAB) and you are still in teaching employment, you must cease all pensionable employment with the consent of your employer/s before you can access your retirement benefits. The payable date will be the first day after you leave employment
- If you choose Early Retirement Benefits (AAB), the actuarial adjustment will apply for your lifetime
- If you've service in both Final Salary and Career Average arrangements you have to take all your benefits at the same time
- Your employer cannot withhold their consent for longer than six months from the date on which you request your pension benefits

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- If you're out of pensionable service you can choose your payable date, but your benefits will not be paid any earlier than six weeks after the date you signed the application form. You'll not be eligible for pension payments during this six week period
 - If you re-enter any teaching employment during this six-week period your application will be invalidated
 - Your Benefit Statement does not take into account the reduction that applies if you take your pension early. You'll need to use the calculator on the website to gain an understanding of the pension that you might be entitled to receive.

Premature Retirement

Any queries you may have about Premature Retirement should be raised with your employer. They're the ones who will be responsible for making the decision to grant premature employment and for paying a portion of your pension and any lump sum.

If you're aged 55 or over, but have not reached your Normal Pension Age (NPA), Premature Retirement allows you to take your accrued pension benefits without a reduction. It can only be offered to you by your employer if you're being made redundant or leaving on efficiency grounds. It's not an automatic right and is at the discretion of your employer.

If your employer is offering you the opportunity to take Premature Retirement, they'll provide you with the application form which you will need to be completed by both yourself and your employer and returned to Teachers' Pensions.

If Premature Retirement is granted you'll receive an actuarially adjusted pension (and lump sum if applicable) from the Teachers' Pension Scheme, and your employer must pay the balance between the unadjusted pension and the actuarially adjusted pension (effectively the accrued pension at the date of retirement minus the Early Retirement pension that the Scheme will be paying). This is known as Mandatory Compensation. Your employer can also offer a Discretionary Enhancement to your pension benefits. They do this by purchasing extra years that would count towards the years of service used to calculate your pension benefits.

Your employer can administer the Mandatory Compensation and Discretionary Enhancement themselves or opt for Teachers' Pensions to administer it on their behalf. If the employer opts to administer, then part of the pension (and lump sum if applicable) will be paid by Teacher's Pensions and part will be paid by the employer.

The pension from any Mandatory Compensation and Discretionary Enhancement paid by the employers cannot be commuted to receive any additional lump sum.

How to apply

Retirement benefits aren't paid automatically, you must complete an application form. Application forms for the various retirement options can be found as follows:

- Age or Early Retirement Benefits (AAB) application can be completed online
- Premature Retirement forms must be obtained via your employer and must only be completed if you have been offered this form of retirement
- Ill-health - if you're a member who is currently in service, the application must be obtained from our employer. If you are out of service and looking to apply for Ill-Health Retirement, the form can be downloaded from our website
- Phased Retirement or ASAR forms are available to download from our website. If you do not have access to the website you can contact the Teachers' Pensions Contact Centre who can arrange for an application to be issued.

You should ensure that your application is submitted no more than four months before your proposed retirement date, as there may be salary changes that could affect your benefits if submitted too early.

If you have more than one employer you must leave all employment, unless you are applying for Phased Retirement when your overall salary must reduce by at least 20%. Each employer will be required to complete their own employer section of your application. You should copy the applicant's section of the application form before forwarding it to each employer to complete their section. We cannot pay your benefits until all your employers have completed their section of the form.

Process for completion of retirement application

If you are planning to apply for retirement, the process for your application will be as follows:

1. Teachers' Pensions will acknowledge receipt of your application
2. Teachers' Pensions will calculate and authorise your pension for payment
3. Teachers' Pensions have until the day before your payable date to process your award
4. Once completed if we hold an email address on record you'll receive an automated message to advise that your award has been completed and you'll be able to view your award documents under 'Your Messages' on My Pension Online
5. You're able to track the progress of your application on 'Track My Case'.

Payment of benefits

You get monthly pension payments, which are paid the day before your birth date (or the 27th day of the month if you were born on 29 February). If that date falls on a weekend or Bank Holiday it will be paid on the last working day before the normal date. If for example your birthday is on 5 June your pension will be paid on the 4th of each month.

If, for any reason, you don't receive a pension payment on your first pension payable date, the Teachers' Pension Scheme will automatically make a payment of a proportion of the arrears to your bank account.

Tax will not be deducted from this payment. This payment will be issued without separate notification and it'll be taken into account when the first monthly pension payment (including the arrears) is made.

Are my benefits increased after I retire?

Inflation can affect those on a fixed income but your pension is subject to the annual Pensions Increase that applies to public service pensions from the first Monday on or after 6 April each year. The Pensions Increase is in line with the annual rate of change of CPI in the preceding September, although it's worth noting that unlike CPI it can't be negative.

What if I want to return to work?

For lots of teachers, retirement isn't the end of their teaching career. So if you're planning to return to teaching in some capacity here's what you should know.

Your employer will inform us immediately if you take up any employment that is pensionable in the Teachers' Pension Scheme (irrespective of whether you choose to opt-out of the Scheme for that employment) but in some circumstances we may ask you to complete a Certificate of Re-employment. If we ask you to complete a Certificate of Re-employment and you don't it may result in your pension being overpaid, if abatement applies, which you will be required to repay.

You can find more information about if this applies to your retirement [here](#).

If I retired on Age or Premature grounds what happens?

If you're receiving age or premature Final Salary retirement benefits, your pension may be temporarily suspended, depending upon your earnings but irrespective of whether your new service is pensionable or not. If you're also receiving Career Average benefits then that element of your pension will be used in calculating your total earnings but the Career Average pension is not affected, only your Final Salary pension will be.

Your Final Salary pension will be affected if your pension and re-employment earnings exceed your Salary of Reference. Your Salary of Reference is the highest salary in the average salary period which is used to calculate your benefits. For this purpose your pension includes not only any pension from the Scheme, both Final Salary and Career Average pensions, but also any Mandatory and Discretionary payments that your employer granted.

Your index-linked Salary of Reference minus the annual rate of pension payments equals the limit that your earnings may reach in the tax year before your Final Salary pension is affected. If your earnings in the tax year exceed the limit, your Final Salary pension will be stopped to prevent any overpayments being made to you which you later have to pay back.

If I retired on Actuarially Adjusted grounds what happens?

If you took Actuarially Adjusted Retirement, your Final Salary pension will not be affected, but you must notify us immediately if you take up any re-employment by completing a 'Certificate of Re-employment'.

If you took Actuarially Adjusted Retirement from the Career Average arrangement, then your pension would not be affected by re-employment.

Any Actuarially Adjusted (reduced) Benefits will not be affected. If you subsequently take further age, premature or ill health retirement, the prior reduced pension would be taken into consideration, but will not be stopped.

If I retired on Ill-health grounds what happens?

If you've received Ill-health Benefits, it's because you've been judged permanently medically unfit to teach. So if you return to teaching, your ill health pension must stop immediately.

If you wish to return to teaching, your employer must be satisfied that you are fit to teach in the capacity required. You must notify us in writing immediately of any employment undertaken if you're in receipt of Ill-health Benefits.

If your pension is stopped because you return to work, you'll only be awarded another ill health pension if you become ill again and satisfy us that you are unfit to teach. You can retire on any other grounds at the appropriate age.

If you're receiving an enhanced pension and you intend to return to employment outside teaching, you must provide a certificate from a registered medical practitioner. The medical practitioner must be satisfied that you still have the medical condition that caused your enhanced pension to be paid.

The nature of your proposed employment will also help us decide whether or not the enhanced pension can continue to be paid.

Will I earn further pension if I return to work?

If your service is pensionable, you'll get further retirement benefits on application. These will be based on your extra pensionable employment and the salary that you earn. This is known as Additional Service After Retirement, (ASAR).

If you're re-employed after taking retirement benefits other than Phased Retirement, you must have one year of ASAR to qualify for further benefits. Remember if you're working part-time, the whole period counts towards your qualifying service including the days you don't work. However, your benefits are based on the pensionable earnings you receive. If you retire from ASAR with less than a year's further service, then an "annuity" will be payable – contact us for more details if you think this will apply to you. You don't have to claim your benefits immediately you stop ASAR if you plan to do further work, as all your ASAR benefits will be added together when you finally decide to claim them.

It is important to be aware that if you return to work, contributions will automatically be deducted from your salary, unless you opt out of the Scheme.

Unless you were in ASAR immediately before 1 April 2012 any service undertaken after 1 April 2015 will be in the Career Average arrangement. The standard retirement types, age, premature, actuarially adjusted, phased and ill health, apply to ASAR benefits.

Any questions or complaints?



That's it, you're now up to speed with the basics of planning for your retirement.

If you want to find out more, there are a few easy ways to go about it. You can go online and check out our website. Or get hold of one of the other guides we've produced. Or simply speak to the person whose job it is to administer your pension.

Finally, if you have any complaints, or if you're not happy with how we've dealt with something, please let us know.



Visit us at:

www.teacherspensions.co.uk

Call us on:

0345 606 6166

Monday - Friday, 8.30am - 6.00pm

Write to us at:

Teachers' Pensions,
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Darlington, DL1 1AX

Teachers' Pensions isn't authorised to provide financial advice. We recommend you seek independent financial advice before making any decisions about your pension.

The information contained in this guide is correct at the time of press, but may be subject to change. If there is any difference between the legislation governing the Teachers' Pension Scheme and the information contained in this guide, the legislation will apply.