



Background to Transitional Protection

In June 2019 the Supreme Court refused the Government permission to reverse the Court of Appeal's December 2018 judgment in the McCloud and Sargeant cases.

The judgement found both the judges' and firefighters' pension schemes became unfavourable to some of their members when career average was introduced in 2015.

The courts deemed younger members of the judicial and firefighters' pension schemes had been discriminated against because the Transitional Protection applied only to older scheme members.

These regulation changes are being rectified on the grounds of age discrimination and apply to all main public service pension schemes, including the Teachers' Pension Scheme.

The changes only affected those who had pensionable service on 31 March 2012, have service in the remedy period (1 April 2015 – 31 March 2022) and don't have a disqualifying break.

View our Transitional Protection webpages which, detail the changes that have been made and how you may be affected by them.

[View webpages](#)



Changes to a member's Benefit Statement

All non-retired members who were affected by Transitional Protection had their career average service rolled back to the final salary scheme on 1 October 2023.

Although your current Benefit Statement now only shows the final salary option for the remedy period (1 April 2015 -31 March 2022), you'll be given both options when you make your retirement application.

We're working hard to show both options and will keep you updated on when this has changed.

You can plan for your future by using our personalised scheme calculator by logging into [My Pension Online](#).

Why not view our factsheet for further details?

[View factsheet](#)



Transitional Protection from 1 October 2023

From 1 October 2023, those of you affected by the Transitional Protection changes will be asked to choose between final salary and career average pension scheme benefits for service between 1 April 2015 and 31 March 2022 (the remedy period).

We advise you to make your choice at the time you decide to take your pension benefits - this is referred to as the Deferred Choice Underpin (DCU).

Initially, you moved to the career average scheme in 2015 (or later if they had tapered protection), have been moved back into the final salary scheme for the remedy period. However, when you take your pension benefits, you'll get to make the choice that's best suited to you.



Planning retirement

We'd like to remind you, that if you're affected by the Transitional Protection changes and are looking to retire soon, you should plan your retirement six months in advance.

We advise you to complete your retirement applications through [My Pension Online](#) as normal, for some circumstances you may need to apply by post, using the appropriate retirement form.

If you're affected, you'll be provided with your Remediable Service Statement (RSS) which is an extra step in your application, hence the increased timescale needed to process your case.

The RSS allows you to make your choice between final salary and career average for the period of service affected.

Further information can be found on our [planning to retire webpages](#), please also [view our video on retirement and Transitional Protection](#).



Previous Pensionable Public Service Questionnaire form

If you've been impacted by Transitional Protection due to previous pensionable public service held with another pension scheme, please complete our form.

[View the form](#)



New personalised calculators

We've updated our calculators to reflect the Transitional Protection changes. Our quick pension estimate will help you understand more about when you can retire or the lump sum you may receive upon retirement. We've also introduced our family benefits calculator.

Based on the figures you provide, the calculator will show:

- If you're likely to be affected by Transitional Protection
- Estimates of your final pension for the remedy period service (final salary and career average scheme) if you're likely to be affected
- Service to today and projections of service up to Normal Pension Age (NPA) or a member-selected retirement age
- The maximum tax-free lump sum possible
- The maximum pension you have to give up to receive the maximum lump sum
- Your normal retirement age
- If you select retirement age before NPA, reduced final pension as the benefits are adjusted due to being paid longer
- Your estimate of benefits based on full-time employment or fixed part-time employment.

Log into MPO to use our new personalised calculators.

There are limitations to what the calculator can provide so please bear this in mind when looking at results.

www.teacherspensions.co.uk

