



TPS membership

Your strategy & how we can help

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# TPS membership – your strategy & how we can help

## 1. Points for governors to consider

It will be for each school's board of governors to consider, with appropriate advice, whether the strategy of the school is to remain within the TPS (or at least to remain for now) or to withdraw from the TPS following a meaningful consultation process with affected staff. We recommend governors consider the following questions:

- Is it viable to increase fees to fund the increase?
- The next revaluation of the TPS will take place in 2024 and is widely expected to result in a further increase in employers' contributions. How will the school deal with these? Is it better to come out now?
- Is the significant increase in employer contributions an appropriate use of charitable funds i.e. is it in the best interest of the school?
- Has the school considered carefully the detail of the alternative pension provision to be offered to teaching staff. Will it be a defined benefit scheme or a simpler form defined contribution scheme? How much will the school contribute?
- How does this compare with contributions under the TPS? If the school withdraws from the TPS what is the likely impact on staff morale and on recruitment / retention of teaching staff?
- If the school remains within the TPS, but neighbouring schools pull out, could this give the school a boost in terms of recruitment?
- What other benefits do staff enjoy? Could any of these be augmented in the event of the school withdrawing from the TPS e.g. fee remission arrangements, salary increase?
- What is the business case for withdrawal from the TPS? This will need to be presented to teaching staff once the consultation process starts and will therefore need to be considered very carefully beforehand.



## 2. Preparatory work

The school will need to determine who will lead on the project. This is likely to be the Bursar and others in the Bursary / HR department. The following will need to be considered:

- How many teachers are within the TPS and how many have opted out? What is the current cost for the school of paying employer contributions to teachers' pensions? How will this increase?
- Pension and notice provisions set out in teachers' contracts of employment. NB the notice periods may vary within a school, depending on the contract.
- Is there a recognised trade union (in which case there will need to be negotiation with the recognised union?) If not, is there a body representing staff? If not, employee representatives will need to be elected.
- Who will co-ordinate the consultation process with teaching staff? The Bursar? A significant amount of time will need to be allocated to this project.
- What is the proposed timeframe for withdrawal from the TPS? Is this viable (given consultation requirements and notice periods?)





### 3. Consultation process

If the governors approve a proposal to withdraw from the TPS, then it will be necessary to consult with the affected members of staff about a proposed change in their terms and conditions of employment. The school will need to ensure the following:

- The proposal and the business case that supports it is clearly explained.
- A realistic timetable is set out and the steps that will be followed.
- Sufficient information is provided to staff to enable them to consider the proposal, to ask questions and to take advice and to make a decision based on all the relevant information.
- Staff have sufficient time to consider the proposal and the impact on them. We recommend the use of independent financial advisors with TPS expertise e.g. succession independent schools.
- Employee representatives are elected to represent the affected staff during the consultation process.
- The Secretary of State is notified – if collective consultation applies.
- The correct length of consultation period is followed (30 days if 20-99 staff are affected and 45 days if 100+ staff are affected).
- Staff who do not consent to the proposed change to their terms and conditions are given the correct notice of termination and an offer of new employment on terms that provide for a new pension scheme in place of TPS.
- All staff who are served with notice are given a right to appeal their dismissal to independent governors (i.e. those who have not been involved in the consultation process).
- Governors have a clear understanding of the legal risks involved.



4. TPS support options


We would be delighted to assist your school as you plan and carry out this exercise. We provide three levels of fixed fee TPS support for schools as detailed below:

<b>Bronze service: £3,500 plus VAT</b>	<b>Silver service: £7,000 – £9,500 plus VAT</b>	
<ul style="list-style-type: none"><li>• Review of the School's business case for withdrawal from the TPS.</li><li>• A one hour advice by telephone on the consultation process and election of employee representatives.</li><li>• Preparation of a timetable and templates of the letters to be sent to teaching staff at different stages of the consultation process.</li><li>• Preparation of templates of the letters to be sent to the employee representatives.</li><li>• Preparation of templates of letters to be sent to teaching staff following the end of the consultation process (i.e. letters varying the terms and conditions of those staff that accept the proposal and letters giving notice of termination and an offer of re-engagement on the new terms to those that do not accept the proposal.)</li></ul>	<ul style="list-style-type: none"><li>• One hour of advice to governors / SLT on preparatory strategic issues and legal implications (by conference call or in writing.)</li><li>• Review of the School's business case for withdrawal from the TPS.</li><li>• Review of staff contracts of employment and advice on notice periods.</li><li>• A one hour advice by telephone on planning and designing the consultation process and advice on election of the employee representatives.</li><li>• Preparation of a timetable and templates of the letters to be sent to teaching staff at different stages of the consultation process.</li><li>• Preparation of templates of the letters to be sent to the employee representatives.</li></ul>	<ul style="list-style-type: none"><li>• Up to eight hours of helpline advice (telephone and email) on queries from the SLT, the governors and from staff – this may include consideration and advice on queries/correspondence from unions.* Queries are likely to relate to the process itself and also to the business case for the proposal and are likely to entail drafting of further letters / emails etc. There may also be queries re staff who refuse to consent to the proposed variation in pension provision.**</li><li>• Preparation of templates of letters to be sent to teaching staff following the end of the consultation process (i.e. letters varying the terms and conditions of those staff that accept the proposal and letters giving notice of termination and an offer of re-engagement on the new terms to those that do not accept the proposal.)</li></ul>
<b>Gold service: £12,000 – £17,000 plus VAT</b>		
<ul style="list-style-type: none"><li>• Two hours of advice to governors / SLT on preparatory strategic issues and legal implications (by conference call or in writing.)</li><li>• Review of the School's business case for withdrawal from the TPS.</li><li>• Review of staff contracts of employment and advice on notice periods.</li><li>• Up to two hours of advice (telephone and email) on preliminary planning and design of the consultation process and advice on election of the employee representatives.</li><li>• Preparation of a timetable and templates of the letters to be sent to</li></ul>	<p>teaching staff at different stages of the consultation process.</p> <ul style="list-style-type: none"><li>• Preparation of templates of the letters to be sent to the employee representatives.</li><li>• Up to 20 hours of helpline advice (telephone and email) on queries from the SLT, the governors and from staff – this may include consideration and advice on queries / correspondence from unions.* Queries are likely to relate to the process itself and also to the business case for the proposal and are likely to entail drafting of further letters / emails etc. There may also be queries re staff who refuse to consent to the proposed variation in pension provision.**</li></ul>	<ul style="list-style-type: none"><li>• Preparation of templates of letters to be sent to teaching staff following the end of the consultation process (i.e. letters varying the terms and conditions of those staff that accept the proposal and letters giving notice of termination and an offer of re-engagement on the new terms to those that do not accept the proposal.)</li><li>• Liaison with the independent financial advisers who will present factual information to teaching staff relating to the TPS / alternative pension provision, as part of the consultation process.</li></ul>


\*Any applications for union recognition (whether voluntary or to the CAC) and any threats of strike action would be outside the scope of this arrangement and quoted for separately. \*\*Any employment tribunal claims would be outside the scope of this arrangement and quoted for separately.

About us


We would also be delighted to discuss with you a bespoke pricing structure that meets your school's unique requirements. Please contact one of our specialists who will be happy to discuss your matter with you:



**Joanna Lada-Walicki**  
Partner  
Schools & Charities  
Guildford  
T 01483 464216  
E joanna.lada-walicki@moorebarlow.com



**Ben Collingwood**  
Partner  
Schools & Charities  
Guildford  
T 01483 464204  
E ben.collingwood@moorebarlow.com



**Adam McRae-Taylor**  
Senior Associate  
Schools & Charities  
Guildford  
T 01483 464249  
E adam.mcrae-taylor@moorebarlow.com

**Guildford**

The Oriel, Sydenham Road,  
Guildford GU1 3SR  
**T** 01483 543210

**Richmond**

2 The Green, Richmond,  
London TW9 1PL  
**T** 020 8744 0766

**London**

60 Cheapside,  
London EC2V 6AX  
**T** 020 3962 7333

**Southampton**

Gateway House, Tollgate,  
Chandler's Ford, Eastleigh SO53 3TG  
**T** 023 8071 8000

**Lymington**

48 High Street, Lymington,  
Hampshire SO41 9ZQ  
**T** 01590 625800

**Woking**

Concord House, 165 Church St E,  
Woking GU21 6HJ  
**T** 01483 748500

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