



**Teachers Managing Absence (F8) Toolkit**  
**TMA09:**  
**Ill Health Retirement**



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## Introduction: Ill Health Retirement

This guidance is designed to help Head Teachers/Depute Head Teachers with the process of ill health retirement if they need to consider and discuss this option with one of their Teachers/Associated Professionals. It applies to all Teachers/Associated Professionals who are members of the Scottish Teachers' Pension Scheme and meet the criteria for either total incapacity benefit or partial incapacity benefit. Decisions will be made by the Scottish Public Pensions Agency (SPPA) based on the application and medical evidence received from the Teacher's medical professional.

If Teacher/Associated Professional remains absent due to ill health, the service cannot sustain the absence and a return to work is not foreseeable, then the Head Teacher/Depute Head Teacher should consider whether ill health retirement is an option and discuss this with the Teacher/Associated Professional. It should be noted that the decision in relation to ill health retirement is separate from any decision to dismiss a Teacher/Associated Professional on grounds of capability due to ill health. Prior to considering ill health retirement all other options such as a reduction in hours, redeployment and other workplace adjustments should be considered.

While the Council's Occupational Health provider does not make a decision on ill health retirement for a Teacher/Associated Professional and this decision is made by the SPPA Medical Adviser, a referral to Occupational Health can be made to obtain additional supporting medical information to assist with the application to the SPPA. It is therefore important to note that Teachers should apply for ill health retirement whilst still employed. A time delay in making an application could result in the pension being deferred until normal retirement age.

**If a Head Teacher/Depute Head Teacher considers that ill health retirement may be an option for a Teacher/Associated Professional, they are supporting then please contact your Employment & Policy Adviser to discuss this process.**

For full details of the ill health retirement process for teachers' please click [here](#).

## Section 1: Ill Health Retirement – Eligibility

It is important that a Teacher/Associated Professional is made aware that whilst they have the right to request to be considered for ill health retirement not all absence cases will merit this. Information will initially be sought from occupational health as to whether the Teacher/Associated Professional remains unfit for work and that the absence is likely to become a long-term incapacity case, this would indicate that Ill Health may be considered. However, before an ill health referral is made all other options would be explored i.e redeployment, reasonable adjustments, reduction in hours etc.

If a Teacher/Associated Professional has been an active member of the SPPA pension scheme for more than two years and is suffering from serious ill health that makes them unable to carry out the duties of their current post, they could be eligible for ill health retirement.

The level of pension awarded will depend on the severity of the condition and potential for employment in the future. As long as the Teacher/ Associated Professional has qualified for benefits, the ill health retirement provisions could allow them to access their pension before their normal pension age.

**Partial Incapacity Benefits** can be granted if the individual is assessed as being permanently unable to teach but able to undertake other employment. Partial Incapacity Benefits are based on service accrued to the date of retirement with no enhancement for service they would have completed had they been able to continue working.

**Total Incapacity Benefits** can be granted if, as well as being permanently unable to teach, an individual is assessed as having their ability to carry out any work impaired by more than 90% (and likely permanently to be so in the future). The total amount of enhancement they may receive if awarded Total Incapacity Benefits is half the service they could have completed before their normal pension age.

If a Teacher/Associated Professional has not been in service long enough to qualify for ill-Health benefits they can apply for a Short-Service Incapacity Grant. To be eligible for this they must have at least one year of pensionable employment and must apply within 12 months of leaving reckonable service. In these cases, the incapacity grant is 1/12 of their final pensionable salary for the length of their reckonable service (years and days).

## Section 2: Application Process

While applications to the Scottish Teachers' Pension Scheme for ill health retirement are teacher led, if a Teacher/Associated Professional is considering applying for ill health retirement they need to speak to their Head Teacher/Depute Head Teacher to confirm that their application will be supported.

It should be explained to the Teacher/Associated Professional that a decision would be made by the SPPA based on their application and medical evidence submitted. If requested by the Teacher / Associated Professional, a management referral can be made to Occupational Health to provide additional supporting medical information. A Head Teacher/Depute Head Teacher should gain consent from the individual before making a referral to occupational health and should also discuss this with their Employment & Policy Adviser.

The forms to be completed can be obtained direct from the SPPA website by clicking [here](#). The Employment & Policy Adviser will assist with completing part one of the Incapacity Benefits Retirement Application – STSS: (INC) while the Teacher/Associated Professional should ask their GP or specialist clinician to complete the Medical Report form (Incapacity Benefits Medical Form – STSS (MED)1).

On completion of both forms the Employment & Policy Adviser will collate the forms along with any additional evidence e.g. Occupational Health report, sickness absence record, job description and submit the application direct to SPPA.

## Section 3: Notification of Decision

The SPPA forward ill health applications to their medical advisers who are an independent body specialising in occupational health. Their objective assessment is based on the evidence provided with the application so it's vital that the Teachers/Associated Professional submits as much relevant evidence as possible when they apply.

A Teacher/Associated Professional will be notified by SPPA as to whether or not they have been granted ill health retirement who should then advise their Head Teacher/Depute Head Teacher to allow the next step in the process to be arranged as set out at Section 4.

SPPA will also notify the Council via the payroll and pension team who will inform the Employment & Policy team.

## Section 4: Informing the Employee of the Decision

Under the Teachers Managing Absence Policy (F8) a Stage 3 Capability meeting should be convened with the Teacher/Associated Professional. At this meeting a decision will be made on their continued employment whether or not they have been granted ill health retirement. An Employment & Policy Adviser must be in attendance at this meeting.

Please refer to the toolkit for Stage 3 capability case review checklist and stage 3 template letters.

## Section 5: Right of Appeal

If, for any reason, the Teacher/Associated professional does not agree with the decision made by the SPPA medical advisers, or if they have any grounds for a complaint, the Teacher / Associated Professional can ask the SPPA to review their application under the [Internal Dispute Resolution Procedures](#).

This would not delay or change any decision made by the Council on the continued employment of the Teacher / Associated Professional.