Department for Education

Teachers' Pension Scheme

Miscellaneous (Amendment) Regulations consultation

Launch date 7 August 2026

Respond by 30 October 2026

Contents

Introduction

The Department for Education (the Department) is consulting on a draft statutory instrument (SI), referred to in this document as the draft regulations, which would amend some rules of the England and Wales Teachers' Pension Scheme (TPS).

Who this is for

This consultation focuses on the TPS, which provides a pension for participating teachers and other eligible staff working in the education sector in England and Wales.

This consultation is aimed at those individuals and organisations who are likely to be affected by the proposed changes, including members, member representatives, TPS employers, local authorities and other relevant sector bodies. The Department is undertaking this exercise to meet its statutory consultation obligations and has published a list of organisations it would normally expect to consult on proposed scheme changes.

Issue date

The consultation was issued on Friday 7 August 2026.

Enquiries

If your enquiry is related to the policy content of the consultation, you can contact the team by emailing tps.consultations@education.gov.uk

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the DfE Ministerial and Public Communications Division by email: Consultations.Coordinator@education.gov.uk or by telephone: 0370 000 2288 or via the DfE Contact us page.

Additional copies

Additional copies are available electronically and can be downloaded from GOV.UK DfE consultations.

The response

The results of the consultation and the Department's response will be published on GOV.UK in Spring 2027.

Background and context

1. The TPS provides pensions and other benefits to teachers in England and Wales. The scheme is made up of three distinct sections. There are two final salary pension sections, with a normal pension age of 60 and 65 respectively, provided for under the Teachers' Pensions Regulations 2010 (the 2010 regulations) (SI 2010/19990). Both final salary sections closed to further accrual on 31 March 2022. The third is a career average revalued earnings section (CARE), with a normal pension age of State Pension Age or age 65, whichever is the later date, provided for under the Teachers' Pension Scheme Regulations 2014 (the 2014 regulations) (SI 2014/512). As of 1 April 2022, all active members of the TPS are accruing pension in the career average section.

2. In addition to the 2010 and 2014 regulations, there are also the Teachers' Pension Scheme (Remediable Service) Regulations 2023 (the 2023 regulations) (SI 2023/871). These regulations are to rectify the age discrimination that was identified with public service pension schemes reforms introduced in 2015 in the McCloud case. No amendments to the 2023 regulations are proposed as part of this consultation.

3. This document explains the purpose and effect of the provisions set out in the draft regulations, which are available alongside this document on GOV.UK, and seeks views from those likely to be affected, or representatives of those likely to be affected, on the proposals. The draft amendments are intended to:

    - rebalance member contribution tiers following the recent scheme valuation;
    - clarify and align regulations with established Department policy where the current drafting does not clearly reflect the intended operation of scheme rules, or make corrections to wording to ensure those rules operate as intended;
    - address minor administrative processes and procedural updates.

Consultation Questions

4. The Department welcomes comments and views on the proposals set out in this document and the draft regulations. Respondents are invited to consider the following questions in reply.

- What are your views on the proposed amendments to the TPS regulations?
- Do you agree that the proposed amendments deliver the policy objectives as set out in the consultation document?
- If 'no', why?
- Are there any changes needed to ensure the proposed amendments deliver the policy objectives?
- Are there any equality impacts arising from the proposed amendments that the Department has not identified and needs to take account of?
- Are there any additional comments you wish to provide regarding the proposed amendments to scheme regulations?

We would like to hear your views on our proposals.

Respond online

To help us analyse the responses please use the online system wherever possible. Visit [DfE consultations on GOV.UK] to submit your response.

Other ways to respond

If for exceptional reasons, you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may request and complete a word document version of the form.

By email

tps.consultations@education.gov.uk

By post

TPS Pensions Policy Team
Department for Education
Bishopsgate House
Darlington
DL1 5QE

Deadline

The consultation closes on 30 October 2026.

TPS Member Contribution Tiers

Introduction

5. TPS members are required by legislation to collectively contribute 9.6% of their pay towards scheme benefits. A small adjustment to the tiered member contribution structure is required to ensure the scheme does not collect more than 9.6% in the current valuation period.

6. The TPS is a contributory scheme, meaning that members and their employers are required to pay towards the cost of benefits that are built up. An actuarial valuation is carried out, normally every four years, to ensure the level of contributions made by members and employers appropriately meet the cost of pension rights as they are accrued.

7. Members are required collectively to contribute 9.6% across the whole scheme membership, which is referred to as the member contribution 'yield'. The member yield of 9.6% is factored into the benefits structure and costings of the scheme.

8. While the yield is a fixed percentage, the TPS currently operates a 'tiered contribution' system whereby the 9.6% requirement is shared out across the workforce on a sliding scale of rates according to pensionable earnings, with the aggregate amount collected across members adding up to 9.6%. This is the method adopted across most public service pension schemes in the UK.

Current employee contribution rates

9. The TPS has 6 contribution tiers ranging from 7.4% for the lowest earners to 12% for the higher earners.

10. The current structure, covering 1 April 2025 to 31 March 2027, is as follows:

Annual Salary Bands	Member Rate from 1 April 2025
0 - £34,289.99	7.4%
£34,290.00 - £46,158.99	8.9%
£46,159.00 - £54,729.99	9.9%
£54,730.00 - £72,534.99	10.5%
£72,535.00 - £98,908.99	11.6%
> £98,909.00	12%

Changes to the contribution structure from 1 April 2027

11. The scheme valuation report published in July 2026 determined that if the TPS continued to collect member contributions at the current rate it would exceed the required 9.6% yield. Consequently, from 1 April 2027 it is proposed that the member contribution structure will be adjusted.

12. The proposed new structure, covering 1 April 2027 to 31 March 2029, is as follows:

Annual Salary Bands	Member Rate from 1 April 2027
0 - £36,198.99	7.4%
£36,199.00 to £48,727.99	8.7%
£48,728.00 to £57,776.99	9.7%
£57,777.00 to £76,572.99	10.3%
£76,573.00 to £104,413.99	11.4%
> £104,414.00	11.8%

13. The Department has worked closely with GAD and the Teachers' Pension Scheme Advisory Board (SAB) on this potential change. The SAB is a statutory board of member and employer representatives which provides advice to the Secretary of State on potential changes to TPS rules.

14. Several options were modelled in line with the policy principles determined in consultation with the SAB, which included protection of the lowest paid, fairness for all members, ease of member understanding and minimising the administrative burden on scheme employers.

15. The proposed structure was finalised following extensive consideration of the options that were discussed and modelled, including those put forward by the SAB.

Proposed amendment

16. To apply the proposed changes, scheme rules will need to be amended via a change to scheme regulations.

17. Draft regulation 8 of the Teachers' Pension Scheme (Amendment) Regulations 2027 would amend the Teachers' Pension Scheme Regulations 2014 to implement a new member contribution rate from 1 April 2027.

Respondents are asked to consider whether:

- they agree with the proposed member contribution rates?
- the amendments achieve the stated policy aim as outlined above?
- there are any consequences of making these changes that are not highlighted in this consultation document?
- they have any other comments?

Miscellaneous Amendments

18. Further amendments are proposed to ensure the regulations operate as intended and where necessary, align with established Department policy and the wider legislative framework.

Definition of paternity leave

19. Following the introduction of Bereaved Partner’s Paternity Leave (BPPL) in 2024, which provides a day-one right to paternity leave for bereaved partners, a consequential amendment is required to the TPS regulations. As BPPL is classified as a form of paternity leave, the Department proposes to amend the definition of paternity leave in regulation 3 of the 2014 regulations to include BPPL as defined in the Bereaved Partner’s Paternity Leave Regulations 2026. This means that a member’s BPPL is treated as paternity leave for the purposes of calculating pensionable service, pensionable earnings and related matters.

Automatic re-enrolment

20. Under the Pensions Act 2008, an individual who is already participating in a qualifying pension scheme does not need to be automatically re-enrolled into an occupational pension scheme every three years. However, the current TPS regulations do not reflect this position and require automatic re-enrolment to apply to all eligible individuals, including those who are already active members of another qualifying pension scheme.

21. The Department therefore proposes to amend the TPS regulations to align with the provisions in the Pensions Act 2008 in relation to automatic re-enrolment. This will mean that individuals who are participating in another qualifying pension scheme at the point of automatic re-enrolment will not be required to be re-enrolled into the TPS. This change is intended to ensure consistency with the overarching legislative framework and to avoid unnecessary administrative activity where individuals are already participating in another pension scheme.

Ill-health Pension

22. Regulation 114 of the 2014 regulations sets out when an ill-health pension ceases to be payable. Ill-health pensions are awarded differently depending on whether a member is in service or out of service. An in-service member is someone who is on the employer’s books or who applies for ill-health benefits within two years of leaving service. An in-service member is eligible for an ill-health pension if they are unable to take up any form of eligible employment (i.e.

eligible teaching work) even if they are well enough to take up any other form of gainful employment. An out-of-service member, for the purposes of ill-health, is someone who left eligible employment for reasons other than their ill-health or they apply for ill-health benefits more than two years after leaving pensionable service. An out of service member is only eligible for an ill-health pension if they are unable to take up eligible employment and they are unable to take up any other form of gainful employment.

23. Regulation 114 sets out when an ill-health pension ceases for in-service members but does not clearly specify when it ceases for out-of-service members. The Department therefore proposes to amend this provision to clarify that, for out-of-service members, entitlement to an ill-health pension will cease when the individual commences any form of gainful employment. This reflects the underlying eligibility condition for these members, as taking up employment confirms they no longer meet the requirement of being unable to undertake any form of work. This amendment will apply to cases where entitlement arises on or after 1 April 2027. For existing recipients, their entitlement will continue to be assessed in line with the amended criteria, meaning that where an individual is able to undertake work to an extent that they no longer meet the eligibility condition, their entitlement may cease. This amendment is intended to ensure consistency between the eligibility criteria and cessation provisions and to provide greater clarity on how the rules operate in practice.

Short term adult and child pension

24. Regulations 143 and 150 of the 2014 regulations set out entitlement to short-term pensions for surviving adults and children. Short-term pensions are payable for a limited period (normally three months) following the death of a pensioner member and are intended to provide immediate financial support to beneficiaries.

25. Under the current regulations, short-term pensions are calculated by reference to defined terms such as “annual rate of full retirement earned pension” or “phased retirement earned pension”. However, this does not clearly reflect the policy intention, as it does not take into account adjustments that have been made to the pension actually in payment at the date of the member’s death.

26. The Department therefore proposes to amend the wording in these regulations. In practice, this will result in beneficiaries being entitled to the amount that was in payment to the member at the time of their death. This may be a lower amount than the short-term pension they would have received had the amount been calculated based on the ‘full retirement earned pension’ or ‘phased retirement earned pension’ as defined in the regulations. This amendment will apply only to

cases where entitlement to a short-term pension arises on or after 1 April 2027. Existing awards already in payment at that date will not be affected.

27. In addition, the wording in regulation 150 requiring pension sharing reductions to be disregarded when calculating the short-term rate of a child's pension will be removed, as this does not reflect the Department's policy intention. Short-term pensions for children, in the same way as for surviving adults, should be based on the pension in payment at the date of the pensioner member's death, including any applicable adjustments. Similar to above, in practice, this may result in a beneficiary receiving a lower amount as they will no longer be entitled to a short-term pension where pension sharing reductions are disregarded.

Respondents are asked to consider whether:

- the draft regulations achieve the stated aims of the amendments?
- there are any consequences of making these changes that are not highlighted in this consultation?
- they have any other comments?

Public Sector Equality Duty

28. The Public Sector Equality Duty (PSED) requirements are set out in section 149 of the Equality Act 2010. The PSED requires a public authority to have due regard to the need to:

    - eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
    - advance equality of opportunity between people who share a protected characteristic and those who do not; and
    - foster good relations between people who share a protected characteristic and those who do not.

29. These aims are also known as the three limbs of the PSED. This involves having due regard to the need to remove or minimise disadvantages suffered by people due to their protected characteristics and take steps to meet the needs of people from protected groups where these are different from the needs of other people.

30. The equality duty covers nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (ethnicity), religion or belief, sex, and sexual orientation.

31. Understanding the possible impact that policy decisions could have on different groups helps us to identify, avoid and manage negative equality impacts. Consideration of the impact of the changes that are subject to consultation is ongoing. While the proposed amendments are not expected to adversely affect any group overall, the Department continues to consider the potential impacts of the proposed changes to the ill-health pension and short-term pension regulations. This assessment will be informed further by your responses to the consultation. The summary set out below focuses on the changes to the member contribution rates as this affects all active members of the scheme.

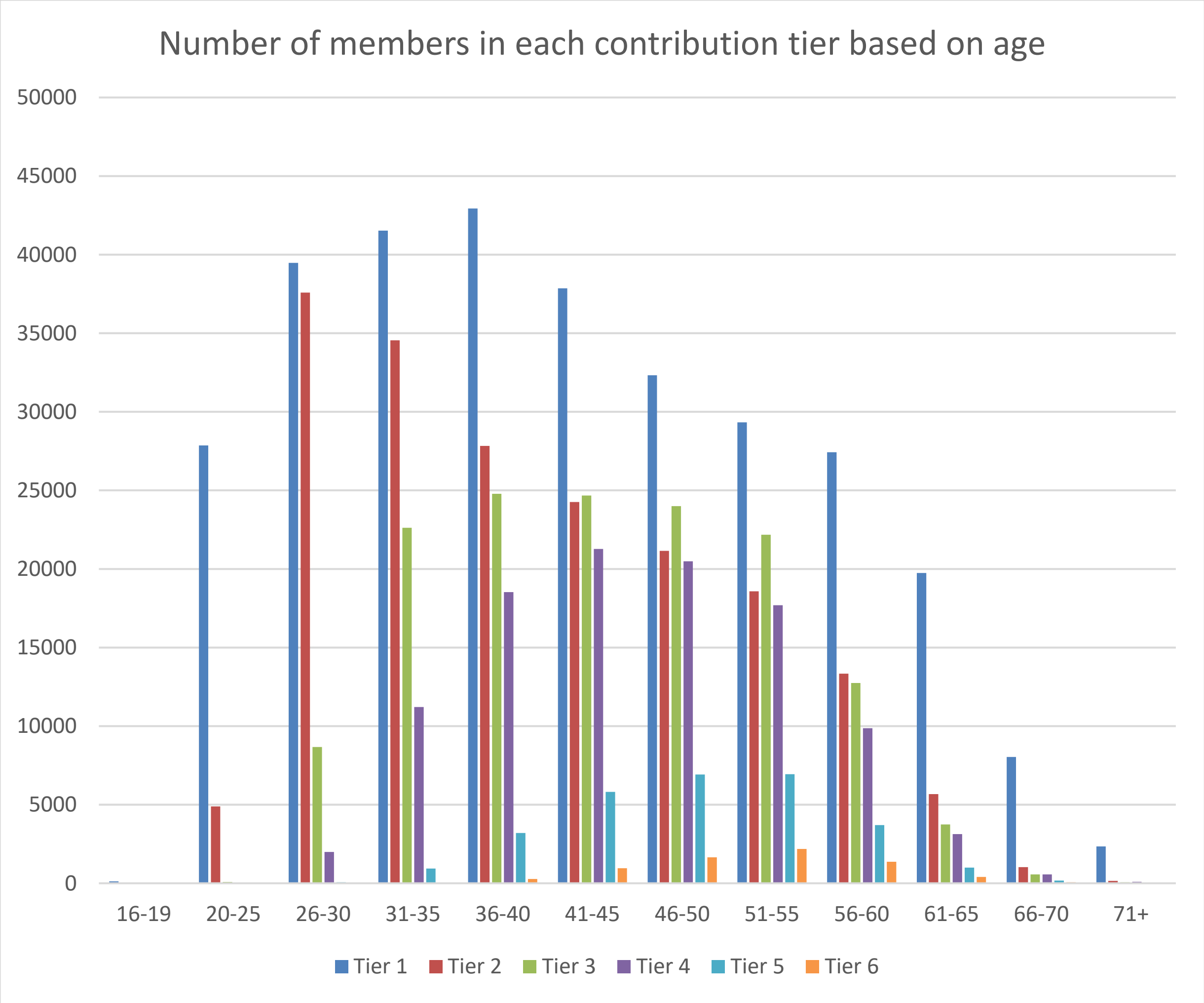
32. The equality duty is an ongoing duty, and we will continue to consider and amend this assessment until the final regulations are made.

Assessment

33. The change to the member contribution structure (page 7), and the PSED analysis is summarised in this section. The change could affect all active members of the scheme over the current valuation period – this is approximately 780,000 members. The assessment considers the impact of the proposed contribution rates compared to the current rates,

Age

34. The graph and table below outline the number of active members in each contribution tier according to their age (based on service from 01/04/2025 to 31/03/2026).[1]



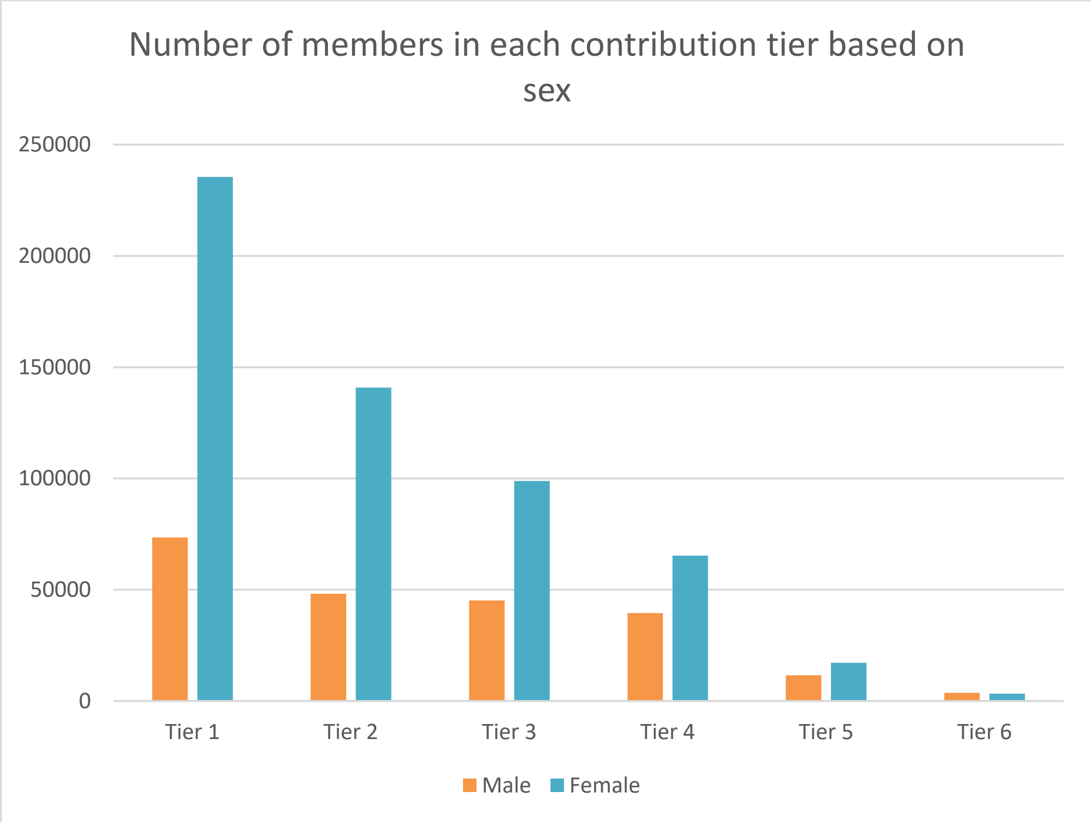
[1] These figures are based on actual earnings and include both full time and part-time members.

Age band	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Tier 6
16 – 19	123	0	0	0	0	0
20 – 25	27865	4889	84	10	0	0
26 – 30	39482	37588	8668	1994	59	1
31 – 35	41528	34546	22620	11214	942	30
36 – 40	42940	27831	24780	18526	3199	278
41 – 45	37862	24265	24673	21278	5819	956
46 – 50	32323	21152	24003	20490	6922	1649
51 – 55	29329	18579	22175	17695	6938	2186
56 – 60	27426	13338	12744	9865	3701	1365
61 – 65	19742	5674	3745	3133	993	404
66 – 70	8036	1023	562	570	177	63
71 +	2349	153	67	92	35	12

35. It is evident from the table that the lower earners are typically younger members whereas the higher earners are typically older members. A key principle when setting the contribution rates is to ensure the lowest paid are protected. The proposed changes continue to reflect this principle, with lower salary bands maintaining lower contribution rates relative to higher earners. The Department considers that any differential impact by age reflects earnings progression over a career and is therefore justified as a proportionate means of meeting the policy objective.

Sex

36. The graph and table below break down the number of male and female active members in each contribution tier.



	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Tier 6
Male	73,496	48,207	45,232	39,533	11,577	3,664
Female	235,509	140,831	98,889	65,334	17,208	3,280

37. While the membership is predominantly female, a higher proportion of male members are in the higher tiers. However, as the proposed changes to the tier structure apply to all members regardless of sex, the Department does not believe the policy discriminates based on sex.

38. A further consideration in relation to this protected characteristic is working pattern and how the change to the contribution rate will impact members who work full time/part time or both.

39. The table below outlines the number of male and female members in each contribution tier, broken down into full-time and part-time working patterns. Some members have both a full-time and a part-time contract.

	Full time		Part Time		Full time/Part Time	
	Male	**Female**	**Male**	**Female**	**Male**	**Female**
Tier 1	31,815	73,493	37,572	146,263	4,109	15,753
Tier 2	39,336	86,790	4,951	38,095	3,920	15,946
Tier 3	41,855	83,774	1,139	7,870	2,238	7,245
Tier 4	37,241	58,352	650	3,050	1,642	3,932
Tier 5	11,061	16,053	162	448	354	707
Tier 6	3,512	3,075	55	87	97	118

40. Whilst an individual's working pattern is not a protected characteristic for the purposes of the Public Sector Equality Duty, we have considered the relationship between working pattern, sex and salary because the contribution structure impacts part-time and full-time members differently.

41. It is evident from the table above that more female members work part time, particularly female members in the lower salary bands. However, given that the contribution rate is based on members' actual earnings rather than their FTE (full-time equivalent), the Department does not believe part-time members, predominantly female members, would be unfairly disadvantaged by the changes outlined in this consultation.

Ethnicity

42. Available data on TPS membership only covers members' age and sex, as the scheme administrator only collects data that is necessary for the administration of the scheme.

43. The data in the table below has been taken from the School Workforce Census 2025 (published in 2026), which is regarded as a reasonable proxy for the characteristics of active members of the TPS, given the high percentage of those eligible to be members. However, as the census data does not break down these groups into age or salary bands it is not possible to conclude if any groups would be impacted more than others by the change to the member contribution tiers.

Ethnicity	%
White	88.1%
Black or Black British	3.0%
Asian or Asian British	6.0%
Any other Mixed background	2.1%
Any other ethnic group	0.8%

44. As the member contribution tier change applies to all active members regardless of the above characteristics, the Department does not believe there are negative impacts that would emerge based on ethnicity following a change to the tiers that was not related to a justifiable policy aim.

Marriage and Civil Partnership, Disability, Religion and Belief, Gender Reassignment and Sexual Orientation

45. There is no available data on these groups in relation to the TPS membership. However, the Department has considered the potential impact of the proposals and does not foresee any unjustified differential impacts that the proposed amendments would cause for members by reference to these protected characteristics.

Conclusion

46. The Department has considered the impact of the proposals in the context of this duty, and we invite respondents to help refine this initial analysis by contributing further perspectives or identifying where there might be other equality impacts to consider.

Respondents are asked to consider whether:

- there are any equality impacts as a result of any of the proposed amendments?
- there are any other comments?

Next Steps

47. After the consultation has closed on 30 October 2026, responses will be fully considered before changes to TPS regulations are finalised, expected to be in force by spring 2027. A consultation response document will be published at the same time.

Department for Education

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