



HSC Pension Service

*Provided by ....*



Business Services Organisation

# Employer Newsletter

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# 1. Auto Enrolment

If and when an Employer is auto-enrolling an employee into the HSC Pension they must ensure that the member meets the eligibility criteria for HSC Pension Scheme membership. To be eligible to be auto enrolled and to join the HSC Pension Scheme an employee must, in addition to the standard auto enrolment rules:

- Be employed by an HSC organisation listed in Part 1 of Schedule 5 of the HSC Pension Scheme Regulations
- Be aged between 16 and 75
- Not be in receipt of a 1995 Scheme Pension (there are some exceptions to this rule which HSC Pension Service can confirm on request)
- Not be absent from work for any reason on the date of auto enrolment

If a member does not meet all of the above rules their enrolment in the scheme will be invalid and the member or their dependents will not be entitled to any in-service benefits payable from the HSC Pension Scheme.

It is important that employer's check that those staff whom they enrol/auto enrol are eligible for scheme membership so as to mitigate any potential ineligible claims to future benefits

# 2. Survivor Benefits for Co-Habiting Couples

As a follow up on the ruling in the Brewster case on 8<sup>th</sup> February 2017, co-habiting partners are no longer legally required to complete and submit the Partner Nomination form PN1 in order to qualify for survivor's benefits.

This means that members with Scheme membership **on or after 1 April 2008** who are living together but are not married are eligible to survivor's benefits. However there is certain criterion which must be met:

- At the date of death, proof that both parties lived together in a long term exclusive relationship for at least 2 years
- At the date of death, proof that both parties were free to marry or enter into a civil partnership
- At the date of death, proof that both parties were financially interdependent.

A partner nomination form (PN1) is no longer required in respect of claims for payment of survivor benefits to unmarried partners, however, Employers should still encourage the use of the partner nomination facility by completion of the [PN1](#).

In the absence of a partner nomination form, claimants will still need to provide evidence that they meet the criteria listed above.



### 3. Partial Retirement

Partial Retirement is a feature of the 2008 and 2015 Schemes only. It is a feature of the scheme which supports a phased withdrawal from the workplace with a reduction in employment commitments supplemented by partial payment of pension.

The concept of partial retirement is where an active member claims a portion of accrued benefits whilst still continuing in pensionable employment. The member is required to have a change to the terms & conditions of the continuing employment and a reduction in pensionable earnings.

Further information on the mechanics of Partial Retirement is contained in the Partial Retirement Policy. Guidance documentation on the practical implications of Partial Retirement applications is currently being circulated to Employer Representatives and will shortly be distributed Service wide and made available on the HSC Pension Service Website.

### 4. Concurrent Employments

Employers should be aware that for each pensionable employment a member works, this will accrue individual service/benefits in the HSC Pension Scheme. These service/benefits will be accumulated to calculate the value of a members total HSC Pension benefits.

#### **1995/2008 sections of the Scheme**

Upon retirement from the 1995 section of the Scheme, HSC Pension Service will review all pensionable employments held within the last 3 years of scheme membership to calculate the member's pensionable pay figure to be used in the calculation of their benefits.

Upon retirement from the 2008 section of the Scheme, HSC Pension Service will review all pensionable employments held within the best 3 consecutive years of the last 10 years of scheme membership to calculate the member's pensionable pay figure to be used in the calculation of their benefits.

In calculating the pensionable pay figure HSC Pension service will take into account pensionable pay earned in respect of any pensionable employment during that 3 year period.

Therefore if a scheme member works different band/grade employments in this 'best 3 year' period this will affect the pensionable pay figure used to calculate your HSC Pension Scheme benefits.

For example, in the 1995 scheme, an employee working 50% at top of band 5 (£28180/2) and 50% at top of band 7 (£40963/2) will have their pension calculated on pensionable pay of £34,571.50.



## 5. New Joiner Questionnaire

Employers have the responsibility to ensure that all new employees are issued with a copy of, or are provided access to, the New Joiner Questionnaire. The questionnaire captures details from new employees regarding their current status within the HSC Pension Scheme and eligibility for an alternative pension scheme if applicable.

The questionnaire also provides new employees with important information relating to the various features of the pension such as the opportunity to transfer previously accrued pension benefits into the HSC Pension Scheme. It is a statutory requirement of employers to provide such information to new employees and as such you should ensure that all relevant documentation is made available on appointment.

The New Joiner Questionnaire and associated guidance information can be accessed at <http://www.hscpensions.hscni.net/joining-the-scheme-2/>

## 6. In Service III Health Retirement Applications (Reminder)

In order for a member to be eligible to claim HSC Pension Benefits through In-Service III Health Retirement, the member **must be in HSC Pensionable Employment at the date the decision was made that they were accepted for III Health Retirement by HSC Pension Service.**

It is not sufficient for a member to have been in HSC Pensionable Employment at the date of the submission of the application to be eligible for claiming HSC Pension Benefits through the **In-Service III Health Retirement Application Process.**

If a member's contract of employment is terminated prior to HSC Pension Service making a decision on their eligibility for III Health Retirement, that member is no longer in HSC Pensionable Employment and therefore cannot be treated under the In-Service III Health Retirement Regulations. The member will be deemed to be a deferred member and such regulations will apply.

If a member's initial application is not successful and the Employing Authority subsequently terminates that member's contract of employment after the date of the decision, the member has a right of appeal. If the member is successful in their appeal their application will be backdated to the date of the initial decision for that application and be treated as an **In-Service III Health Retirement application.** Further information is included in the III Health Retirement – Appeals Update section



## 7. Ill Health Retirement — Appeals Update

If a member applies for, and does not meet the criteria to have their HSC Pension Benefits payable under the Ill Health Retirement Regulations, that member can appeal the decision made by HSC Pension Service. Members and Employers should be aware of the process and timeframe for lodging such appeals.

Appeals on the initial decision must be made within one month of the date of the letter issued to the member and should be made using the DRP1 Form available on the HSC Pension Scheme website. Should members require more time to gather additional medical information, they should contact HSC Pensions directly and provide an update on any progress being made.

If a member's first appeal is not upheld, they may submit a second appeal to the latest decision. A second appeal must be submitted within 6 months of the letter advising the member of the decision of their initial appeal and should be submitted using the DRP2 form available on the Scheme website.

If successful for In Service Ill health retirement, the earliest date HSC Pension Service can pay benefits, is from the date of termination from employment, which must be on or after the date HSC Pension Service made the original decision.

## 8. Contact Us

### By writing to us at:-

HSC Pension Service

Waterside House

75 Duke Street

Londonderry

BT47 6FP

Via e- mail at:- [hscpensions@hscni.net](mailto:hscpensions@hscni.net)

**By Telephone:** 028 7131 9111 (9.00am to 5.00pm – Monday to Thursday; 9.00am to 12.00pm Friday)

If you have any suggestions for the newsletter or would like a particular topic covered in future publications please do not hesitate in contacting us by emailing: [hscpensions@hscni.net](mailto:hscpensions@hscni.net)

