



HSC Pension Service

Provided by



Business Services Organisation

EMPLOYER TECHNICAL UPDATE

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1. Foreword/Executive Summary

HSC Pension Service has produced this Employer Technical Update to raise awareness amongst employers and other associated bodies of important issues affecting the HSC Pension Scheme.

A number of topics (listed below) can have a direct financial effect on member's benefits and it is important that employers should inform members of these features of the scheme and their importance in relation to future benefits.

Provision of Survivors Benefits

Transfer of Pension Benefits

Protection of Pensionable Pay

HSC Pension Service will also highlight these issues in Member Newsletters.

There are also technical issues contained in this update which employers should take note of. These include, the correct procedure to use regarding On Call working and how concurrent employments are evaluated in the calculation of benefits.

Employers should use the most up to date forms available on the [Scheme Forms](#) section of Scheme website. Some benefit application forms submitted are old forms which do not meet current legislation and therefore cannot be accepted and will delay the processing of benefit applications.

2. Provision of Survivors Benefits for Unmarried Couples (Judicial Review)

On 8th February 2017 the Supreme Court ruled in relation to the Northern Ireland Local Government Officers' Superannuation Committee that a surviving unmarried co-habiting partner should be afforded the same rights as surviving married or civil partners when ascertaining eligibility for a survivor's pension. Access to the full ruling can be found at <https://www.supremecourt.uk/cases/uksc-2014-0180.html>

As a result of this ruling and from that date, it is *no longer mandatory* for unmarried Co-Habiting members of the HSC Pension Scheme to submit a [PN1](#) form to nominate their partner to receive a survivor's benefit in the event of their death.

HSC Pension Service recommends that as a matter of good practice and to ensure the prompt payment of survivor's benefits that unmarried co-habiting members should still submit the [PN1](#) form to nominate their partner to receive a Survivors pension. However, this is not mandatory.

Action for Employers.

Ensure all correspondence including posters and newsletters are shared with staff/scheme members.



3. Procedural Guidance for Employers

HSC Pension Service has produced comprehensive Procedural Notes and training material for HR and PSS Staff on the policies and legislation governing pension administration and benefit application processes. An Employers Guide has also been produced to assist employers for use in their day to day pension scheme related administration. All documents can be accessed on the [Employer's Resources](#) section of the Scheme website.

Action for Employers.

Refer to the guidance material when required.

4. On Call Working Arrangements (Pensionable Earnings)

Commitment or availability payment

Regular payments made in recognition of being available for on-call work where there is a specific rota commitment are pensionable for both whole-time and part-time members. It is recognised that there must be some degree of flexibility within an on-call rota but in order to pension this payment a member must have a definite commitment to the rota for which they are paid on a regular basis, i.e. weekly, monthly or annually.

Payments for work done

For whole-time members payments for work done whilst on-call are non-pensionable as they are classed as overtime.

For part-time members payments for work done whilst on-call are pensionable at plain time rates, up to the whole time weekly hours. Hours up to whole time should be credited for pension purposes.

Action for Employers.

Ensure payments made in respect of all scheme members who are subject to on call arrangements are treated correctly for pension purposes and hours worked are attributed



5. Concurrent Employments

Members who have two or more concurrent pensionable employments will have their pension benefits calculated using service and pay from all pensionable employments.

If a member holds concurrent pensionable employments at different grades/bands, the pensionable pay figure used to calculate the value of their benefits will be made up of the pensionable pay received in each pensionable employment.

It should be noted that a member may choose not to be pensionable in any or all of their employments.

Action for Employers.

Inform staff in dual capacity pensionable employments of the possible implications to the calculation of their pension benefits.

6. Transfer of Benefits from other NHS Pension Schemes

HSC Pension Service has agreed to extend the closing date for acceptance of retrospective transfers of benefit applications from other NHS Pension Schemes to 30/09/2017.

Any new Scheme members must submit a request for a transfer of Pension Benefits from NHS Pension Providers or other Pension Scheme Providers within a year of joining the HSC Pension Scheme. This ruling is in line with HMRC Regulations.

Action for Employers.

Ensure all publicity correspondence including posters and newsletters are shared with staff/scheme members.



7. Protection of Pensionable Pay - (closing date for retrospective applications)

The closing date for retrospective Protection of Pensionable Pay applications is the 31st March 2017. Any retrospective applications received after this date will not be processed.

If any member wishes to apply for Protection of Pensionable Pay in the future they must make their application within the specified time frames i.e. 3 months after the reduction in pay occurs for a reason which was through no fault of the member (both sections of the scheme) and after 12 months but within 15 months when the member voluntarily steps down to a less demanding role (1995 section only). Further information can be found on the [Protection of Pensionable Pay](#) factsheet on the Scheme website.

Action for Employers.

Ensure that all retrospective applications for Protection of Pensionable Pay have been submitted to HSC Pension Service by 31st March 2017.

8. Revised Scheme Forms

| Form | Change |
|---|---|
| AW11 | Change to application Process |
| AW10 | Change to application Process |
| MHO Application | Revised Procedural Processes |
| New Joiner Questionnaire | Inclusion of request for members to notify HSC Pension Service of Previous Public Sector Pension Scheme Membership |
| EAAF - Employing Authority Authorisation Form | Revised form to be completed by Employers and signed off by Director of Finance and CEO when agreeing to meet the Pension costs of a member retiring early. |
| (VES) Voluntary Exit Scheme Payback Letter | Form signed off by the Director of Finance confirming payment has been made by a scheme member covering the cost of the early payment of the pension benefits |



9. HSC Pension Service Publications

HSC Pension Service produces a number of Quarterly Publications (listed below) which can be accessed on the [Newsletters](#) section of the website.

HSC Pension Service Publications

Employer Technical Update
GP Practice Staff Newsletters
GP Newsletters
Pensioner Newsletters
Members Newsletters
Employers Newsletters

10. 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

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

