

**NHS PENSION SCHEMES
05/2017**

- WHO SHOULD READ:** NHS HR and Payroll Managers
GP Practice Managers
Direction Bodies
Practitioner Service Division (PSD)
Dental Payments
- ACTION:** 1. To advise members of scheme regulation changes
2. For information
- SUBJECT:** 1. Changes to Scheme Regulations
2. Medical Schools Direction and Determination

The purpose of this circular is to:

- Advise Employers of changes to the scheme regulations and request that they bring the changes to the attention of scheme members.
- Advise on the issue of a new Medical School Direction and Determination

1. Changes to Scheme Regulations

1.1 The following amending instruments have been approved by Parliament and came into force from 13 March 2017:

- The NHS (Superannuation Scheme) Injury Benefits and AVCs (Scotland) Amendment Regulations 2017 ([SSI 2017/27](#))
- The NHS Pension Scheme (Scotland) (Miscellaneous Amendment) Regulations 2017 ([SSI 2017/28](#))

1.2 The main changes included :

- Insertion of an updated employee contribution table at the appropriate place in the 1995 and 2008 sections and 2015 scheme regulations. The table updates the pay/earnings bands to reflect the pay award from 1 April 2016 (see SPPA NHS circular [01/2017](#) for more information on how to apply the contribution table)
- Technical amendments as a consequence of the abolition of “contracting out”

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- Miscellaneous amendments updating references to the Pension Schemes Act 1993 and removing obsolete references to “safeguarded rights” and “safe guarded percentages”
 - Amendments to reflect shared parental leave
 - An amendment to the injury benefit (IB) regulations, so that a person in receipt of permanent injury benefit payments under the IB regulations who was in receipt of certain social security benefits which were replaced by the social security benefit known as “employment support allowance”, is not detrimentally affected by that replacement where the amount of employment and support allowance is greater than the amount of replaced social security benefits he was receiving
 - An amendment to the AVC Regulations to enable a member’s money purchase additional voluntary contribution pension pot to be taken as a lifetime allowance excess lump sum
 - Amendments to the Transitional and Consequential Provisions Regulations inserting a new regulation to deal with the effect of recommencing pensionable service following a break in employment and its effect on the calculation of, where appropriate, an ill health pension or death in service benefit.

1.3 The full regulations can be viewed on the SPPA website at www.sppa.gov.uk.

1.4 The [consultation](#) on the regulations with a more detailed explanation of the changes can also be viewed on the SPPA website.

1.5 Employers should alert scheme members to the changes in scheme regulations in accordance with the Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013.

2. Medical Schools Direction

2.1 Under this Direction clinical researchers and lecturers are able to take up employment at University medical schools in Scotland and remain members of the NHS scheme. To allow eligibility for the NHS scheme to continue, the individual concerned must have been eligible to join, or have previously been a member of the scheme in the 12 months prior to taking up this employment, and must ask to rejoin the scheme within 3 months of starting their employment at the medical school. The current Direction arrangement limited the length of time members could remain in the NHS Scheme whilst in medical school employment to 8 years.

2.2 Following discussions with those representing Scottish medical academics and the BMA, it has been agreed that in line with similar Directions across the UK that the current 8 year time limit should be removed. This change takes effect from 1 April 2016. SPPA has



written to each of the Scottish medical schools outlining this change, providing each with a revised Direction and, for those members covered by the 2015 CARE scheme, a Determination.

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6 April 2017

Contact information

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