

**NATIONAL HEALTH SERVICE SUPERANNUATION SCHEME (SCOTLAND)  
2013/07**

**WHO SHOULD READ:** HR and Payroll managers  
Direction Bodies  
GP Practice managers  
Practitioner Services Division  
Dental Payments  
Pension Administration staff

**ACTION:** To read and circulate as appropriate

**SUBJECT:** Clarification on eligibility to join NHS Superannuation Scheme (Scotland) during a period of absence.

**The purpose of this circular is to clarify the pensionable position of absent staff in respect of the NHS Superannuation Scheme and auto-enrolment**

As a consequence of the requirement to auto enrol staff into a pension scheme, SPPA has received a number of enquiries about whether staff who are absent from work should be automatically enrolled into the NHS Superannuation Scheme (Scotland). Clarification has also been sought on whether those who are not eligible for the NHS scheme should then be enrolled into an alternative qualifying pension scheme (e.g. NEST)

The NHS Scheme Regulations state that a person cannot rejoin the scheme if they are “absent from work for any reason”. This circular therefore seeks to give guidance on the policy intention of the Regulations.

All staff who are on sick leave of any length and those on unauthorised leave should be considered “absent from work” for the purpose of NHS Scheme eligibility and **not** be automatically enrolled into the NHS scheme on the employer’s staging date. Staff on sickness absence should be continually reviewed from your auto enrolment date during the joining window (one month time limit) and if they return to work within this period they can then be enrolled into the NHS Scheme. If staff remain off sick after the one month time limit the employer must then enrol the person concerned into an alternative qualifying pension scheme (e.g. NEST) However, this will depend on whether the staff member meets the earnings threshold for doing so as set out by The Pensions Regulator (TPR) at <http://www.thepensionsregulator.gov.uk/employers/automatic-enrolment-earnings-thresholds.aspx>

Staff on all other kinds of leave (e.g. annual leave, career break, maternity leave, paternity leave) **can be** auto-enrolled into the NHS Superannuation Scheme (Scotland) if eligible under the current earnings thresholds (set by TPR). However, if these staff are not eligible to join the NHS scheme for any other reason they must still be assessed for automatic enrolment purposes and should be enrolled into an alternative qualifying pension scheme (e.g. NEST) if they meet TPR’s criteria.



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Employers are reminded that scheme guides should be issued to all those who are auto enrolled into the NHS scheme in the same way as if they had opted to join.

**Sharon Liptrott**  
**Policy Manager**  
**21 May 2013**

**Contact Information:**

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