

National Health Service Superannuation Scheme (Scotland)

Addressees as listed below

7 Tweedside Park
Tweedbank
GALASHIELS
TD1 3TE
www.sppa.gov.uk

Tel: 01896 893000
Fax: 01896 893230

Our ref: NHS/01/36
6 November 2014

Dear Colleagues

Reforming the NHS Pension Scheme for Scotland

Consultation on “The National Health Service 2015 Pension Scheme (Scotland) Regulations”

This letter is to advise you about the consultation on draft regulations for the new NHS pension scheme for Scotland which will be introduced from 1 April 2015. **This Consultation will run from 6 November 2014 to 4 January 2015.**

In 2010, the UK Government gave a commitment to review the long-term affordability and sustainability of public service pension schemes. Although Scottish Ministers have executive powers to make and amend regulations covering the Scottish NHS Pension Scheme overall occupational pensions policy remains reserved to Westminster.

Lord Hutton of Furness was commissioned to conduct a fundamental structural review of public service pension provision and in March 2011 he published his final report on the future of public service pensions and his recommendations were considered by the UK Government. These were subsequently reflected in the Public Service Pensions Act 2013 which provides:

- the end to current final salary pension schemes
- establishing a link between normal pension age and state pension age
- improvements to public sector scheme governance arrangements
- that the reforms must be implemented by April 2015
- protection against the reforms for scheme members close to retirement

The provisions of the Act must be applied to the main public service schemes in Scotland.

Following discussions through the Scottish Pensions Group (SPG) (a tripartite group consisting of employer, trade union and Scottish Government representatives) a high level design for the



new scheme was detailed in the “Scottish Framework Document”. This framework document along with FAQ’s on the 2015 reforms are available on the SPPA website via the following link:

[Changes to the NHS \(Scotland\) Pension Scheme from April 2015](#)

or through searching using the following address-

http://www.sppa.gov.uk/index.php?option=com_content&view=article&id=839&Itemid=1531

Detailed scheme rules have also been developed through discussions at SPG and the attached draft regulations implement those agreed scheme rules and will establish the legal framework for the reformed pension scheme.

To support the regulations also attached is a document giving detailed explanation of the provisions contained in the draft Scottish Statutory Instrument (SSI).

You will note that the draft SSI does not set out the employee or employer contribution rates due from 1 April 2015. This is because employee contributions remain to be finalised following the discussions through SPG. The employer contribution and cost cap will be set by the 31 March 2012 valuation which is due to conclude shortly and both these rates will be inserted into the regulations when confirmed.

We will consult separately in due course on the proposed employee contribution structure and on further draft amending Statutory Instruments that will implement transitional arrangements for members of the 1995 and 2008 sections who join the 2015 scheme, and other consequential amendments which will be effective from 1 April 2015.

The draft regulations may therefore be subject to change in the light of comments flowing from the consultation exercise. Regulations to implement all the pension scheme changes are also subject to final agreement by Scottish Ministers and HM Treasury.

You can respond to the consultation online via the following link: -

https://www.surveymonkey.com/s/NHS_2015_Regulations.

Or alternatively you may complete the Consultation Response Form provided at **Appendix** which can be submitted electronically to nhspensionsreform@scotland.gsi.gov.uk or by post to the following address:

NHS Pension Scheme 2015 Reforms
Regulations Consultation
SPPA Policy
7 Tweedside Park
Tweedbank
Galashiels
TD1 3TE

A copy of the consultation documentation and online response form is also available on the Agency’s website at www.sppa.gov.uk.

Responses are requested no later than Sunday 4 January 2015

We intend to publish a summary of consultation responses in due course and would like to be able to include any response you make in that summary. However, if you ask us not to publish your response to this consultation we will regard it as confidential, and we will treat it accordingly.

Respondents should also be aware that the SPPA is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and will have to respond appropriately to any relevant request made to the Agency under that Act for information concerning this consultation exercise.

Yours faithfully



Chad Dawtry
Director Policy Branch

Addressees

HR Directors NHS Boards
Finance Directors and Payroll managers
Scottish NHS Pensions Group (SPG)
Scottish Terms and Conditions Group
SPPA Technical Working Group
NHS Trade Unions and Professional Organisations
Scottish General Practitioners Committee
Institute of Health Service Management
Scottish Practice Nurse Association
Women's National Committee
SGHD Directorate of Primary Care
SGHD Health Workforce Directorate
SGLD Finance
NHS Retirement Fellowship
Home Office, Police and Firemen's Pension Schemes
Department of Health and Social Services, Northern Ireland
NHS BSA Pensions Division
Department for Children, Schools and Family
Cabinet Office
Department for Communities and Local Government
DWP
GAD (for information)
HM Treasury
SGLD
SPPA (Senior Managers, Policy and Technical Team)

CONSULTATION RESPONSE FORM: Consultation on NHS 2015 Pension Scheme (Scotland) Regulations 2015

1. Name/Organisation

Organisation Name

Title

Surname

Forename

2. Postal Address

Postcode	Phone	
Email		

3. Permissions - I am responding as... (please complete either sections (a), (b) and (d) **or** sections (c) and (d):

Individual **or** **Group/Organisation**

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please state yes or no: _____

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please state yes to one of the following:

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please state yes or no:

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please state yes or no:



ABOUT YOU

I am responding ...

- as a scheme member
- on behalf of an Employer Organisation
- on behalf of a Trade Union/Staff Association
- other (please specify)

What is your gender?

- I am female
- I am male

I am employed as...

- an administrator
- a dentist
- a doctor
- a general Practitioner
- a junior doctor
- a manager
- a nurse
- I'm retired
- other (please specify)

What is your working pattern?

- I work part-time
- I work full- time
- Not applicable

Please provide your comments in the space below:

Please post your response to:

NHS Pension Scheme 2015 Reforms
Regulations Consultation
SPPA Policy
7 Tweedside Park
Tweedbank
Galashiels
TD1 3TE

The closing date for this consultation is Sunday 4 January 2015