

Police Pension Schemes

2022/05

Who should read:	<ul style="list-style-type: none">• Chief Constable of Police Scotland• Pensions Administrators• Current scheme members
Action:	For information and action
Subject:	End of Compulsory Pension Ages in Police Pension schemes
Date:	12 July 2022

The purpose of this circular is to inform stakeholders that Compulsory Retirement Ages in the Police Pension Schemes ended on 1 April 2022.

Closure of Final Salary Pension Schemes

1. In 2015 the UK Government introduced reformed pension schemes across all the main public service workforces, including the police. The reforms included a policy of transitional protection that meant members closest to their Normal Pension Age (NPA) stayed in their pre-2015 “legacy” final salary schemes.

2. In 2018, the Court of Appeal found that these transitional protections were unlawful, following which it was necessary to address the discrimination. As part of these changes, all the pre-2015 schemes were closed to all members on 31 March 2022. All police officer members were moved to the Police Pension Scheme (Scotland) 2015, (“the 2015 scheme”) from 1 April 2022.

Compulsory Retirement Age

3. The Police Pensions Act 1976 required schemes established under that primary legislation to set out when a police officer is obliged to retire. In accordance with this, both the Police Pension Scheme 1987 and the New Police Pension Scheme 2006 featured a compulsory retirement age (CRA). The two schemes also set a maximum amount of pensionable service that could be accrued.

4. The legacy police pension schemes made provision for CRAs, determined by rank, and an officer was required to request an extension of service if they wished to retire later than the CRA for their rank. From 1 October 2006, the legacy scheme regulations set CRA at 60 for Constables, Sergeants, Inspectors and Chief Inspectors, and age 65 for higher ranks. Extensions to service could be granted at the discretion of the Chief Constable for officers up to the rank of Superintendent, or for higher ranks, the police authority.

5. Unlike the 1987 and 2006 schemes, the 2015 Scheme was not established under the 1976 Act, but was made under powers set out in the Public Service Pensions Act 2013. The 2013 Act set a Normal Pension Age of 60 for police officers, and a deferred pension age in line with an officer's state pension age. However it did not stipulate any CRA, nor set a maximum amount of pension that could be accrued.

6. There is no equivalent provision for CRAs in the 2015 scheme, with effect from 1 April 2022 there are no compulsory retirement ages for police officers in Scotland. Employers should take immediate action to remove CRA from all internal policy and procedures. This change does not affect any other aspect of benefits earned during membership of either the 1987 or 2006 scheme.

Any questions?

Please contact Mhairi.Kinnaird@gov.scot if you have any enquiries about this circular. If you have any queries relating to the administration of the scheme, please contact the Customer Services team via e-mail at sppapolicepensions@gov.scot.

If you have retired due to reaching compulsory retirement age since 1 April 2022 and you require advice, please speak to the Police Scotland People Direct Team.

Mhairi Kinnaird

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12 July 2022