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<th>Trust Board 29th September 2016</th>
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<td>Title</td>
<td>Retirement Policy and NHS Pension Scheme (2 Workforce Policies)</td>
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<tr>
<td>Sponsoring Director</td>
<td>Workforce Director</td>
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<tr>
<td>Author(s)</td>
<td>Laura Kavanagh, HRBP</td>
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<tr>
<td>Previously considered by</td>
<td>Policy Approval Group, TNCC,</td>
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**Executive Summary**

The Policy Approval Group and TNCC have approved the following policies which have been updated and amended to reflect changes nationally to the NHS Pension Scheme:

- **Retirement Policy (HR19)** - This policy sets out the Trust’s arrangements for retirement, including flexible retirement options and also covers the arrangements for recognition of long service upon retirement.
- **NHS Pension Scheme (HR22)** - summarises the main benefits to which staff may be entitled.

The changes and updates to these policies have been agreed with our staff side partners through the TNCC Policy Group and full TNCC. These policies form part of Workforce Policy Cluster for Employment Life Cycle (Policy Cluster Ref. G).

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**Strategic Priorities**

1. Quality and Safety

- Reduce harm, deliver best clinical outcomes and improve patient experience
- Address the existing capacity shortfall and process issues to consistently deliver national healthcare standards
- Develop a clinical strategy that ensures the safety and short term sustainability of our clinical services pending the outcome of the Future Fit Programme
- To undertake a review of all current services at specialty level to inform future service and business decisions
- Develop a sustainable long term clinical services strategy for the Trust to deliver our vision of future healthcare services through our Future Fit Programme

2. People

- *Through our People Strategy develop, support and engage with our workforce to make our organisation a great place to work*

3. Innovation

- Support service transformation and increased productivity through technology and continuous improvement strategies

4. Community and Partnership

- Develop the principle of ‘agency’ in our community to support a prevention agenda and improve the health and well-being of the population
- Embed a customer focussed approach and improve relationships through our stakeholder engagement strategies

5. Financial Strength: Sustainable Future

- Develop a transition plan that ensures financial sustainability and addresses liquidity issues pending the outcome of the Future Fit Programme

**Board Assurance Framework (BAF) Risks**

- If we do not deliver **safe care** then patients may suffer avoidable harm and poor clinical outcomes and experience
- If we do not implement our **falls prevention** strategy then patients may suffer serious injury
- If the local health and social care economy does not reduce the **Fit To Transfer (FTT)** waiting list from its current unacceptable levels then patients may suffer serious harm
- Risk to **sustainability** of clinical services due to potential shortages of key clinical staff
- If we do not achieve safe and efficient **patient flow** and improve our processes and capacity and demand planning then we will fail the national quality and performance standards
- *If we do not get good levels of **staff engagement** to get a culture of...*
continuous improvement then staff morale and patient outcomes may not improve
☐ If we do not have a clear **clinical service vision** then we may not deliver the best services to patients
☐ If we are unable to resolve our (historic) shortfall in **liquidity** and the structural imbalance in the Trust's **Income & Expenditure** position then we will not be able to fulfil our financial duties and address the modernisation of our ageing estate and equipment

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**Recommendation**
The Trust Board are asked to RECEIVE and RATIFY these policies.
Retirement

Human Resources Policy No. HR19

Part of Policy Cluster for Employment Life Cycle
Human Resources Policy Cluster Ref. G

Additionally refer to:

- HR01 Equality and Diversity
- HR22 Pension Scheme
- HR28 Flexible Working Policy
- HR31 Managing Attendance and Wellbeing
- HR32 Ill Health Retirement

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<td>Target audience:</td>
<td>All employees, Managers</td>
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**Version Control Sheet**

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<tr>
<th>Document Lead/Contact:</th>
<th>Laura Kavanagh – HR Business Partner <a href="mailto:Laura.kavanagh@sath.nhs.uk">Laura.kavanagh@sath.nhs.uk</a></th>
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1 Policy Statement

1.1 This policy sets out the Trust’s arrangements for retirement, including flexible retirement options and also covers the arrangements for recognition of long service upon retirement.

2 Introduction

2.1 The Trust values the loyalty and commitment given to the NHS by members of its employees and believes that support should be available for all employees retiring from the service to enable them to cope with this transition.

2.2 This policy provides guidance for both managers and employees on retirement and aims to support the Trust to meet service needs, to support the implementation of the NHS Plan, promote the principles of the Improving Working Lives Standard and ensure the Trust is compliant with employment legislation.

2.3 A flowchart providing an overview of the process for organising retirement gifts and presentations can be found in appendix A. Further information is available from line managers and the Human Resources Department.

3 Scope

3.1 This policy applies to all employees directly employed by the Trust, whether full-time or part-time, permanent or temporary and including those employed via the Temporary Staffing Department.

3.2 The policy does not apply to individuals employed by agencies or other contractors. Issues relating to retirement and pension arrangements for these individuals should be referred to the appropriate employer.

3.3 In implementing this policy, managers must ensure that all employees are treated fairly and within the provisions and spirit of the Trust’s Equality and Diversity Policy (HR01). Special attention should be paid to ensuring the policy is understood when using it for employees new to the NHS or Trust, by employees whose literacy or use of English is weak or for persons with little experience of working life.

4 Responsibilities

4.1 Trust Board

4.1.1 The Trust Board has a strategic responsibility to ensure that the policy is communicated to all employees and is effectively implemented.

4.2 Trust Managers

4.2.1 All Trust Managers are responsible for the equitable implementation of this policy and for ensuring that all employees are aware of their responsibilities under it. Support and guidance may be sought from Human Resources.

4.2.2 Managers have a responsibility to ensure that they are familiar with this policy and for explaining the policy to their staff.

4.2.3 Managers are responsible for processing all retirement requests in a timely manner.
4.2.4 Managers are also responsible for bringing any mutually beneficial improvements to this policy to the attention of the Trust.

4.3 Employees

4.3.1 All employees will observe the principles of the policy and where appropriate follow the stated application processes.

4.4 Human Resources

4.4.1 The Human Resources function is responsible for:

i) Providing support and guidance to employees and managers on the implementation and application of this policy

ii) Monitoring the application of this policy and updating it as required.

4.5 Trade Union Representatives

4.5.1 Trade Union representatives are responsible for supporting the fair and equitable application of this policy and providing support to their members when requested.

5 Retirement

5.1 In line with the Equality Act 2010, the Trust does not operate a compulsory retirement age for its employees.

5.2 Before making any decision about retirement or flexible retirement, employees are advised to discuss options with their managers, consult the relevant pension scheme rules or seek independent financial advice.

5.3 Details of any pre-retirement or financial planning courses/seminars will be publicised throughout the Trust so that those nearing retirement can attend to assist with planning for their future. It is recommended that employees attend a financial planning course some time before their expected retirement date so that they can make the necessary plans.

5.4 The Trust also provides, as an important aspect of our commitment to Health and Wellbeing, a number of flexible retirement options;

- To wind down into reduced hours (available to both NHS Pension Members and Non-Pensionable members of staff)

- To step down into a less demanding and lower paid role in a way that preserves NHS Pension Scheme entitlement already built up.

- To retire and start receiving an NHS Pension but to return to part-time/fulltime/occasional work. This could include working during a specified period (e.g. winter or during annual leave periods) or being available for temporary assignments to help cover staff shortages. There must be a break of 14 days before returning from retirement to work in the Trust.

- For members of the 2008 and 2015 NHS Pension Scheme, there is also the opportunity to draw down some of the accrued pension benefits whilst continuing in NHS employment.
For members of the 2015 Scheme there is the option of Early Retirement Reduction Buy Out (ERRBO) where you can pay extra contributions to retire early 1, 2 or 3 years before your Normal Pension Age (NPA) which is the same as State Pension Age (SPA) but not before age 65.

5.5 Estimates are available for pension members from TRS at www.totalrewardstatements.nhs.uk. An Annual Benefit Statement is available on TRS and provides members with information regarding their Pension Lump Sum, Survivor Pension, Membership history, Pension Scheme Contributions and Death Benefit Nominations. Members should access this service before contacting the Pensions office. TRS statements are updated annually in October.

6 Retirement Options

6.1 This section is intended to give brief details about the NHS pension scheme.

6.2 This Section applies to those employees who belong to the NHS Pension Scheme and are subject to the rules of the Scheme. It is a summarised version of the terms and does not take precedence over those terms. It is important that employees understand which of the three NHS Pension Schemes they are a member of, and if in doubt, the Pensions Team will be able to advise. Employees can also refer to HR22 NHS Pension Scheme Policy.

6.3 Updated 1995 NHS Pension Scheme (Amended 2008)
(The 1995 Scheme closed to New members from 1 April 2008)

6.3.1 Employees who:
- were a contributing member of the NHS Pension Scheme prior to the 1st April 2008 and:
- as of 1 April 2012 have 10 years or less to their current NPA of 60, or are over their current NPA, (i.e. members born on or before 1 April 1962), or
- are members of Special Classes or MHO have 10 years or less to their current NPA of 55 (i.e. members born on or before 1 April 1967) or
- are within 13 years and 5 months but not 10 years from their NPA at 1 April 2012 will have a tapered protection. (At the end of the protected period they will move from the 1995 Section of the NHSPS to the 2015 Scheme)

will be a member of the updated 1995 NHS Pension Scheme (Amended 2008) and the following rules will apply.

6.3.2 All members of the updated 1995 scheme will have a normal retirement age of 60 and pension benefits are based on the best pensionable pay in the last three years prior to retirement and the length of service.

6.3.3 In addition, female nurses, midwives and physiotherapists who were members of the scheme prior to 6th March 1995, and have not had a break of service of more than 5 years are entitled to retire with full benefits from 55 under ‘Special Class’ rules, provided the last 5 years’ membership has been in one of these jobs. Members should be aware that abatement will apply if they return to work in the NHS, which means that their pension plus post retirement earnings must not exceed the pensionable pay prior to retirement, or their NHS Pension benefits could be suspended. Members aged 45 or over on 1 April 2012 (born before 2 April 1967) will be entitled to full protection as long as they continue to qualify for “special class” status. Members (born between 2 April 1967 and 31 August 1970) will be entitled to tapered protection as long as they continue to qualify for “special class” status. At the end of the protection period they will automatically transfer to the 2015 scheme.
6.3.4 Male nurses, male midwives and male physiotherapists who were members of the NHS pension scheme prior to 6th March 1995 may receive early benefits for membership from 17th March 1990. Full benefits for membership prior to this will not be paid until age 60, however, reduced benefits, as for voluntary early retirement, may be claimed as an option. Again, abatement rules as in 6.3.3 could apply. All rules regarding protection apply as in 6.3.3.

6.3.5 All members may take voluntary early retirement and receive pension benefits from age 50, subject to approval from the NHS Pensions Agency. Benefits will be worked out in the normal way, but will be reduced on a sliding scale dependent upon age (this is called the “actuarial reduction”). If employees wish to retire early under the terms of the NHS Pension Scheme (i.e. before age 60 for most employees or before age 55 for the special classes detailed above) then individuals should contact the Pensions Team for further information before giving formal notice. In such cases the individual:

- will have to leave all their NHS jobs and
- will not be able to rejoin the Scheme if they return to NHS work and
- must have sufficient Pension Scheme membership to qualify for a reduced pension equivalent to the statutory Guaranteed Minimum Pension.

Any protection will be lost if the member takes a break in pensionable employment longer than 5 years ending before their 60th birthday (or 55th birthday for MHO/Special Classes). Such members would join the 2015 Scheme upon return to pensionable employment and their 1995 Section benefits would become deferred for payment at 60 or earlier with a reduction.

The Pensions Team can provide an estimate of the pension benefits due, which will be reduced in accordance with the terms of the NHS Pension Scheme. Further details may be obtained from the Pensions Team or from the NHS Pensions website at www.nhsbsa.nhs.uk/pensions.

6.3.6 Members may apply to ‘Step Down’ to a less demanding post and make a request to voluntarily protect their higher pay. The member must be over the minimum pension age of 50 and be accepting a reduction in pay of at least 10% (this does not include going from whole time to part time). The reduction in pay must be as a result of the member taking up a post that is less demanding and with less responsibilities and must be supported by their Manager as an active ‘Step Down’ to retirement. In addition, the reduction of pay in the new post must be for a minimum of 12 months and the request to protect the higher pensionable pay must be made within 15 months of their pay reducing.

6.3.7 If a member’s pay is reduced through no fault of their own, the member can apply for the higher rate of pay to be protected for pension purposes. This must be done within three months of the pay reducing and does not have to be reduced more than 10% nor does the member need to be over the minimum retirement age.

As the reduction is through no fault of the member, for pension purposes a protection of pay can be applied for more than once.

6.3.8 Members of staff must take a break of at least two weeks to include a Saturday and Sunday before the member of staff returns to work. For the first calendar month following the date of retirement the member must not exceed 16 hours work per week, or their NHS pension will be suspended. After this timeframe, employees can increase their hours (with agreement from their line manager). Please note that the date of retirement will be extended for any outstanding annual leave paid in lieu at termination of employment and this must be taken into account before a commencement date is agreed for the new post.
6.3.9 Staff who retire, take their pension benefits and return to work cannot normally rejoin the NHS Pension Scheme to earn additional pension benefits with the exception of individuals who retired on the grounds of ill-health and were re-employed before the age of 50.

6.4 2008 NHS Pension Scheme
(The 2008 scheme closed to new members on 1 April 2015)

6.4.1 Employees who joined the NHS Pension Scheme on or after the 1st April 2008 or have exercised the choice option to transfer will be a member of the 2008 NHS Pension Scheme and their normal retirement age is 65 and:

- as of 1 April 2012 have 10 years or less to their current NRA of 65, or are over their current NRA, (i.e. members born on or before 1 April 1957), or
- are within 13 years and 5 months but not 10 years from their NRA at 1 April 2012 will have a tapered protection. (At the end of the protected period they will move from the 2008 Section of the NHSPS to the 2015 Scheme)

will be a member of the 2008 NHS Pension Scheme and the following rules will apply.

6.4.2 Special class status (the opportunity to retire at age 55 with no loss of benefits) is not available to 2008 Scheme members, even for those exercising the choice option, and the voluntary early retirement age increases to 55, after which benefits will be reduced on a sliding scale depending upon age at the chosen date of retirement.

6.4.3 A key feature of the 2008 section of the NHS Pensions Scheme is the provision for partial retirement, or ‘draw down’. On reaching age 55 members become eligible to take some of their pension if they reduce their pay by switching to a lower paid job or reducing their hours of work. A break in employment is not required to take advantage of this provision to ‘draw down’ some of their pension.

To be eligible for draw down members must:
- be age 55 or older;
- be reducing actual pensionable pay by at least 10% (or a 10% reduction in commitment for GPs);
- have had the previous level of pensionable pay for at least 12 months;
- expect the new level of pensionable pay to last at least 12 months;
- not have already drawn down twice.

Subject to overall limits, members can draw down a minimum of 20% and up to a maximum of 80% of their pension entitlement earned to date, whilst continuing to build up further membership.

6.4.4 Members who retire under the 2008 Section, may rejoin the 2008 section after a 2 week break if aged under 75 and satisfy the ‘Protection’ conditions. This is also subject to the member not exceeding a maximum of 45 years’ membership. As with 1995 Section members, any protection will be lost if the member takes a break in pensionable employment longer than 5 years. Such members would join the 2015 Scheme upon return to pensionable employment, and their 2008 Section benefits would become deferred for payment at age 65, or earlier with a reduction.

6.4.5 Members with preserved benefits in the 1995 scheme payable at age 60 and are also contributing to 2008 scheme may claim their 1995 scheme preserved benefits with no
requirement to take a break in service or to retire. In addition there will be no abatement of pension benefits.

6.5 2015 CARE NHS Pension Scheme

6.5.1 Employees who:
- Joined the NHS Pension Scheme on or after 1st April 2015 or
- have exercised the choice to forgo protection, or
- have re-joined after a 5 year break

will be a member of the 2015 CARE NHS Pension Scheme and their normal retirement age will be the same their State Pension Age (or age 65 if later).

6.5.2 Members who transferred to the New 2015 scheme automatically because they did not qualify for either full or tapered protection will have benefits in multiple schemes. The benefits built up in 1995 scheme or 2008 scheme before moving to the 2015 scheme can be taken unreduced at the normal retirement age for the scheme and will remain ‘salary linked’ provided the member does not leave the NHS for more than 5 years. However, members will have to retire to access these benefits and 1995 scheme members are unable to build up any more benefits in the 2015 scheme if they return to the NHS following retirement. However, members of 2008 scheme can build up further 2015 scheme benefits if they return to NHS employment (and build up a separate pension from that in payment) provided they are under age 75. Please note that a break of 2 weeks must still be taken for members of 1995 and 2008 schemes but only 1995 scheme members are required to work 16 hours or less for the remainder of the calendar month following retirement.

6.5.3 If members have preserved benefits in the 1995 scheme and claim these, they are unable to continue membership of 2015 scheme. If members have preserved benefits in the 2008 scheme and wish to claim these, they can continue to contribute to 2015 scheme if they return to NHS work after taking a 2 week break. If members have preserved benefits in both 1995 and 2008 schemes they can continue to contribute to 2015 scheme if they return to NHS work. However, they will need to take a 2 week break if they are taking 2008 scheme benefits but do not require a break if only accessing their 1995 benefits.

6.5.4 Special class status (the opportunity to retire at age 55 with no loss of benefits) is not available to 2015 Scheme members, and the voluntary early retirement age increases to 55, after which benefits will be reduced by approximately 5% for each year the benefits are taken before SRA (or age 65 if later).

6.5.5 The provision to ‘Draw Down’ as in the 2008 Pension Scheme is also available.

6.5.6 A Key feature of the 2015 scheme is the option of Early Retirement Reduction Buy Out (ERRBO) where scheme benefits are paid without reduction from your NPA. (NPA is the same as your SRA). Members can pay extra contributions to buy out the reduction up to three years before your Normal Retirement Age (but not before age 65). More detailed information is available on NHS Pensions website.

*If you were previously a member of the 1995/2008 Scheme and have claimed or intend to claim benefits from that scheme please contact the pensions department for further information.*

6.6 NEST (National Employment Savings Trust)
6.6.1 With effect from 1st May 2013, under the Government’s Pension Reforms the Trust were required to Auto-Enrol staff who were non-eligible for membership in the NHS Pension Scheme into an alternative pension scheme provided they meet certain criteria. Non-eligible members who would be enrolled into NEST are:-

- Those already in receipt of an NHS 1995 Pension Scheme
- Those in receipt of a Tier 2 Ill Health Pension
- Those who are over 60/65 with preserved benefits
- Those employed by a General Dental Service or Personal Dental Services contractor
- Those holding an honorary appointment only
- Those who are over 60/65 with preserved benefits
- Those who have a whole time post with another Employer
- Those who have already reached maximum NHS Pensionable service

6.6.2 Once members are Auto-enrolled into NEST they will receive a welcome pack which will include a booklet explaining what NEST offers savers and also gives instructions should they wish to ‘opt out’ of the scheme. Both the employee and the employer contribute to NEST but the member is able to ‘top up’ personally and take the pension with them should they leave the NHS. NEST retirement pot is available at any time from age 55. More information is available on the NEST website at www.nestpensions.org.uk.

7 Retirement Procedure

7.1 Members of the NHS Pension Schemes only (see Appendix C)

7.1.1 On request from the employee, the Pensions Team can provide an estimate of probable benefits receivable. Lump sums are normally due within NHS Pension Agency Statutory target of 30 days from the member’s retirement date, and the first payment of pension is normally made in the month after the month of retirement provided papers are submitted at the appropriate time. Any queries regarding these payments should be addressed to the Pensions Team. All outstanding monies, including any accrued holiday pay will be paid shortly after the leaving date, usually the next pay day; Pay Services will notify the NHS Pensions Agency where these will affect the employee’s NHS pension.

7.1.2 When a member of the NHS Pension Scheme is intending to retire in the near future, Managers should advise the employee to contact the Pensions Team in Pay Services at least 5 months prior to the proposed date of retirement. 7.1.3 Employees intending to retire must give written contractual notice in accordance with their contract of employment (as outlined below) to their line manager.

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<tr>
<td>7</td>
<td>8 weeks irrespective of service</td>
</tr>
<tr>
<td>8 – 9</td>
<td>12 weeks irrespective of service</td>
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It is recommended that a minimum of 5 months’ written notice is given to their line manager so that the necessary pension arrangements can be made.
7.1.3 Once a definite retirement date is known and has been agreed with the employee, the line Manager should contact the Pensions Team in Pay Services to confirm the retirement date of the employee to start the process for pension payment.

7.1.4 For all retirements the NHS Pensions Agency require the completed application form to be received at the NHS Pensions Agency at least 3 months prior to the date of when pension payments will be received, which is why it is recommended that the relevant forms are requested from the Pensions Team at least 5 months prior to the proposed retirement date.

7.1.5 The Pensions Team will send the application forms to the individual. On completion (of parts 7 – 14 inclusive) these forms are to be returned to the Pensions Team along with original copies of the relevant certificates. If preferred, the certificates can be copied and verified by Line Managers by writing clearly on the copies: “I have seen the original document and this is true copy of the original”, signing and printing their name and position, together with the Trust address and the date. Alternatively, to prevent potential loss in the post, members may personally take certificates to Pay Services for verification. The Retirement Detail confirmation form must be completed by the manager (and must be signed by both the member and the manager) and returned with the application form and any verified certificates. Without this form the Trust Pension team cannot process retirement paperwork.

7.1.6 The Pensions Team will then complete the relevant section on the application form and process electronically to the Pensions Agency, where the individual’s pension is calculated.

7.1.7 Upon receipt of the resignation letter, the manager will write to the employee acknowledging their wish to retire. The manager will also be responsible for notifying the Human Resources Information System (HRIS) Department of the date of termination via the Termination of Contract form and confirm any outstanding annual leave (a copy must be sent to the Pensions Department).

7.1.8 The HRIS team will process all the necessary paperwork for terminating the employee’s employment and, in conjunction with the Payroll Department, will terminate employment and arrange to make any outstanding payments.

7.2 Non NHS Pension Scheme members (see Appendix D)

7.2.1 Employees intending to retire are asked to give written notice in accordance with their contract of employment (as outlined below) to their line manager.

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7.2.2 Upon receipt of the resignation letter, the manager will write to the employee acknowledging their wish to retire. The manager will also be responsible for notifying the Human Resources Information System (HRIS) Department of the date of termination via the Termination of Contract form and confirm any outstanding annual leave.
7.2.3 The HRIS team will process all the necessary paperwork for terminating the employee’s employment and, in conjunction with the Payroll Department, will terminate employment and arrange to make any outstanding payments.

8 Flexible Retirement Options

8.1 Request to Wind down, Step Down, Draw Down

8.1.2 NHS Pension Scheme / Non NHS Pension Scheme / NEST members who wish to access one of the flexible retirement options listed in section are advised to apply in accordance with the Trust’s Flexible Working Policy (HR28)

8.2 Request to continue working after claiming NHS Pension

8.2.1 Employees wishing to continue working after receiving their NHS pension, need to complete a Flexible Working Application Form in accordance with the Trust’s Flexible Working Policy (HR28) and submit to their line Manager no later than 5 months before the date of retirement.

8.2.2 The decision whether to agree to such a request will be made in accordance with the provisions documented in the Trust’s Flexible Working Policy (HR28).

9 Retirement Presentations and Gifts

9.1 It is customary and desirable that employees retiring after long service with the NHS will have their contribution recognised.

9.2 A retirement presentation should be organised for all employees leaving who are retiring from ALL employments, normally at age 55 or more.

9.3 The line manager will be responsible for organising the event or presentation, which should be of a style appropriate to the NHS, the length of NHS service and acceptable to the retiree. The line manager should involve the team in the organisation of the event, which should be held on Trust premises. The proposed arrangements should be discussed with the line Management Executive member, who may authorise a contribution of up to £100 towards the cost of a finger buffet with non-alcoholic drinks.

9.4 Any agreed Trust contribution should be charged to Trust Funds and Managers are asked to liaise with their Finance lead. Where Trust Funds are insufficient then the costs will be charged to departmental revenue. No other costs may be charged to the Trust.

9.5 Employees retiring at age 55 or more after 15 or more years NHS service will receive a gift. The Manager arranging the retirement should liaise with the Chief Executive’s office to arrange the presentation of the gift by a Trust Board member. The gift will take the form of vouchers (which may be used in a wide range of retailers) to the value of £12.50 for every completed year of NHS service. A certificate signed by the Trust Chairman will also be presented.

9.6 The period of service will count all NHS service, whether continuous or not, but will exclude any employment taken into account for a redundancy or other loss of office payment.

9.7 Vouchers received by employees with less than 20 years service are taxable at the individual’s highest tax rate in line with Inland Revenue arrangements. HRMC will be notified by Pay Services.
9.8 Vouchers received by employees with more than 20 years service are not taxable in line with Inland Revenue arrangements.

9.9 It is the line Manager’s responsibility to follow the process set out in Appendix A (Application Form Appendix B) for those retiring employees who are entitled to receive a Retirement Gift and Certificate.

10 Training

10.1 Training required to fulfil this policy will be provided in accordance with the Trust’s Training Needs Analysis. Management and monitoring of training will be in accordance with the Trust’s Development and Training Support Policy (HR59).

10.2 This information can be accessed via the Learning Zone pages on the Trust intranet.

11 Review Process

11.1 The Trust will review this policy when there are changes to relevant legislation or good practice, or within the normal policy review cycle.

12 Equality Impact Assessment (EQIA)

12.1 This policy applies to all employees and positively applies benefits to older people in accordance with statutory requirements.
13 Process for Monitoring Compliance

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14 References

14.1 Legislation

- Equality Act 2010

14.2 Other references

- NHS Pensions
  Available at [www.nhsbsa.nhs.uk/pensions](http://www.nhsbsa.nhs.uk/pensions)

- The NHS Employers Website provides further information and resources on retirement options.
  Available at [www.nhsemployers.org](http://www.nhsemployers.org)

- Agenda for Change Terms and conditions Handbook. (AfC). (2011)

- ACAS Retirement Rights [www.acas.org.uk](http://www.acas.org.uk)
Appendix A  Retirement Gifts and Presentations

Line Manager completes the Application Form for Retirement Gift (Appendix B) and sends it to Pay Services

Pay Services will:
- Prepare the Retirement certificate
- Calculate the value of the award
- Confirm the value of the award with the Finance Department
- Contact the Manager with details of the amount of the award

The Finance Department will order the vouchers according to the Manager's instructions, and will send these to the Manager/inform the Manager when they are available for collection.

The retirement gift may then be purchased by the employee.
Appendix B  Application for Retirement Gift

Eligibility: Employees who have been employed by the NHS for 15 years or more and who are retiring from ALL employments at age 55 or more. Such service need not be consecutive.

Surname: ..........................................................................................................................

First names: .........................................................................................................................

(Please underline which name(s) should be written on the Retirement Certificate)

Personal number: .......................... Date of Birth: .................................

Date of Retirement: ..............................................................................................................

Job Title: ................................. Department: .................................

Details of Full Service History
(To enable Pay Services to calculate the value of the gift)

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Additional Details can be attached on separate sheet if necessary

Name of Manager submitting request: ..............................................................

Ext no..............

NOTE: Pay Services will contact the above manager with details of the amount of the award. An award must be in the form of vouchers and will be charged to the appropriate department budget.

Pay Services use only:

Vouchers sent to Manager: .......................................................... (Date)

Certificate sent to Manager: .......................................................... (Date)

PLEASE FORWARD THIS FORM TO PAY SERVICES DEPARTMENT
Appendix C  Retirement Process – NHS Pension Scheme Members

Employee to liaise with pensions department, line manager or seek independent financial advice

If employee wishes to apply for flexible retirement the employee should apply using the Trust’s Flexible Working Policy (HR28)

Employee to request pensions estimate and retirement forms from Pensions Department. Pensions department to provide estimate and forms to employee if not already accessed by the member via TRS

Manager or employee to confirm retirement date with Pensions Department and send necessary pensions forms and certificates to Pensions Department

Employee to provide manager with 5 months written notice of intention to retire. Manager to complete necessary ESR forms

Pensions department to send retirement forms to NHS Pensions Agency

If employee meets criteria in section manager to organise retirement presentation, gift (if employee has relevant service) and certificate – see Appendix B flowchart

At least 5 months prior to the planned date of retirement

At least 3 months prior to the planned date of retirement
Appendix D  Retirement Process – Non NHS Pension Scheme Members

Employee to liaise with line manager, or may seek independent financial advice

If employee wishes to apply for flexible retirement (Section 6) the employee should apply (6.2) using the Trust’s Flexible Working Policy (HR28)

Employee to provide notice of retirement in writing

If employee meets criteria manager to organise retirement presentation, gift (if employee has relevant service) and certificate – see Appendix B flowchart

In accordance with individual contract of employment (see section 5.8)
NHS Pension Scheme

Human Resources Policy No. HR22

Part of Policy Cluster for Employment Life Cycle
Human Resources Policy Cluster Ref. G

Additionally refer to:
HR31 Managing Attendance and Wellbeing
HR32 Ill Health Retirement

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## Version Control Sheet

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1. **INTRODUCTION**

1.1 The NHS Pension Scheme is a valuable benefit for staff. It provides a competitive package of benefits, protected against inflation and guaranteed by the government.

1.2 This document summarises the main benefits to which staff may be entitled. It is not a comprehensive guide to the Scheme and staff are therefore recommended to seek further guidance on their individual circumstances from the Pensions Team or to look at the precise terms set out on the website at www.nhsbsa.nhs.uk/pensions

1.3 There are currently three pension schemes open to staff:

- the 1995 NHS Pension Scheme Amended 2008
- the 2008 NHS Pension Scheme from 01/04/2008
- the 2015 New CARE NHS Pension Scheme from 01/04/2015

It is important that members understand which scheme they are eligible for.

1.3.1 Members may be eligible to rejoin the 1995 or 2008 NHS Pension Scheme if they have full protection i.e. at 1st April 2012 have 10 years or less to their current Normal Pension Age (NPA) 60 or 55 (1995 scheme), 65 (2008 scheme), or have tapered protection where they were within 13 years and 5 months from their NPA and:

- have not taken a refund of those contributions or taken pension benefits or
- not transferred previous pension rights to another scheme or
- have not had a break in pensionable employment of more than 5 years
- are still within the tapered protection period before going over to the 2015 NHS Pension Scheme.

1.3.2 Staff who join the NHS for the first time on or after the 1st April 2015 will become a member of the New 2015 CARE NHS Pension Scheme.

1.4 In the following guidance, all options are referred to as ‘the Scheme’ and staff needing further details or clarification should contact the Pensions Team.

2. **ELIGIBILITY**

2.1 All employees between the ages of 22 and 75 years will be automatically put into the NHS pension scheme under Auto-enrolment Regulations if the individual qualifies for membership. Staff between age 16 and 21 are eligible to join the NHS Pension scheme but membership is not automatic.

2.2 Employees who are members may decide to withdraw from the Scheme at any time (and may subsequently rejoin); employees wishing to do so are advised to access form SD502 Opt out form available from NHS Pensions Agency and forward to the Trust Pension Team.
3. JOINING THE SCHEME

3.1 Existing members of the NHS Pension Scheme who join directly from another NHS employer in England and Wales will automatically transfer their accrued pension benefits and will be eligible to remain in their existing Scheme. However, it is necessary to apply for a transfer of benefits for previous service in the NHS Pension Scheme in Scotland, Northern Ireland, the Channel Isles or the Isle of Man. Further details are available from the Pensions Team.

3.2 For new entrants joining the Trust from outside the NHS it may be possible to transfer the value of a previous pension scheme into the NHS Pension Scheme. Transfer packs are available from the Pensions Team. Applications to transfer benefits must be made within 12 months of joining the Scheme (1995 scheme) or 12 months of being eligible to join for 2008 and 2015 schemes and the request must be received before the NRA for each scheme.

3.3 Existing employees who wish to join the Scheme may do so at any time. Those who wish to do so should send a signed written request to the pensions department.

3.4 To opt out of the scheme, see 2.2 above.

4. COST

4.1 Member contributions are tiered based upon full time equivalent pensionable pay and range from 5 to 14.5%. Pensionable pay is basic pay and certain regular allowances. Payments such as overtime above full time hours and travelling expenses are not classified as pensionable pay.

4.2 However, the real cost is reduced because members receive tax relief on their pension contributions according to their individual tax coding.

4.3 The Trust also makes a substantial contribution for members (currently 14.3%).

5. RETIREMENT AGE

5.1 In all cases, staff who are considering retirement are advised to liaise with the Pensions Team before handing in their notice.

5.2 The retirement age under the NHS Pension Scheme is dependent upon which scheme/schemes the individual is a member of.

5.3 NHS Pension 1995 Scheme Amended 2008

The standard retirement age under the Amended scheme is 60. This is the age at which a member may retire with their full retirement benefits (see below). Members of the Amended Scheme classified as “special classes” may elect to retire at aged 55 with unreduced pension benefits. All members of the Amended Scheme may take
voluntary early retirement on or after age 50. In such cases, however, the retirement benefits will be reduced.

5.4 New NHS Pension 2008 Scheme

For members of the New NHS Pension 2008 Scheme, the standard retirement age is 65, and there is no concession to the ‘special classes’. Voluntary early retirement is applicable from age 55, with reduced retirement benefits.

5.5 2015 CARE NHS Pension Scheme (Career Average Revalued Earnings)

For members of the 2015 NHS Pension Scheme, the standard retirement age is the same as your state pension age (or 65 if later) and there is no concession to the ‘special classes’. Voluntary early retirement is applicable from age 55, with reduced retirement benefits.

6. NHS PENSION SCHEME BENEFITS

6.1 This section provides a summary of the principal benefits of the Scheme which apply to the majority of members. Individual entitlements may, however, vary and individuals are strongly advised to seek guidance on their individual circumstances from the Pensions Team in Pay Services.

6.2 Applications for age retirement benefits need to be received by the NHS Pensions Agency at least 3 months prior to the intended date of termination of employment, especially where the option to take a bigger tax free lump sum has been exercised. Therefore, the Trust recommends that members submit their retirement application to the Trust Pension Team at least 5 months prior to their retirement date.

6.3 Retirement benefits for members of the NHS Pension 1995 Scheme Amended 2008

- A pension based upon the final pensionable pay (calculated on earnings in the 365 days to retirement date or the best one of the last 3 years) divided by 80 and multiplied by the total years and days of pensionable service. The maximum pension is based on 45 years of pensionable service in the scheme. For part time staff, earnings are adjusted to be the equivalent full time amount and service is prorated.

  plus

- A tax-free lump sum equal to 3 times the annual pension. The tax free lump sum may be increased to a maximum of 25% of the notional pension fund, by giving up some of the pension. For each £1 of pension given up, £12 worth of additional tax free lump sum may be purchased.

- Pensions are increased each year in line with the cost of living.

- Benefits are reduced if staff retire early (see section 5.3 above).

6.4 Retirement benefits for members of the 2008 NHS Pension Scheme

- A pension based upon the average of the best 3 years remuneration out of the last 10 of service, divided by 60 and multiplied by the total years and days of pensionable service. The maximum pension is based on 45 years of pensionable service in the scheme.
There is no automatic tax free lump sum. However, members may elect to receive a tax free lump sum by giving up some of their pension. For every £1 worth of pension given up £12 worth of tax free lump sum may be obtained.

The maximum permitted tax free lump sum allowed by HMRC rules is calculated by the formula: Approximately 4.28 times 2008 scheme pension.

Benefits are reduced if staff retire early (see section 5 above).

6.5 Retirement benefits for members of the 2015 CARE NHS Pension Scheme

- A pension based upon the pensionable pay right across your career. The pension you earn each year is based on your pensionable pay in that year, divided by 54. This is then revalued by a set rate linked to inflation, known as revaluation, plus 1.5% each year up to retirement or leaving the scheme. The final pension is calculated by adding together the revalued pension earned in each year of membership. There is no restriction on maximum service but you cannot build up any scheme membership from your 75th birthday.

- There is no automatic tax free lump sum. However, members may elect to receive a tax free lump sum by giving up some of their pension. For every £1 worth of pension given up £12 worth of tax free lump sum may be obtained. It is possible to take up to a maximum of 25% of your capital value. This amount is governed by a limit set by HMRC.

- Benefits are reduced if staff retire early (see section 5.5 above).

6.6 Ill Health retirement benefits (see HR policy HR32 Ill Health Retirement)

- Members with at least 2 years membership who become permanently incapable of doing their present NHS job because of ill health may qualify for an immediate pension irrespective of age.

- The pension will be calculated in the same way as a normal retirement pension, but will not be reduced to take account of early payment. This is known as a Tier 1 pension.

- If the illness makes the member permanently incapable of any regular work of like duration to their NHS job, the pension will be calculated after first increasing the actual membership by two thirds of the membership that could have been achieved as a member to normal retirement age (1995 & 2008 Scheme) or an increase of 1/2 prospective membership to State pension age (2015 Scheme). This is known as a Tier 2 pension. (Please note that the normal retirement age differs depending upon which Scheme the member is in.)

- A tax free lump sum may also be available.

- Applications for ill health retirement must be made by the member and cannot be made by the Trust. Full details are available from the Pensions Team.

6.6 Life assurance and family benefits

- Members are automatically covered by the Scheme’s life assurance from date of joining for staff who are substantively employed. Bank staff should refer to the bank life assurance information sheet available from the Temporary Staffing Department.
6.6.1 Death in Service

- For married members – 1995 scheme - a lump sum of 2 years’ pensionable pay is paid to the surviving spouse or to a named person or organisation. 2008 & 2015 scheme 2 x reckonable pay is paid. Employees should liaise with the Pensions Team in Pay Services if they do not wish the benefit to be paid to their spouse.
- For single, divorced, members in a Registered Civil Partnership or members with qualifying nominated partners – the same lump sum is paid to a nominated person or organisation or otherwise automatically into their estate if no nominations made.
- Nomination form DB2 may be downloaded from the NHS pensions website

6.6.2 Widow(er)’s Pension following Death in Service (1995 Scheme)

- A short term pension is payable to the survivor for 6 months equal to the member’s pensionable pay at the date of death (paid directly from the Trust)
- A survivor pension (equal to 50% of the notional Tier 2 Ill health retirement pension due at the time of death) paid for life
  (Please note that the widower’s pension will be based on the member’s service from 6th April, 1988 onwards)

2008 Scheme

- A short term pension is payable to the survivor for 6 months equal to the member’s pensionable pay at the date of death (paid directly from the Trust)
- A survivor pension (equal to 37.5% of the notional Tier 2 Ill health retirement pension due at the time of death) paid for life

2015 Scheme

- A short term pension is payable to the survivor for 6 months equal to the member’s pensionable pay at the date of death (paid directly from the Trust)
- A survivor pension (equal to 33.75% of the notional Tier 2 Ill health retirement pension due at the time of death)

Note: The survivor pension is available to Husband or Wife, Registered Civil Partners, Qualifying Nominated partners and Surviving spouse of the same sex. Partner nomination form PN1 may be downloaded from the pensions website. The Pensions Team will be pleased to advise members regarding making a nomination or forms may be downloaded from the Agency website.

6.6.3 Children’s Benefits

Children’s benefits are based on the member’s pension and subject to qualifying periods of membership. Where these are met and there is a surviving parent, the benefits will be:

1995 Scheme

- 1 child – 25% of the pension
- 2 or more children – 50% shared equally
2008 Scheme:-
- 1 child – 18.75% of the pension
- 2 or more children – 37.5% shared equally

2015 Scheme:-
- 1 child – 16.875% of the pension
- 2 or more children – 33.75% shared equally

6.6.4 For all schemes if there is no surviving parent, higher rates may be payable Death after retirement

1995 Scheme
- For members of the Amended NHS Pension 1995 scheme a short term pension is paid for 3 months, or 6 months if there is a dependent child, at the rate in payment at the date of death.
- A widow’s pension equal to half the rate in payment at the date of death, payable to the qualifying survivor. Widow’s pensions are based upon the member’s service from 6th April, 1988, onwards.

2008 Scheme
- For members of the New NHS Pension 2008 scheme a short term pension is paid for 3 months, or 6 months if there is a dependent child, at the rate in payment at the date of death
- A widow’s pension equal to 37.5% of the rate in payment at the date of death, payable to the qualifying survivor

2015 Scheme
- For members of the New 2015 NHS Pension scheme a short term pension is paid for 3 months, or 6 months if there is a dependent child, at the rate in payment at the date of death
- A widow’s pension equal to 33.75% of the rate in payment at the date of death, payable to the qualifying survivor

7. FURTHER INFORMATION

Further information on the Scheme may be obtained from the Pensions Team in Pay Services, who has a range of booklets available to staff. Alternatively, staff may wish to browse the Scheme’s site on the Internet at: www.nhsbsa.nhs.uk/pensions