

1. Electronic AW8 for Pensions Online

The purpose of this article is to provide an update in regards to employers submitting AW8s electronically. NHS Pensions has recently extended the number of BETA site employers who are using the external electronic facility and their feedback has been extremely positive and useful.

The electronic AW8 is to be released in a three-phased approach. The implementation of a phased release will allow NHS Pensions to conduct an evaluation at each stage and engage with employers during the process.

We aim to release the first phase on 23 February 2009, which will consist of the following regions Yorkshire and North Humberside, North West and the North East.

We aim to release the second phase on 16 March 2009, which will consist of the following regions London, South East, South Central and South West.

It is anticipated that the third phase will go live on 6 April 2009 and will consist of Wales, East Midlands, West Midlands, East of England and Special Health Authorities.

Benefits of processing the AW8 electronically:

- The front-end validations that are a feature of the electronic AW8, will drastically reduce the amount of re-work conducted by both NHS Pensions and the employer.
- The main features of the front end validations are as follows:
 - The employment in question must be closed down prior to the AW8 being submitted electronically.

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- All mandatory details must be input prior to the AW8 being submitted electronically.
- An AW8 submitted electronically is launched immediately on the NHS Pensions target work flow system.
- No delays with sending the AW8 through the post, eradicating the risk of lost forms.

What does this mean for employers?

- The employer will key in the details from the completed AW8 application form via Pensions Online. For security and quality purposes the bank account details will require double keying.

- Only fully completed electronic AW8s can be submitted successfully. In line with current procedures any queries regarding the information, which has been input, will be re-directed to the employer.
- The period for closing employments down in advance of the expected end date has been extended from 90 to 105 days.
- Employers who do not have access to Pensions Online can continue to send AW8s in the usual way.
- It will be the employers responsibility in the future to retain the paper AW8, however for the duration of the roll out, employers in each phase can if they wish continue to send the paper form until all employers are using the facility.
- NHS Pensions will no longer accept paper AW8s from employers who have Pensions Online access with effect from 1 May 2009.

Retaining the AW8 application form.

The AW8 application form must be retained for a minimum of 7 years by NHS employers and destroyed under confidential conditions to meet Department of Health guidelines. Annex A of this newsletter provides full details on the retention of the AW8 form.

Guidance on processing AW8s electronically.

The following link provides access to the 'Electronic AW8 guide for employers'.

www.nhsbsa.nhs.uk/pensions/1010.aspx

The document provides a comprehensive step by step approach towards processing an AW8 electronically. It is essential that Pensions Officers familiarise themselves with this document.

NHS Pensions are setting up a helpline for any employers who require assistance with submitting the AW8 electronically the helpline number is 0845 6101111.

As the guide is extremely detailed and comprehensive NHS Pensions will only be keeping this line open from 23 February 2009 to 30 April 2009.

Future Developments

As part of its continued improvements programme NHS Pensions is looking at introducing the following in the future:

- Once the electronic AW8 has been completely rolled out, development on the AW171 will commence afterwards.
- After taking on board employers recommendations in regards to the AW8, NHS Pensions is looking to improve certain features of the form. The following are examples under consideration:
 - More information in respect of disallowed days in relation to ill health retirements.
 - Improving information provided to members in respect of allocation requests.

Employer Communication

NHS Pensions will be emailing Payroll Managers and Pensions officers to inform them of the date when their particular Trust will be going live in regards to processing AW8s electronically.

Based on feedback received from Beta Site employers who have piloted the electronic AW8 a 'Frequently Asked Questions' section is available on the website at :

www.nhsbsa.nhs.uk/2403.aspx

2. Certificate Of Projected Earnings 2009/10: GP Providers, Salaried GPs, and non-GP Providers

From 2009/10 every GP Practice (and APMS/SPMS contractor that qualifies as an Employing Authority) must notify their 'host' Primary Care Trust or Local Health Board of the estimated projected pensionable earnings for all the GP Providers, Salaried GPs, and non-GP Providers working at the Practice.

A new form has been designed for this purpose and can be located on NHS Pensions website by clicking onto 'Member Forms' and then onto 'Estimates of NHS Pensionable Profits/Pay 2009/10'. PCTs/LHBs may use their own version of this form if they wish. The form can also be located by clicking onto 'Pension Scheme Forms' under the heading 'Quicklinks for Employers'.

PCTs and LHBs should send this form to their GP Practices and APMS/SPMS contractors as soon as possible so that the appropriate tiered contribution rate can be set from April 2009.

If a GP does not wish to disclose their estimated pensionable pay on the form they must make other arrangements to inform their PCT/LHB.

If a Practice/contractor fails to return the Certificate PCTs/LHBs may set an appropriate tiered contribution rate.

Separate arrangements will be made for freelance GP locums.

3. New form AW33E 2009 – Consideration of entitlement to ill health retirement benefits - now available

Employer newsletters TN 8/2008 and TN 13/2008 described the changes to the ill health retirement provisions that came into effect from 1 April 2008. Employer newsletter TN13/2008 explained that a new application form AW33E was being developed to support the new two tier arrangements. This form can be downloaded from our website or obtained from the Stationery Distribution Centre by telephoning 0300 123 1002. This form builds on the existing AW33E but requires additional information from employers, scheme members and occupational health doctors to complete it. See Annex B for details.

In addition NHS Pensions in partnership with its Medical Advisers, Atos Healthcare has produced a comprehensive guide to ill health retirement benefits to assist employers and Occupational Health Physicians involved in the ill health retirement benefit process - NHS Pension Scheme – A Guide to Ill-Health Retirement. This guide is available at www.nhsbsa.nhs.uk/pensions/1010.aspx

Important information

Old style form AW33E with a print date of 7/2007 or earlier will not be accepted after 31 March 2009.

4. Purchasing Additional Pension by Single Lump Sum

Once the necessary checks have been completed by the Scheme, an AP3 form will be sent to the member to notify them that the application has been accepted and that the payment of the monies must be made to their employers within one month.

When the employer has received the monies, they must forward them to NHS Pensions by RFT1 with an explanation for the payment. An e-mail must be sent to apconfirmpayment@nhspa.gov.uk confirming payment has been made.

Invoices will not be issued until further notice.

5. Retrospective Membership Enquiries

Employers are responsible for providing employees with sufficient information about the NHS Pension Scheme to allow the employee to make an informed decision about joining or not joining. In cases where either the employer accepts that it has failed to provide sufficient information or a decision has been given to that effect (for example by The Pensions Ombudsman), retrospective Scheme membership can be granted by NHS Pensions subject to the payment of appropriate contributions.

In all cases of retrospective membership, the employers' and the members' contributions are calculated on the basis used for "Part-Time Access" cases (Employer

Newsletter TN 2/2005 paragraph 11 refers). This is necessary to ensure consistency of treatment across all members who have been denied access to the Scheme and avoid any further potential litigation.

Employers wishing to submit applications for retrospective membership should direct their enquiries by email to : retrospectivemembership@nhspa.gov.uk providing the following information:

1. ID details of the employee concerned.
2. The period for which retrospective membership is requested.
3. Whether the employee has worked full-time throughout the period, if not the dates when their contract changed, details of contracted and standard hours and the total of hours/

sessions worked in each financial year if still available.

4. The annual pensionable pay figure as at the end of the period.
5. The contribution rate during the period.
6. The reason why employment was not made pensionable at the time.

NHS Pensions will provide:

- To the employer: Confirmation of the cost of the employer and member contributions.
- To the member: Confirmation of the cost of the employer and member contributions. Estimates of the member's benefits to date and benefits if retrospective membership is proceeded with. An option form to record the member's decision will also be included.

6. NHS Pension Scheme 2008-09 contribution assurance exercise

The NHS Pension Scheme is one of the largest Pension Schemes in Europe, collecting contributions from NHS Employers of over £7 billion per annum. As such, it is essential that the NHS Business Services Authority (Pensions), as Administrators of the Scheme, have assurance over the key figures that make up the Scheme Accounts.

The Contributions Assurance Statement exercise, which is similar to that conducted in previous years, aims to gather assurance from NHS employers, whose employees are members of the NHS Pension Scheme, that the contributions remitted properly represent amounts due to the Scheme.

NHS Pensions will be contacting Finance Directors in March with details on the action necessary for completion of the 2008/09 exercise.

7. Ill Health Statistics

NHS Pensions has traditionally provided employers with Ill Health statistics and costs at the end of each financial year. The data for 2008-09 should be dispatched by the 9th April. You will appreciate this is a particularly busy time and we are unable to deal with one-off requests for this information any sooner. We apologise for any inconvenience this may cause you. Further information will be provided in next month's newsletter.

8. 2008 Section joiner mailings

NHS Pensions has a requirement to contact all members who have joined the 2008 Section of the NHS Pension Scheme to ascertain:

- if they have pensionable service in another NHS scheme, namely (Scotland, Northern Ireland or Isle of Man); or
- if they have TUPE protection.

This task has been outsourced to a company called Prolog (Nottingham) and they began a pilot of 5,000 members in the week commencing 9th February 2009. Prolog will be responsible for the administration of the mailing and the resolution of any associated telephone or email queries.

Following a review of this initial pilot further mailings will take place in groups of approximately 20,000 members - however the frequency and size of mailing will be determined following a review of the pilot exercise.

The initial exercise will focus on members who joined the 2008 section between 1 April and 30 September 2008 of which there are almost 83,000.

A second tranche will be required for members who have joined the 2008 section on or after 1 October 2008. An amended questionnaire and guidance will be produced after the single booklet has been introduced.

9. Employer Helpline – 0845 6101119

The management team are working to improve Employer line contact. It has been identified that Employers are giving the number to members and this is clogging up the line.

Please do not give this number to a member. The member contact number is 01253 774774, where members will be able to speak to the appropriate team.

10. Employer Induction Presentation

The Communications team are currently working on presentation slides to assist employers when they hold presentation sessions with members of the NHS Pension Scheme. The first of these presentations for Employer Induction sessions will be available from 2 March on the website www.nhsbsa.nhs.uk/pensions under Employers Toolkit.

11. SD Guide

The member booklets available on the website and from the stationery store are to be replaced by a single member booklet. This booklet gives details on both 1995 and 2008 sections of the scheme. The booklet will be available to order from the stationery store from 9 March 2009 and will be available on the website before this date.

Please note that this booklet is for you to supply to your new NHS Pensions Scheme starters only. NHS Pensions will issue the new guide to all members included in the NHS Pensions CHOICE exercise. More details about the NHS Pensions CHOICE exercise will be available soon.

12. Employers Toolkit

The Employers Toolkit Factsheets will begin to be available during March 2009 on the NHS Pensions website. These factsheets are to assist employers on the various processes for the administration of NHS Pensions. There will be around 180 factsheets for you to use and these will be displayed on the website in a logical order for ease of reference.

The now out of date Employer Guide will still be available for the near future.

We will welcome any comments or suggestions on improving this toolkit from you. Email your feedback to us at communicationsteam@nhspa.gov.uk.

Yours sincerely

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NHS Pensions

P.S - If you have any comments about the content or format of this newsletter please contact me at comunicationsteam@nhspa.gov.uk - The next employer newsletter will be published and distributed mid-March.

Annex A - Guidance on retaining the AW8 Form

Specific retention procedures in regards to the retention of all NHS Pension forms are available within the Department of Health guidance 'Records Management: NHS Code of Practice.' The link to this is:

www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4131747

Employers should be aware of Regulation 18 of The Registered Pension Schemes (Provision of Information) Regulations 2006 (SI 2006/567/) which states -

Retention of records

18. —

(1) The persons prescribed by paragraph (2) shall preserve any documents in their possession or under their control in relation to a registered pension scheme and relating to—

- (a) any monies received by or owing to the scheme;
- (b) any investments or assets held by the scheme;
- (c) any payments made by the scheme;
- (d) any contracts to purchase a lifetime annuity in respect of a member of the scheme; and
- (e) the administration of the scheme.

(2) In relation to a registered pension scheme the persons prescribed are—

- (a) any person who is or has been the scheme administrator;
- (b) any person who is or has been a trustee of the scheme;
- (c) any person who provides or has provided administrative services to the scheme; and
- (d) if the scheme is an occupational pension scheme, any person who is or has been a sponsoring employer or a director of an employer company.

This is subject to the following qualification.

- (3) Any person who has ceased to act in relation to the scheme or ceased to provide administrative services to the scheme shall not be required to preserve documents where he has transferred all the documents to another person who has succeeded him in acting in relation to the scheme or providing administrative services to the scheme.
- (4) Documents must be preserved for the tax year to which they relate and for a period of 6 years following that year.

Annex B - Further AW33E 2009 details

Part A – to be completed by the Employing Authority

The main change relates to the provision of information about the management of sickness absence – in particular the structured review process and rehabilitation.

Structured Review Process

Regular reviews should be carried out by the employer to assess and monitor staff when they are off sick, and determine what action is needed at each stage. Details of the review process must be given in the table set out on page 6 and information relating to rehabilitation on page 7.

If a structured review process is not followed then employers may be at risk of having to reinstate sick pay at the point the member of staff enters a no pay situation. Full details are set out in the NHS Staff Council Terms and Condition Handbook section 14.9.

Where a member of staff is unlikely to return to work this would culminate in a final review where a decision on the appropriate way forward is made i.e. return to substantive employment/redeployment/termination of contract. It is assumed that as part of this process reasonable adjustments have been considered. Medical evidence should be made available locally to support the review process and occupational health advice should be sought on the likelihood of:

- The prospects of a likely return to the previous employment with or without adjustments
- A phased return with or without a need for adjustments
- Redeployment
- A successful ill health retirement application.

Arrangements to assist in the development of local policies and procedures on the management of sickness absence are set out in Annex Z of the NHS Staff Council Terms and Condition Handbook. See www.nhsemployers.org/pay-conditions/agenda-for-change.cfm for full details.

Part B – to be completed by the Member

Scheme members must provide information about the training they have received and experience gained during their NHS career and details of any other training and/or jobs held not in the NHS – pages 11 and 12 refer.

Part C – to be completed by the Occupational Health Doctor

Comprehensive guidance to assist Occupational Health Doctors to complete of Part C of AW33E 2009 can be found at Chapter 9 of the NHS Pension Scheme – A Guide to Ill-Health Retirement mentioned above. Employers are requested to bring this guide to the attention of their Occupational Health department before completing Part C of the form.

A word version of Part C of the AW33E 2009 is available to download for completion electronically but it must be printed in hard copy and attached to Parts A & B of the AW33E before sending it to NHS Pensions.