

NHS Pensions - Qualifying for Protection in the 1995/2008 Scheme because of Previous Public Service Membership (PPSM) - FAQs

Q. I had protection in my previous public service pension scheme but you have assigned me to the 2015 Scheme. What can I do?

A. If you were protected in your previous public service pension scheme then you may qualify for protection in the 1995/2008 Scheme.

Q. Who can apply for protection in the 1995/2008 Scheme?

A. You can apply for protection in the 1995/2008 Scheme if you had previous pensionable membership with an eligible UK public service pension scheme and you have not had a break in public service membership of more than five years.

Q. Who are the eligible UK public service pension schemes?

A. The following are eligible UK public service pension schemes in:

- NHS Pension Scheme
- Local Government Pension Scheme
- Teachers' Pension Scheme
- Civil Service Pension Scheme
- Armed Forces Pension Scheme
- Fire and Rescue Workers' Pension Scheme
- Police Forces' Pension Scheme
- Judicial Pension Scheme.

Q. How do I apply for protection in the 1995/2008 Scheme?

A. Applications must be made on the Previous Public Service Membership application form (PPSM1) which can be found on our website.

Q. How do I qualify for protection in the 1995/2008 Scheme?

A. To qualify for protection in the 1995/2008 Scheme you must meet 'the two scheme test'. This means that you must:

- i. have already qualified for full (or tapered) protection in your previous public service pension scheme (Scheme 1), and
- ii. also qualify for protection in the 1995/2008 Scheme (Scheme 2).

Q. Under what circumstances would I not meet the two scheme test?

A. You will not meet the two scheme test and your application will be rejected if you:

- were not a member of one of the eligible UK public service pension schemes
- did not qualify for protection in your previous public service pension scheme
- were born on or after 1 September 1960 (or 1 September 1965 if you had previous public service membership with the 1995 Section in Scotland or Northern Ireland)
- had a break of more than five years between leaving your previous public service pension scheme and joining the NHS Pension Scheme
- were receiving a pension from your previous public service pension scheme on the day you joined or rejoined the NHS Pension Scheme
- received a refund of contributions or were eligible of a refund of contributions from your previous public service pension scheme
- you transferred pension benefits out of your previous public service pension scheme to a pension scheme which is not one of the eligible UK public service pension schemes.

You should not complete a Previous Public Service Membership application form (PPSM1) if any of the above bullet points apply to you.

Q. Can I apply for protection in the 1995 Section?

A. You can only qualify for protection in the 1995 Section if you were previously a protected member of a corresponding 1995 Section in Scotland or Northern Ireland.

You must not have had a break of five years or more between leaving the previous 1995 Section in Scotland or Northern Ireland and joining or rejoining pensionable employment in NHS England or Wales.

Q. What is the difference between full and tapered protection?

A. If you qualify for full protection then you will remain in the 1995/2008 Scheme until retirement unless you have a break in pensionable membership of five years or more.

However, if you qualify for tapered protection then you will remain in the 1995/2008 Scheme on a temporary basis until your tapered protection expires, moving to the 2015 Scheme from a date determined by your age on 1 April 2012.

Q. How can I find out when my tapered protection expires and I move to the 2015 Scheme?

A. You can use our tapered protection calculator to find out when your tapered protection expires.

You will move to the 2015 Scheme the day after your tapered protection expires.

Q. Can I still apply for protection in the 1995/2008 Scheme if I am a pensioner member of my previous public service pension scheme?

A. You can apply for protection in the 1995/2008 Scheme as long as you were not receiving a pension from your previous public service pension scheme on the day you joined or rejoined the NHS Pension Scheme.

Question (e) of Part B on the Previous Public Service Membership application form (PPSM1) asks that you confirm the date you started to receive your pension. If this date is before you joined or re-joined the NHS Pension Scheme an application will be rejected, therefore you do not have to complete an application form.

Q. I was a protected member and transferred out my previous public service pension scheme benefits. Can I still apply for protection in the 1995/2008 Scheme?

A. If you transferred out to another eligible public service pension scheme you can still apply for protection but will need to meet the two schemes test to qualify for protection in the 1995/2008 Scheme. You should send the Previous Public Service Membership application form (PPMS1) to the public service scheme you transferred to.

If you transferred out to a pension scheme that is not an eligible public service pension scheme then you have lost your protection and you would not meet the two schemes test. Therefore you do not have to complete a Previous Public Service Membership application form (PPSM1).

Q. I was a protected member of the 1995/2008 Scheme but did not qualify for protection in my new public service pension scheme. I am rejoining the NHS Pension Scheme can I apply for protection?

A. Yes, as long as you **did not**:

- transfer out your 1995/2008 Scheme benefits,
- have less than two years service in the 1995/2008 Scheme, or
- have a break of five or more years between leaving the 1995/2008 Scheme and rejoining the NHS Pension Scheme.

Our systems will assign you to the same section of the scheme you were previously in, unless you held tapered protection and this has expired. You do not have to complete a Previous Public Service Membership application form (PPSM1).

Q. Do I need to transfer my pension rights from my previous public service pension scheme to the NHS Pension Scheme?

A. No. It is not a requirement for you to transfer your pension benefits with your previous public service pension scheme into the NHS Pension Scheme in order to qualify for protection in the 1995/2008 Scheme.

Q. What is different about the protection provisions in the Local Government Pension Scheme?

A. All Local Government pension scheme members moved to the CARE scheme on 1 April 2014 (1 April 2015 in Scotland and Northern Ireland). The previous scheme was closed on 31 March 2014 (31 March 2015 for Scotland and Northern Ireland).

To meet the two scheme test members must have been:

- **active** members on 31 March 2012, and
- within 10 years of their normal pension age on 1 April 2012.

Therefore if you were not an active member of the Local Government pension scheme on 31 March 2012, and within 10 years of normal pension age on 1 April 2012, you will not qualify for protection in the 1995/2008 Scheme because you will fail the two scheme test.

If this applies to you then you do not need to complete an application form.

Q. What is the normal pension age in the Local Government pension scheme?

A. The Local Government Association has confirmed that members who left the Local Government pension scheme on or after 1 October 2006 (1 December 2006 in Scotland) have a normal pension age of 65.

Therefore if you were an active member on 31 March 2012 you had to be age 55 or over on 1 April 2012 to meet the two scheme test.

A small minority of members have a protected normal pension age of 60 under the Local Government pension scheme 2008, these are:

- Meat hygiene service members.
- Learning and skills council members.

Q. The Local Government pension scheme confirmed that I was eligible for protection so why have you rejected my application?

A. We can only place a person into the 1995/2008 Scheme after 31 March 2015 if that person is eligible for protection. NHS Pensions applies a cursory check of the information provided by you and your previous public service pension scheme administrator.

We will reject an application if we consider a person could not have been protected in the Local Government pension scheme. The main reasons for rejection being that they were:

- not an active member of the Local Government pension scheme on 31 March 2012, or
- not within 10 years of a normal pension age of 65.

If you want to query this further you should contact your Local Government pension scheme administrator.

Q. What are the differences between the 1995/2008 Scheme and the 2015 Scheme?

A. A brief summary of the 1995/2008 Scheme and the 2015 Scheme benefits is available on the Scheme Overview on our website. More detailed information is available in the 1995/2008 Member Guide and 2015 Member Guide on our website.