

# 2019/20 Annual Allowance Charge Compensation Policy Application Form

## To the member:

Complete Parts 1 and 2, then give the form to your main employing authority<sup>1</sup> to complete Part 3.

Secondary care clinicians please send the completed form once received back from your employer to the NHSBSA at the address provided on page 3.

PCSE will complete Part 3 for GPs. Retired GPs, or those about to retire before 31 March 2021, should submit their form to PCSE by 21 March 2021 via <https://pcse.england.nhs.uk/contact-us/> selecting 'GP pensions' in the drop-down then 'Individual protection'. A new application window will open later in 2021 for GPs retiring after 31 March 2021.

Please note that if you have not already also returned a Scheme Pays Election (SPE2) for 2019/20 to the NHSBSA **all clinicians** must also complete a SPE2 and send it to the NHSBSA at the same address. Your compensation application cannot be processed until an election for scheme pays has been received.

### Part 1 (to be completed by the member) – About yourself

<p>Title (e.g. Mr, Mrs, Miss, Dr)</p> <input style="width: 100%; height: 20px;" type="text"/> <p>Surname</p> <input style="width: 100%; height: 20px;" type="text"/> <p>Former surname (if applicable)</p> <input style="width: 100%; height: 20px;" type="text"/> <p>Other names</p> <input style="width: 100%; height: 20px;" type="text"/> <p>National Insurance number</p> <input style="width: 100%; height: 20px;" type="text"/> <p>Date of birth</p> <input style="width: 100%; height: 20px;" type="text"/>	<p>Member number</p> <input style="width: 100%; height: 20px;" type="text"/> <p>Address</p> <input style="width: 100%; height: 60px;" type="text"/> <p>Post code</p> <input style="width: 100%; height: 20px;" type="text"/> <p>Contact telephone number</p> <input style="width: 100%; height: 20px;" type="text"/> <p>Email Address</p> <input style="width: 100%; height: 20px;" type="text"/>
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### Part 2 (to be completed by the member) – Member declaration

**I declare** that the above information is correct, that I have carried forward all available unused annual allowance, from each of the previous three tax years (if applicable), to 2019/20, and this application relates to charges incurred as a result of my core<sup>2</sup> membership of the 1995/2008 and 2015 NHS Pension Schemes.

<sup>1</sup>The term *employing authority* is used here in line with its meaning under the NHS Pension Scheme Regulations and includes independent providers and Direction bodies as well as NHS organisations.

<sup>2</sup> The compensation policy does not cover any element of pension growth incurred due to accruals in the MPVAC scheme, Additional Pension purchased in 2019/20, contracts for half cost added years entered into in 2019/20, or contributions to another scheme. Pension growth resulting from added years purchases taken out prior to 2008 is covered.

I understand that when I retire my compensation payments could change in line with my NHS Pension Scheme benefits and I will have to repay any overpayment that occurs.

I understand that NHS Pensions may share the information to make payments, to resolve disputes, and to prevent fraud.

**Signature:**

**Date:**

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### Part 3 (to be completed by the Main Employing Authority)

#### Main employing authority certification and declaration.

**For Secondary Care employers this should be completed by HR Director. For GPs this will be completed by PCSE.**

#### To the employing authority:

Ensure the member has completed Parts 1 and 2 of the application form and then complete Part 3. Make a copy of the form for your records. Employers of secondary care clinicians should return the original form to the clinician to send to NHS Pensions at the address below.

#### Confirmation of Employment type:

Please select one of the following to indicate the member's employment type:

##### Primary Care:

- Salaried clinician
- Self-employed locum
- Partner

##### Secondary Care:

- Secondary Care Clinician

**I certify** that the member, named in part 1, is clinically eligible for the 2019/20 Annual Allowance Charge Compensation Policy as they were:

- in pensionable employment, with this employing authority, in a clinical role during 2019/20 that requires registration by a health care regulatory body, as listed in section 25(3) of the NHS Reform and Health Care Professions Act 2002.

**I declare that:**

- a letter has been provided by this employing authority to the member which represents a contractual variation authorising the payment of the 2019/20 Annual Allowance Charge Compensation Policy.

Authorised signatory	<input type="text"/>
Please print full name	<input type="text"/>
EA stamp	<input type="text"/>
EA code	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Date	<input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

**Instructions for returning the form:**

**All Secondary Care clinicians should return the authorised form once Part 3 has been completed by the employer to the NHSBSA at the following address**

**NHS Business Services Authority,  
PO Box 2269,  
Bolton, BL6 9JS**

**GPs should follow the instructions for members on page 1. Further information for GPs who will upload their forms via the new PCSE online portal will be communicated in due course.**

Further information about the 2019/20 Annual Allowance Charge Compensation Policy is located on NHS England's website at: [www.england.nhs.uk/pensions/](http://www.england.nhs.uk/pensions/)

**How we use your information**

The NHS Business Services Authority will use the information provided for administering the 2019/20 Annual Allowance Charge Compensation Policy. We may share your information with a relevant public body, for example NHS England and Improvement, in order to administer and pay your 2019/20 Annual Allowance Charge Compensation Policy, or as required by law.

This could include the NHSBSA Loss and Fraud Prevention Team (LFP), Department of Health and Social Care (DHSC) Anti-Fraud Unit and NHS Counter Fraud Agency (NHS CFA) for the purposes of the prevention, detection, investigation and prosecution of fraud or any other unlawful activity affecting the NHS or the Compensation Policy.

For more information about whom we share your information with and how long we keep your personal data and your rights, please visit our website at [www.nhsbsa.nhs.uk/yourinformation](http://www.nhsbsa.nhs.uk/yourinformation)

## **Guidance notes 2019/20 NHS pension annual allowance compensation policy application form**

We have written these guidance notes to help eligible clinicians<sup>3</sup> and their employing authorities complete the application form. This form constitutes the application for the 2019/20 pension annual allowance compensation policy, in conjunction with submission of a scheme pays form for 2019/20, and employed clinicians being in receipt of a letter from the Employer/Practice which acts as a variation to their contract. Please read the guidance notes carefully.

### **Information for clinicians**

The form is for secondary care clinicians, and for GPs. Dentists will complete their form via the Compass portal on NHS Dental services. If you are a GP you will be asked to state whether you were salaried, or a freelance GP locum or partner in 2019/20. We recognise that all of these could apply in any one year, so please tick all applicable boxes. We need a record of this information as the payment vehicle for those who are self employed is slightly different whilst delivering the same overall member benefit.

### **Part 1 About yourself**

The form asks for basic information about each applicant:

- Name
- Title
- Address
- Date of birth
- Email address
- Telephone Number
- It also asks for your National Insurance number and your NHS Pension Scheme (NHSPS) member number.

If you think that the NHSPS may not hold up to date information about you, it would also be useful to update your member record before you submit the form.

### **Part 2 Member declaration**

In signing and dating the declaration members are demonstrating that they understand that the compensation policy is only available for those who breach the annual allowance through their core contributions into the NHS Pension Scheme relating to the 2019/20 tax year, and that their application for scheme pays is on the basis of using any carry forward (if available) from previous tax years first before calculating the tax liability.

The Compensation Policy does not cover any tax charge in relation to money purchase additional voluntary contributions (AVCs) and any Additional Pension purchased in 2019/20, including the growth in contracts taken out before 2019/20. Pension growth resulting from 'added years' purchases taken out prior to 2008 however will be covered under this policy.

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<sup>3</sup> An eligible clinician must be in active NHS clinical service during 2019/20 in a role that requires professional registration. They will have incurred a pension tax charge through breaching the annual allowance in 2019/20 with respect to the NHS Pension Scheme, and have applied to use Scheme Pays to settle the tax charge.

Members are also confirming that they understand that the information provided will be shared to make payments, to resolve disputes, and to prevent fraud.

### **Part 3 – Main employing authority certification and declaration**

#### **What is an Employing Authority?**

Organisations with membership of the NHS Pension Scheme are known as Employing Authorities. For secondary care clinicians this is your employer

#### **Secondary care clinicians**

You may work for a number of different organisations. The Employing Authority certification is required from just one of them. Please choose the employer where you have undertaken the majority of your clinical work up to the end of 2019/20.

If you work for a single employer but have changed employers during 2019/20 you should ask the employer for who you were working for at the end of the tax year (2019/20) to complete the certification.

In signing the form your employer is confirming that you have been employed by them during 2019/20 working in a clinical role which requires professional registration, and that you had that registration for 2019/20. Your employer will also confirm the type of employment you have.

We require the Director of HR to confirm these details, sign the form, and provide the stamp of the organisation where you have one.

Your employer will make a copy of the form to keep for their records. They will return the original form to you. We recommend that you also make a copy of the form before sending to NHSBSA. We would like all forms to be sent to **NHSBSA by 31 March 2022**. We recommend that you send the form in at the same time as your Scheme Pays form or shortly afterwards.

#### **Primary care clinicians**

The endorsement and confirmation of employment type will be carried out by PCSE for GPs and NHS Dental Services for Dentists, as they already hold all the information about your clinical activity on behalf of the NHS in 2019/20 as well as managing pension administrative on your behalf.

NHS Dental Services will be providing an electronic form via the Compass portal for Dentists for complete.

Retired GPs, or those about to retire before 31 March 2021, should submit their form to PCSE via <https://pcse.england.nhs.uk/contact-us/> selecting 'GP pensions' then 'Individual protection' in the drop-down menu.

The window for applications for GPs who have retired, or who are planning to retire before 31 March 2021 closes on 21 March 2021. A new application window will open later in 2021 for applications from GPs retiring after 31 March 2021. More information will be communicated in due course.

## All clinicians

Your application for the 2019/20 Pension Annual Allowance Charge Compensation Policy will be linked to your pension record by NHSBSA on receipt of your Scheme Pays election and the application form. This will ensure that payments under the policy can be triggered when you retire. **You should not submit the application form until you have submitted the Scheme Pays form.** When both forms have been submitted to NHSBSA will confirm that the claim form for the Compensation Policy has been received.

## Information for Employing Authorities

For 2019/20 the Secretary of State has agreed that NHS England should make arrangements for eligible clinicians providing services to NHS patients to be offered compensation when they retire for any annual allowance tax charges incurred by them during that year arising from their contributions to the NHS Pension Scheme. Receipt of payments under the Compensation Policy is contingent on the clinician using scheme pays to pay the tax charge. Payments under the policy will become due following retirement, and will compensate the clinicians for any reduction in their pension through using scheme pays for 2019/20.

In addition to submitting a scheme pays application clinicians require an endorsement from their Employing Authority of their eligibility to apply for the compensation policy. This application form provides that endorsement.

Employers should have provided their employees with a letter varying their contract to reflect the offer of the compensation policy for eligible clinicians. Template letters have been provided to NHS trusts and foundation trusts, Higher Education Institutions and General Practices. Template letters are now available for Dentists and Independent Sector Providers for use with their staff. <https://www.england.nhs.uk/pensions/>

## The Application form

### Parts 1&2

A clinician will ask you to sign the form once they have completed parts 1 and 2 of the form. Part 1 of the form captures some personal information, including National Insurance number and NHSPS membership number.

You may wish to check that the National Insurance number is consistent with the one that you hold.

In part 2 the clinician is asked to confirm in signing the form that:

- the information on the form is correct;
- they have no unused annual allowance carry forward;
- they understand that the compensation will only be provided with respect to payments into the NHSPS for 2019/20 linked to their core contributions<sup>4</sup> into the scheme; and
- their understanding that any information provided on the form will only be shared to make payments, to resolve disputes, and to prevent fraud.

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<sup>4</sup> Any tax charge in relation to money purchase additional voluntary contributions (AVCs) and any Additional Pension purchased in 2019/20 including the growth in contracts taken out before 2019/20 will not be covered. Pension growth resulting from 'added years' purchases taken out prior to 2008 however will be covered under this policy.

### **Part 3 Main employing authority certification and declaration**

#### **Employers of secondary care clinicians**

Where a clinician is an employee this part of the form should be signed by the HR Director. In doing so the Director is confirming that the employee was a member of the NHSPS working in an active clinical role in 2019/20 in your organisation, and that they had the appropriate professional registration to carry out that role.

Please confirm the members employment type, add your organisation's stamp and your Employing Authority number to the form.

We recognise that clinicians may have a number of different employers during 2019/20. They only require certification from a single employer, and we have asked that they approach the organisation where they carry out most of their pensionable clinical work to do this, or if they work for a single employer, the one who they were working for at the end of 2019/20.

After completing the form, you should make a copy for your records and hand the original form back to the employee who will send it to NHSBSA. As the compensation payments only take effect when a member retires, which may be many years in the future, it is important that you retain these forms, even though the employee could have left your organisation in the interim. NHSBSA may perform some random checks of applications, and therefore may ask you to confirm that you have a record of the application.