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Public Health
Wales

Freedom of Information request to Public Health Wales

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| FOI Reference: | FOI 189 |
| Date request received | 31 January 2019 |
| Date information is due to be sent | 01 March 2019 |

Information Requested:

As a result of HMRC's changes to the pensions Lifetime Allowance ('the LTA') and Annual Allowance ('the AA') many of our members have left the NHS Pensions Scheme. This results in NHS Employers saving the employer pension contributions which they would have paid into our members' pensions had they not left the scheme. We have been made aware of some NHS Employers operating policies to enable such scheme leavers to apply for and receive payment of the monies which their NHS Employer would have paid into their pension in the form of employer pension contributions. The following request for information relates to the monies which you, as the NHS Employer, have saved from unpaid employer pension contributions in the way described above.

1. Do you have a policy (written or unwritten) by which one of your employees who is leaving the NHS Pension Scheme may be able to receive after leaving the scheme payment(s) equivalent to or calculated in relation to the employer pension contributions which you, as the NHS Employer, would have paid to his/her pension had they not left the scheme?
2. If you, as the NHS Employer, do not have such a policy, did you used to have one or do you intend to implement one? If you intend to implement such a policy, when do you expect that the policy will be implemented?
3. If you, as the NHS Employer, do have such a policy, how many doctors and how many non doctors that you employ have benefitted from it by receiving payments under it?
4. What are the policy criteria for establishing employees' eligibility to receive such payments? Please provide a copy of the policy or any other documents evidencing the eligibility criteria and rules.

Information provided for the answer:

1. Do you have a policy (written or unwritten) by which one of your employees who is leaving the NHS Pension Scheme may be able to receive after leaving the scheme payment(s) equivalent to or calculated in relation to the employer pension contributions which you, as the NHS Employer, would have paid to his/her pension had they not left the scheme?

I confirm that Public Health Wales NHS Trust has no extant policy of making payment of the value of notional employers NHS Pension Scheme contributions directly to employees who opt out of the Scheme.

2a. If you, as the NHS Employer, do not have such a policy, did you used to have one or do you intend to implement one?

I confirm that Public Health Wales NHS Trust has had no such policy in the past.

2b. If you intend to implement such a policy, when do you expect that the policy will be implemented?

I confirm that Public Health Wales NHS Trust does not intend to introduce such a policy

3. If you, as the NHS Employer, do have such a policy, how many doctors and how many non doctors that you employ have benefitted from it by receiving payments under it?

Not applicable.

4. What are the policy criteria for establishing employees' eligibility to receive such payments? Please provide a copy of the policy or any other documents evidencing the eligibility criteria and rules.

Not applicable.

Thank you for your recent FOI Request. Unfortunately Public Health Wales does not hold this information. We suggest you contact NHS Wales Shared Services Partnership. I have provided a link to their webpage for FOI requests:

<http://www.nwssp.wales.nhs.uk/making-a-freedom-of-information-request>

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of the decision, you should write to the Corporate Complaints Manager, Public Health Wales NHS Trust, 3, Number 2, Capital Quarter, Tyndall Street, Cardiff, CF10 4BZ.

If you are not content with the outcome of your complaint or review, you may apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Trust. The Information Commissioner can be contacted at:

Information Commissioner for Wales

2nd Floor
Churchill House
Churchill Way
Cardiff
CF10 2HH

Telephone: 029 2067 8400

Email: wales@ico.org.uk