



North East Scotland Pension Fund

nespf



GUIDE TO

Leave & Absence

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Sick Leave

Your pension is not affected by any absence due to sickness or injury. You will continue to pay contributions on any pay you receive while you are off sick. If you are on unpaid sick leave, you will not pay any contributions.

If your pay is reduced or you don't receive any pay, the pay you would have received if you were not absent is used to calculate your pension. This means you will continue to build up a pension as if you were working normally.

50/50 Membership

If you are in the 50/50 section and go onto long term unpaid sick leave, you will automatically be moved to the main section of the scheme from the beginning of the next pay period if you are still on no pay at that time. This means from that point forward you will build up full pension benefits even though you are not paying pension contributions. When you return to work if you want to re-join the 50/50 section you will have to elect to do so.

Child Related Leave

You will continue to pay basic contributions on any pay that you receive while you are off on relevant child related leave.

During any **paid** child related leave, the pay you would have received if you were working is used to calculate your pension. By using this figure you will continue to build up a pension as if you were working normally and ensures you do not lose out while on paid child related leave.

Any period of **unpaid** additional maternity, adoption leave or shared parental leave will not count towards your pension unless you elect to pay [Additional Pension Contributions \(APCs\) to purchase the amount of pension lost](#).

If you wish to purchase the amount of lost pension and make the election within 30 days of returning to work then the cost of the APC is split between you and your employer. You will pay 1/3rd of the cost and your employer will pay 2/3rds. This is known as Shared Cost Additional Pension Contributions (SCAPC). You can pay these additional contributions in a one-off lump sum or through regular payments from your wages. If you make the election out with 30 days of returning to work, then you will pay the full cost of the APC. The maximum period of absence you can elect to buy back by SCAPC is a period of 3 years.

If you purchase lost pension to cover a period of unpaid additional maternity or adoption leave or unpaid shared parental leave, a proportion of the lost pension will be payable to your spouse, civil partner or eligible cohabiting partner and any eligible children on your death.

50/50 Membership

If you are in the 50/50 section and go onto no pay during ordinary maternity, paternity or adoption leave you will automatically be moved to the main section of the scheme from the beginning of the next pay period. This means from that point forward you will build up full pension benefits in the LGPS even though you are not paying pension contributions.

Keeping in Touch Days

If you have Keep in Touch (KIT) days or Shared Parental Leave in Touch days (SPLIT) during a period of unpaid additional maternity or adoption leave or unpaid shared parental leave, you will build up pension based on the section of the scheme you are in for the days you are paid.

Unpaid Leave of Absence

If you are granted unpaid leave of absence, including jury service, you may continue to pay contributions depending on the length of the break.

If the period of unpaid leave is **less than 31 continuous days**, contributions should be deducted automatically by your employer based on what you would have received had you not been absent. This means that you will not have a break in membership for pension purposes.

If the period of leave is for **31 continuous days or more**, the period will not count for pension purposes unless you pay [Additional Pension Contributions \(APCs\)](#) to buy the amount of pension lost during your time off. lost pension. If you wish to purchase the pension lost during this time and make the election within 30 days of returning to work, then the cost of the APC is split between you and your employer. You will pay 1/3rd of the cost and your employer will pay 2/3rds. This is known as Shared Cost Additional Pension Contributions (SCAPC). The maximum period of absence you can elect to buy back by SCAPC is a period of 3 years. You can pay these additional contributions in a one-off lump sum or through regular payments from your wages.

If you make the election out with 30 days of returning to work, then you will pay the full cost of the APC.

If you purchase lost pension to cover a period of authorised unpaid leave of absence, a proportion of the lost pension will be payable to your spouse, civil partner or eligible cohabiting partner and any eligible children on your death.

Strike & Industrial Action

If you are absent because of a strike, you will not pay pension contributions. As such the period will not count towards your pension unless you choose to pay [Additional Pension Contributions \(APCs\)](#).

The cost of purchasing the pension lost while on strike would be met fully by you (unless your employer voluntarily chooses to contribute).

If you purchase lost pension, a proportion of the lost pension will be payable to your spouse, civil partner or eligible cohabiting partner and any eligible children on your death.

Reserve Forces Leave

If you are on reserve forces leave and elect to remain in the LGPS, your pension is worked out using your assumed pensionable pay. Your assumed pensionable pay is simply the pay you would have received if you were at work as normal. Using your assumed pensionable pay ensures that you will continue to build up pension as if you were in work rather than on reserve forces leave. Any pay you do receive from your employer will not have pension contributions deducted from it.

Your employer needs to tell you:

- the amount of basic pension contributions you and the Ministry of Defence (MOD) must pay,
- the amount of any additional contributions you and your employer are paying in the LGPS, and
- the amount of assumed pensionable pay those contributions must be collected on.

You will need to pass this information on to the MOD.

Your employer contributions (and any additional contributions you are paying in the LGPS) will be deducted by the MOD and paid across to the Pension Fund, together with the employer contributions due.

Paying Extra

If you are paying:

- Additional Regular Contributions (ARCs) or,
- Added Years, or
- Extra pension to count pre 6 April 1988 membership for a surviving eligible cohabiting partner's pension or,

and you are absent from work due to:

- sickness or injury on full or reduced pay, or
- absent due to relevant child related leave, or
- authorised leave of absence, a trade dispute or
- reserve forces service leave where your reserve forces leave pay is equal to or greater than your normal pay,

you must continue to pay the extra pension contributions.

Where necessary, these can be collected from your pay when you return to work. If you are absent from work due to sickness or injury on no pay or are on reserve forces service leave where your reserve forces leave pay is less than your normal pay, the extra contributions are deemed to have been paid.

If you are paying:

- To buy-back some previous part time service

and are absent from work due to

- sickness or injury on full, reduced or no pay, or
- relevant child related leave, or
- authorised leave of absence, or
- a trade dispute or
- reserve forces service leave,

you must continue to pay the extra pension contributions. Where necessary, these can be collected from your pay when you return to work.

If you are paying:

- Additional Pension Contributions (APCs), or
- Shared Cost APCs

and you are absent from work due to:

- sickness or injury on full or reduced pay, or
- absent due to relevant child related leave, or
- Authorised leave of absence, or
- a trade dispute or
- reserve forces service leave,

you must continue to pay the extra pension contributions. Where necessary, these can be collected from your pay when you return to work. If you are absent from work due to sickness or injury on no pay the extra contributions are deemed to have been paid.

If you are paying:

- Additional Voluntary Contributions (AVCs) or
- Shared Cost AVCs (SCAVCs)

and you are absent from work due to

- sickness or injury,
- relevant child related leave or
- reserve forces service leave

then you can continue to make payments.

If you are paying AVCs for extra life cover you should arrange to continue with these payments throughout your leave or your cover may cease.

As of June 2019, members absent from work with permission from their employer (otherwise than by reason of illness or injury) for a continuous period of less than 31 days must pay contributions on the pensionable pay the member would have received during the period if they hadn't been absent i.e. contributions will continue to be deducted for an authorised break of less than 31 days.

Calculating Lost Pension & Setting Up APCs

If you have lost pension as a result of absence, then you can buy it back through an Additional Pension Contribution (APC) contract.

The amount of pension **lost** is calculated as:

$$\begin{array}{ccc} \text{The pay you would} & & \\ \text{have received over} & & \\ \text{the period of} & \div & \mathbf{49} \\ \text{absence} & & \text{(or 98 if you} \\ & & \text{are in 50/50)} \end{array}$$

In some cases, you can share the cost of buying the lost pension with your employer, provided you make the election within 30 days of returning to work. In these instances, you will pay 1/3rd of the cost while your employer pays 2/3rds. This is known as a Shared Cost APC.

If you do not make the election within 30 days of returning to work, or your absence does not provide for the option of Shared Cost APCs, you will pay the full cost.

To see how much an APC costs and/or to set one up, visit www.scotlgpsmember.org/help-and-support/tools-and-calculators/

More Information

For more information please contact the pension Fund at the details below

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DISCLAIMER

The information in this guide is based on the Local Government Pension Scheme (Scotland) Regulations 2018 and other relevant legislation. It applies to people who were contributing members of the Local Government Pension Scheme on 1 April 2015 or who have since joined the Scheme. This guide was up-to-date at the time of publication in March 2023. It is for general use and cannot cover every personal circumstance, nor does it cover specific protected rights that apply to a very limited number of employees. In the event of any dispute over your pension benefits, the appropriate legislation will prevail as this guide does not confer any contractual or statutory rights and is provided for information purposes only.