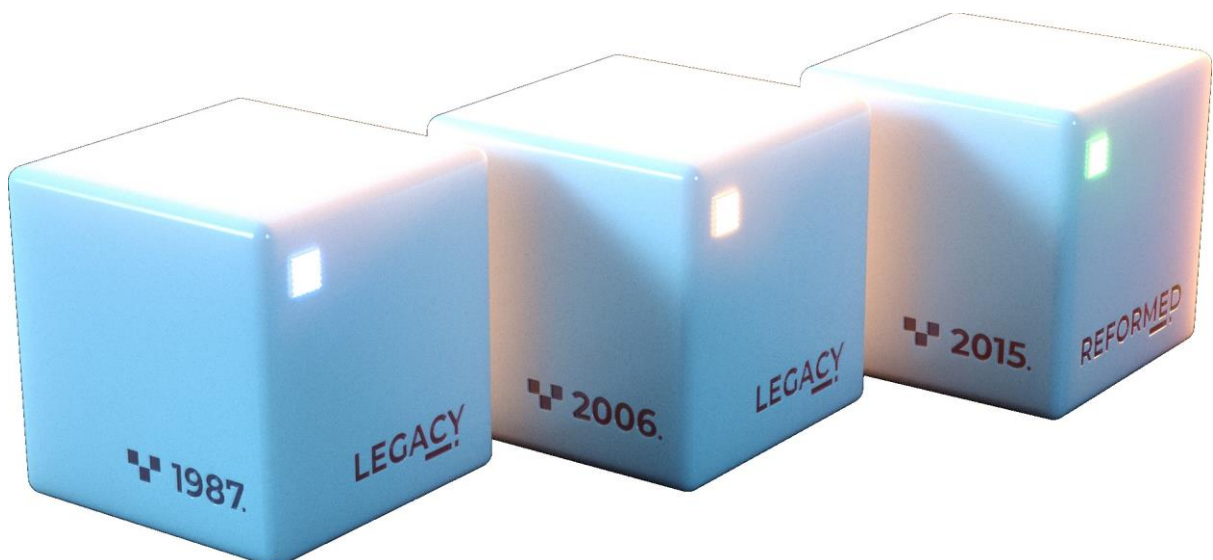


Member Remedy Factsheet Remediable Pensions Savings Statements



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Purpose

1. This document is primarily aimed at [deferred choice members](#) who as part of the implementation of remedy had some membership of the Police Pension Scheme (PPS) 2015 scheme during the remedy period which has now been rolled back to their respective legacy scheme.
2. As a result of that rollback to legacy, there are a number of consequential actions that need to happen to put members back in the position that they would have been if the discrimination had not occurred, and they had not been transitioned to the PPS 2015.
3. This document is specifically about Pensions Tax and the remediable Pensions Savings Statements which will be issued to members to notify them that they have breached the annual allowance in one or more of the remedy years.

What is a Pensions Savings Statement (PSS)?

4. A [PSS provides key details](#) relating to the pension you have built up (the Pension Input Amount (PIA)) over a tax year, which is necessary to enable you to calculate any annual allowance tax charge.

When will I get a PSS?

5. Normally, you will receive a PSS by 6 October following the end of the tax year. Due to the implementation of remedy, HMRC set new legislation which extended the statutory deadline for the 2022/23 tax year by 12 months to 6 October 2024.
6. This extension means that for any remedy eligible member, they will receive a remediable PSS (R-PSS) for the years 2015/16 to 2021/22, plus 2022/23 and a normal PSS for the 2023/24 tax year.

What are the timescales?

2015/16 to 2022/23

7. The statutory deadline to receive your R-PSS is 6 October 2024.
8. You have the later of 31 January 2025 or three months from the point of receiving your R-PSS if this is received on or after 1 November 2024 to submit your details via the HMRC digital service.

2023/24 tax year

9. The statutory deadline to receive your PSS is 6 October 2024.
10. You have until 31 January 2025 to submit a Self-Assessment return if applicable.
11. You have until 31 July 2025 to make any Scheme Pays Election if applicable.

What actions to I need to take if I get an R-PSS or a PSS?

2015/16 to 2022/23 tax years

12. These tax years are treated as being the remediable years. This also includes the year 2022/23 as the end of this tax year occurs before the remedy implementation start date of 1 October 2023.
13. If you receive an R-PSS for any of these years', or a schedule with details of all years' then you must use the HMRC digital service to calculate your adjusted pension tax charge.
14. You must not amend any previous Self-Assessment returns that you have made to HMRC.

2023/24 tax year

15. If you receive a PSS for the 2023/24 tax year, then if you are left with a taxable excess after taking into account any available carry forward, you will need to make a Self-Assessment return to HMRC by 31 January 2025.

Why haven't I received an R-PSS or a PSS?

16. Not all members will receive an R-PSS or a PSS.
17. If you were previously a fully protected member, your PIA calculations will have been correct and there is no adjustment necessary. Therefore, you will not receive an R-PSS for all years, but you may receive an R-PSS for the 2022/23 tax year and or a PSS for 2023/24 tax year if applicable.
18. Your pension administrator will provide you with a R-PSS if either: -
 - a. You previously exceeded the annual allowance during the remedy period, and, you were not a fully protected member or
 - b. Your rolled back PIA now exceeds the annual allowance in a remedy tax year.
19. If you did not receive a rolled back ABS or an ABS-RSS your pension administrator may not have all the relevant information to enable them to provide you with either an R-PSS or PSS.
20. This may be due to missing or incorrect information held on your pension record, or for technical reasons which means that the rolled back position cannot yet be determined. This will be the case for members that have a Pension Sharing Order as a result of a divorce or where they had a transfer in during the remedy period.
21. If you have not received an R-PSS or PSS and you should receive one, it will be sent to you as soon as possible.

How is the 2023/24 year different?

22. The 2023/24 year is a normal year as far as PSS' are concerned. It is not treated as part of the remedy period and the usual timescales for reporting to HMRC apply.
23. You will receive a PSS for the 2023/24 if your PIA exceeds the annual allowance in this tax year.

Using the HMRC digital service

24. You can [check the list of information that you will need](#) before you start and look through the questions that you will be asked.
25. Your pension administrator will provide you with your R-PSS which will give you your revised PIA as a result of rollback. You should review the list of information that you will need, but this will include for each year in the remedy period: –
 - a. Details of your total income if you do not have this information you may need to consider making a [subject access request](#) to HMRC.
 - b. Details of Pensions Savings from any other pensions.
26. The [HMRC digital service](#) is accessed on the GOV.UK website.

Further information

27. More information about Pensions Tax and remedy can be found: –
 - a. In the [Tax FAQ](#) section of the [policepensioninfo](#) website.
 - b. In the [Introduction to Pensions Tax](#) useful information document.
 - c. In the [Pensions Tax and Remedy](#) useful information document.

Support and advice

28. If you are a member who needs to use the HMRC digital service to calculate your public service adjustment in relation to your pensions tax for the remedy period, you may wish to seek the help and support of a professional adviser to assure yourself that correct details have been submitted to HMRC.
29. More information and a [list of suggested pensions tax support advisers](#) is available on the [policepensioninfo](#) website.

Compensation scheme

30. If you do need to seek support from an adviser, then you will be able to claim the cost of this from the compensation scheme. You will need to submit a claim form with copies of receipts and or invoices that have been paid to your scheme manager so that they can reimburse you for the costs associated with the support you have received.
31. Details of the compensation scheme and the claim form are available on the [policepensioninfo](#) website: –
 - a. In the [Member Remedy Factsheet – Compensation](#)
 - b. The [Member Remedy claim form – Compensation](#)

What happens next?

32. If you are due compensation because your annual allowance tax charge has now decreased, and you elected for a scheme pays debit previously, this information will be passed from HMRC to your scheme manager, and where necessary they will arrange for the scheme pays debit to be adjusted accordingly. This means that you do not have to submit a separate compensation claim.
33. If you did not elect for scheme pays and instead paid the tax charge yourself directly to HMRC, then HMRC will arrange to pay this money back to you directly. This means that you do not have to submit a separate compensation claim.
34. If you have an increased or new annual allowance tax charge and you have elected to use the scheme pays option, this information will be passed from HMRC to your scheme manager, and they will arrange for the relevant amount of scheme pays debit to be applied to your pension.
35. It is advisable for you to keep a record of any inputs made to, or outputs that you receive from the HMRC digital service as this may assist with any future compensation claim that you may need to make.

Settling your contribution adjustment after you have adjusted your pensions tax through the HMRC digital service

36. As and when you settle your contribution adjustment, which may not be until you retire, it will not be known what effect any change to your contribution rate may have had on your taxable pay and associated marginal rate.
37. Settling your contribution adjustment will not actually alter either your taxable pay or the marginal rate that you actually received or paid in the remedy period, but compensation can be paid to put you in the same position.

38. If you had paid the correct amount of contributions at the time during the remedy period and this would have resulted in a different marginal rate of tax being applied to your income, then you may be entitled to make a claim for compensation, as set out above.
39. If you think that this may affect you, you will need to ensure that you have all the relevant information to enable you to make a claim for compensation in the future. Therefore, it is recommended that you to retain a full record of all your inputs to the HMRC digital service, there is the ability to save a pdf version of your inputs prior to you making your final submission.

Legislation

The legislation that applies to pension savings statements is: –

A: [The Public Service Pensions and Judicial Offices Act \(PSPJOA 2022\)](#)

- Rollback – [Section 2 of Chapter 1, Part 1](#)
- Compensation – [Section 23 and 24 of Chapter 1, Part 1](#)

B: [The Public Service Pensions \(Exercise of Powers, Compensation and Information\) Directions 2022](#) (The Directions)

- Further powers to make provision about special cases – [Direction 7 of Chapter 2](#)
- Compensation – [Direction 8 or Chapter 2](#)

C: [The Police Pensions \(Remediable Service\) Regulations 2023](#) (Police Scheme Remediable Regulations)

- Compensation – [Regulation 59 and 60 of Chapter 2, Part 9](#)

D: [The Public Service Pension Schemes \(Rectification of Unlawful Discrimination\) \(Tax\) Regulations 2023](#) (Tax Rectification Regulations No. 1)

- Annual Allowance – [Regulations 4 to 13 of Chapter 2, Part 2](#)

E: [The Public Service Pension Schemes \(Rectification of Unlawful Discrimination\) \(Tax\) \(No. 2\) Regulations 2023](#) (Tax Rectification Regulations No. 2)

- The Administration Framework (TAF) – [Part 6](#)

Disclaimer

This factsheet has been prepared by NPCC using the regulations as they stand at October 2024, however they should be used only as an informal view of the interpretation of the Police Pension Scheme as only a court can provide a definitive interpretation of legislation.

This factsheet should not be interpreted as legal advice.

Version control

Date	Author	Publication	Reason for change
01/10/2024	Claire Neale	V1	N/A