

NHS Pensions – Public service pensions remedy (PSPR) Cost Claim Back application

Use this form to claim back direct financial losses linked to the public service pensions remedy (PSPR) - see our website at www.nhsbsa.nhs.uk/public-service-pensions-remedy-mccloud The types of losses covered should meet conditions 1 or 2 in paragraph 5.1 of the scheme rules - see www.nhsbsa.nhs.uk/public-service-pensions-remedy-mccloud/nhs-cost-claim-back-scheme These losses may include some payments for professional services or advice from accountants and Independent Financial Advisers (IFA).

The Guidance section at the end of this form includes a summary of the losses covered by the scheme rules, the limits for professional services and advice, plus information and evidence you need to include.

Do not use this form for:

- **tax payments** – if your tax position is affected because an annual allowance charge has changed, or you are a personal representative and a lifetime allowance charge has changed
 - for a change to an annual allowance charge you'll need the information we'll give you in your Remediable Pension Savings Statement (RPSS). You do not need to do anything, as your RPSS will be sent to you directly from September 2024 onwards. Members should also wait to receive their RPSS before any applications are made to the Cost Claim Back Scheme
 - for a change to a lifetime allowance charge you'll need the information we'll give you in your Remediable Service Statement (RSS). You do not need to request your RSS as it will be sent to you directly when you claim your retirement benefits
 - once you've got your statement, you will need to use the HMRC 'Calculate your Public Service Pension Adjustment' tool at: www.gov.uk/guidance/calculate-your-public-service-pension-adjustment Follow the process on the HMRC website for how to claim back overpaid tax, or ways you can pay tax you may owe
- **contingent decisions** – if you made a decision about your pension benefits that would have been different had it not been for the discrimination identified by the courts, e.g. opting out of the NHS pension scheme, please go to www.nhsbsa.nhs.uk/public-service-pensions-remedy-mccloud/contingent-decisions for information on situations we'll be contacting members about and your options if you have a different situation.

Send your completed form by email to costclaimback@nhsbsa.nhs.uk or by post to us at, NHS Pensions, PO Box 683, Unit 5 Newcastle Upon Tyne, NE5 9EE. Use a secure email such as your @NHS work email if you have one – emails from personal email accounts are sent at your own risk.

We'll write to tell you if your claim is successful or not within 30 days of reaching a decision about your claim. For a successful claim we'll tell you the amount you're due and pay this amount into your bank account.

How we use your information

For more information about how the NHSBSA processes your personal data, please see our Privacy Notice – www.nhsbsa.nhs.uk/our-policies/privacy/nhs-pensions-privacy-notice

Before proceeding with your claim check all the following points apply to you.

- I have read and understood the eligibility criteria in the fact sheet on the NHSBSA website www.nhsbsa.nhs.uk/changes-public-service-pensions/nhs-cost-claim-back-scheme.
- the cost is a direct financial loss as a consequence of the discrimination identified by the Court and/or the public service pensions remedy.
- the loss is in respect of information or a service that has not been and will not be provided by the NHSBSA.

There are 6 sections to this application form, all of which must be completed by the member or legal personal representative. Some sections of the form may require you to request further details or breakdown of the advice you have received from your chosen Independent Financial Advisor or accountant.

If you have difficulty completing this form, you can ask someone to help you or email us at costclaimback@nhsbsa.nhs.uk.

Section 1: About the member. Use CAPITAL LETTERS and BLACK INK

Enter the NHS Pension Scheme membership number (if known)

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Title (.for example, Mr, Mrs, Miss, Dr)

Surname

Former surname (if applicable)

Other names

National Insurance number

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Date of birth

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Contact address

Postcode

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Contact telephone number

Contact email address

Section 2: About you

- I am the member – continue to Section 3.
- I am the member’s personal representative – complete your details below.

Title (for example, . Mr, Mrs, Miss, Dr)

Surname

Former surname (if applicable)

Other names

Contact telephone number

Contact address

Postcode

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Contact email address

Please tick one of the following boxes:

- I have ordinary Power of Attorney/Lasting Power of Attorney (delete as appropriate) – attach a copy of your power of attorney and continue to Section 3.
- I am the legal personal representative of the deceased member’s estate – continue to Section 3.

Section 3: About your claim

The following questions should be completed accurately and to the best of your knowledge. If you are unsure on how to answer any question in relation to the financial advice you, or the member you are applying on behalf of, have received, seek clarification from your chosen provider.

I am claiming for the following costs (please tick which applies):

- the professional services of an Independent Financial Advisor.
- the professional services of an accountant.
- other professional services.
- other direct financial loss

The total amount of direct financial loss I am applying to claim back is

£

Name and address of professional services provider:

Name of provider:
Address of provider:

1. **Give details of the direct financial loss and how this is attributable to the discrimination or the public service pensions remedy (PSPR). For further information please read either condition 1 or 2 in paragraph 5.1 of the scheme rules.** You must select one box from the list below, and if you select option b) please complete one of the additional tick boxes for that option

This cost was incurred because:

- a) I have received a Choice 2 revocation letter and required advice on revoking my Choice 2 election.
- b) I have received a Remediable Pension Saving Statement (RPSS) and: (tick one of the below)
 I required advice on using the full HMRC 'Calculate your Public Service Pension Adjustment' tool
 I required advice on using the first part of the HMRC tool only – this is a maximum of 10 questions with 'yes', 'no', and 'don't know' answers
- c) I opted out of the scheme during the remedy period and required advice on the potential purchase of that scheme membership
- d) I have received a Remediable Service Statement (RSS) and required advice on making a choice about my benefits in the remedy period
- e) I required advice on my options for purchasing additional pension (AP) or early retirement reduction buy out (ERRBO) in respect of my remediable service.
- f) Other:
If the reason you are making a claim is not covered in a) - e) above, explain below how the direct financial loss is attributable to the discrimination or PSPR

2. Explain why you required the advice you obtained

Continue on a separate sheet if you need to, making sure to write the NHS Pension Scheme membership number on each sheet

Section 4: Supporting evidence

I attach the following evidence of the direct loss incurred as a consequence of the discrimination identified by the Court and/or the PSPR (tick all that apply):

- An application form which has been completed and signed by the member or personal representative.
- Proof that the costs I'm claiming have been paid and on which date. For example, a receipt or bank statement.
- Any other relevant documentation. Refer to the guidance notes at the end of this form.

Your claim may be unsuccessful if you do not provide sufficient evidence of the services you received, or the specific cost of the services relevant to your claim. We may ask you for additional information if there are any questions about your application.

Use a separate application form for costs paid to a different professional services provider or in respect of a separate direct financial loss.

Section 5: Your payment details

Provide details of the account to pay approved reclaimed costs into:

Name(s) of account holder(s) as on your account

Name of bank/building society – UK Channel Islands or Isle of Man only

Branch Sort code

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Address of bank/building society

Account / Building Society Roll Number:

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If your bank is outside the UK say which country it is in – see www.nhsbsa.nhs.uk/member-hub/applying-your-pension . You will need to complete the mandate and attach it to this form.

Postcode

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Section 6: Your declaration

I declare that:

- I am the person who is claiming
- the information I have given in this application form is correct and complete to the best of my knowledge and belief
- if I become aware of any change to the information given, or any new information relevant to my claim, I will notify the NHS Business Services Authority straightaway
- I have taken the steps described in section 3 of this form to mitigate the loss/costs claimed
- I confirm that all the costs claimed, including all those for professional services are qualifying losses as provided for under the NHS Pensions PSPR Cost Claim Back Scheme
- I have read the guidance notes at the end of this form

I understand that:

- the NHS Business Services Authority will seek to recover any payment made under the NHS Pensions PSPR Cost Claim Back Scheme rules, if I have made false representation, withheld relevant information, or I am not legally entitled to claim the payment
- If I provide the NHS Business Services Authority with false or misleading information, I may be liable to civil proceedings

Your signature

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Date

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Once you have completed and signed this form please email to costclaimback@nhsbsa.nhs.uk and attach scans of your evidence, or post it with copies of your evidence to: NHS Pensions, PO Box 683, Unit 5 Newcastle Upon Tyne, NE5 9EE. Use a secure email such as your nhs.net work email if you have one - emails from personal email accounts are sent at your own risk.

Guidance for completing your Cost Claim Back application - see the full scheme rules at www.nhsbsa.nhs.uk/public-service-pensions-remedy-mccloud/nhs-cost-claim-back-scheme.

- **Qualifying losses** – see paragraph 5.1 of the scheme rules - www.nhsbsa.nhs.uk/public-service-pensions-remedy-mccloud/nhs-cost-claim-back-scheme Condition 1 states the losses must be due to the discrimination identified by the courts. Condition 2 states the loss must be attributable to pensionable service in the 1995/2008 Scheme and the 2015 Scheme between 1 April 2015 and 31 March 2022, and due to how the public service pensions remedy has been applied to the pension benefits. A claim for accountancy services to complete the first section of the HMRC 'Calculate your Public Service Pension Adjustment' tool up to an expected maximum payment of £250, and/or up to £1,000 including VAT per piece of advice for completing the full calculator. A claim for Independent Financial Adviser services to support a choice between 1995/2008 and 2015 Scheme benefits, limited to £500 including VAT per piece of advice. We will contact you for additional evidence if we need it to review your claim.
- **Eligibility** – for full eligibility conditions see paragraph 6 of the scheme rules. You can apply if you are a remedy member, a designated person, or the personal representative of a remedy member who has died, or who is incapable of making a claim.
- **Time limits** – see paragraph 9 of the scheme rules. You can apply up to 12 months after you receive your Remediable Pension Savings Statement (RPSS) or your first Remedial Service Statement (RSS).
- **Evidence of the costs you paid out** – you should provide scans or print outs of itemised statements, invoices, receipts, or bank statements as evidence of the direct financial loss that you

incurred and are claiming for. If you paid for professional services or advice from accountants and Independent Financial Advisers the evidence you provide in section 3 must explain the areas on which the services or advice were sought and how these areas are related to the discrimination identified by the Court and/or the application of the remedy.

- **Other types of costs** – for information about costs that are not covered by this process, see www.nhsbsa.nhs.uk/changes-public-service-pensions/contingent-decisions
- **Remediable Pensions Savings Statement (RPSS)** – if you're an active or deferred member and you're affected by rollback and annual allowance, you'll be sent a RPSS. It will show how much your pension benefits grew in the 1995/2008 Scheme for each of the remedy tax years plus any carry forward tax years that apply, as well as your pension benefit growth for tax year 2022/23. If you're already receiving your NHS pension benefits, once you've made your retrospective choice about which benefits you would like to receive for your pensionable service during the remedy period, we'll send you a RPSS if your choice means you'll need one. You'll need this to use HMRC's 'Calculate your Public Service Pension Adjustment' tool. You do not need to do anything to receive this, RPSS's will be sent to members directly from September 2024 onwards.
- **Remediable Service Statement (RSS)** – if you're the legal personal representative of a member who has died, you'll need to have received an RSS and made your retrospective choice of pension benefits for the member's service during the remedy period before you can use HMRC's 'Calculate your Public Service Pension Adjustment' tool. You may then claim for any direct financial loss linked to a lifetime allowance charge adjustment.