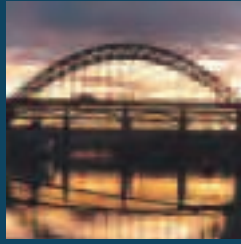
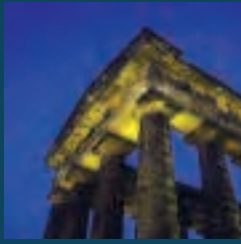


Tyne and Wear Pension Fund

Administered by South Tyneside Council



Leave of Absence



Leave of Absence and the LGPS

In this leaflet you can find out about how your membership in the LGPS could be affected and your benefits reduced if you are off work for any reason.

Where pension terms are used, they appear in ***bold italic*** type. These terms are defined at the end of this leaflet.

There are many reasons for absence and each has a different effect on your LGPS membership.

What happens if I am on sick leave?

During a period of sick leave your LGPS benefits will continue to build up as if you were working normally and receiving full pay. You will continue to pay basic LGPS contributions on any **pay** you receive while you are off sick (before any reduction on account of Statutory Sick Pay or Incapacity Benefit). If you are on unpaid sick leave, you will not pay any contributions.

What happens if I am on maternity, adoption or paternity leave?

During any period of:

- paid maternity leave (including any period when only Statutory Maternity Pay is paid)
- paid adoption leave (including any period when only Statutory Adoption Pay is paid)
- any unpaid maternity or adoption leave during the 26 week Ordinary Maternity leave / Ordinary Adoption leave period, and
- statutory paternity leave

your LGPS benefits will continue to build up as if you were working normally on full pay. You must continue to pay pension contributions on the actual **pay**, if any, you are receiving.

However, any period of unpaid maternity or adoption leave beyond the 26 week Ordinary Maternity leave / Ordinary Adoption leave period will not count for pension purposes unless you have a right to return to work, in which case you can choose to pay back pension contributions for the unpaid period to make it count. The cost of paying back is based on the last rate of **pay** you received ignoring any increase in pay due to working a Keep in Touch day.

What happens if I am granted unpaid leave of absence?

If you are granted unpaid leave of absence or leave on reduced **pay** (including parental leave):

For the first 30 days

Full LGPS membership continues to build up during this period, but you must pay the pension contributions that would have been paid had you been at work.

After 30 days

This period will not count as membership unless you pay for it to do so. You can elect to pay contributions for the whole period of your absence, up to a maximum of 3 years, and maintain your full pension benefits.

For the period to count towards your membership, you must pay the contributions that you would have paid if you had been at work.

What happens if I am on jury service?

If you are called for jury service you will continue to have full LGPS membership during jury service, but you must pay pension contributions based upon your normal **pay**.

What happens if I am on strike?

Absence from work for one or more whole days because of strike does not count as membership in the LGPS. You can elect to buy back the membership lost at a rate of 16% of the **pay** you would have received if you had been at work.

What happens if I am on reserve forces leave?

Full membership of the LGPS continues to build up throughout reserve forces leave of absence and you will continue to pay pension contributions on your reserve forces pay if it equals or exceeds your normal **pay**.

If your reserve service pay is less than your normal **pay**, you will not have to make contributions and your benefits will not be affected.

How long have I got to decide to pay back contributions?

An election to pay back contributions after maternity, paternity or adoption leave, authorised leave of absence or strike absence must be made to your employer, in writing, within 30 days of your return to work, or within 30 days of leaving if you do not return or such longer period as your employer may allow. This is an employer **discretion**; you can ask your employer what their policy is on this matter.

What if I am paying extra?

If you have entered into a contract to buy extra pension (additional regular contributions), to count pre 6 April 1988 membership for a surviving ***nominated co-habiting partner's*** pension, or additional LGPS membership (added years) and you are absent from work due to:

- authorised leave of absence, jury service, strike action, maternity, paternity or adoption leave, you must continue to make the extra pension payments and/or payments to buy additional membership you had contracted to pay as if you were not on leave.
- reserve forces leave, you continue to build up extra pension / membership but you will only have to pay your extra contributions if your reserve forces pay is equal to or exceeds your normal **pay**.

If you are paying Additional Voluntary Contributions (AVCs) and are absent from work due to authorised leave of absence, jury service, strike action, maternity, paternity or adoption leave you can arrange to continue to make your AVC payments throughout your leave. If you are paying AVCs for extra life cover you should arrange to continue with these payments throughout your leave or cover may cease. If you are on Reserve forces leave, your AVC payments will continue unless you choose to discontinue them.

If you have entered into a contract to buy extra pension (additional regular contributions), to count pre 6 April 1988 membership for a surviving ***nominated co-habiting partner's*** pension, or additional LGPS membership (added years) and you are absent due to sickness you will continue to pay those extra contributions whilst you remain on full pay. You will not be required to pay those extra contributions during a period of sick leave on reduced or no pay. If you are paying Additional Voluntary Contributions (AVCs) you will continue to pay the AVCs on any **pay** received. If you are paying AVCs for life assurance cover you should arrange for these to continue during any period of unpaid sick leave otherwise the life assurance cover may cease.

More information

For more information or if you have a problem or question about your LGPS membership or benefits, please contact The Pensions Office. Our contact details can be found on the back of this booklet.

The national web site for members of the LGPS can be found at www.lgps.org.uk

You can find out about what you can do if you are not happy about a decision made about your LGPS pension position from the leaflet **Unhappy with your Pension Benefits**.

Disclaimer

The information in this leaflet applies to individuals who were contributing members of the Local Government Pension Scheme on 1 April 2008 or who have since joined. The leaflet was up-to-date at the time of publication in January 2010. This leaflet 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 leaflet does not confer any contractual or statutory rights and is provided for information purposes only.

Some terms we use:

Discretion

This is the power given by the LGPS to enable your employer or your administering authority to choose how they will apply the Scheme in respect of certain provisions. Under the LGPS your employer or your administering authority are obliged to consider how to exercise their discretion and, in respect of some (but not all) of these discretionary provisions, to have a written policy on how they will apply their discretion. They have a responsibility to act with 'prudence and propriety' in formulating their policies and must keep them under review. You may ask your employer or your administering authority what their policy is in relation to a discretion. Your administering authority is South Tyneside Council.

Nominated co-habiting partner

To be able to nominate a co-habiting partner, of either opposite or same sex, to receive a survivor's pension on your death, your relationship has to meet certain conditions laid down by the LGPS. Information on these conditions, and how to make a nomination, are set out in the leaflet on **Life Cover – Protection for Your Family**.

Pay

The pay on which you normally pay pension contributions (gross pay before deductions) is your normal salary or wages plus any shift allowance, bonuses, contractual overtime, Maternity Pay, Paternity Pay, Adoption Pay and any other taxable benefit specified in your contract as being pensionable.

You do not pay contributions on any non-contractual overtime, travelling or subsistence allowances, pay in lieu of notice, pay in lieu of loss of holidays, any payment as an inducement not to leave before the payment is made, any payment made by way of compensation to achieve equal pay nor (apart from some historical cases) the monetary value of a car or pay received in lieu of a car.

How to contact us

Our information is available in other ways on request.

We can provide information in other languages, Braille or large print.

We also have access to audio aids and BSL interpreters.

There are a number of ways you can get in touch with us.

If you need any further information on the LGPS please contact us at:



The Pensions Office
Tyne and Wear Pension Fund
Civic Centre Campbell Park Road
Hebburn Tyne and Wear NE31 2SW



Pensions Helpline
Tel 0191 424 4141



Fax 0191 424 4171



Email pensions@twpf.info



Web www.twpf.info

Personal callers

You can visit us at the Pensions Office address during office hours. You don't need to make an appointment.

Office hours

Monday to Thursday 8.30am to 5.00pm
Friday 8.30am to 4.30pm

Please quote your National Insurance Number and your Membership ID number so we can quickly trace your records.

Data Protection

We use the information you give us (and in return the information we give you) to do the tasks required for the administration of your pension, to carry out the Fund's official business and to help stop crime and prevent fraud. Under the Data Protection Act 1998, South Tyneside Council is the Data Controller (the holder, user and processor) of the pension information held about you.