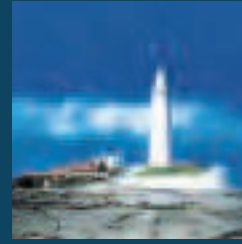
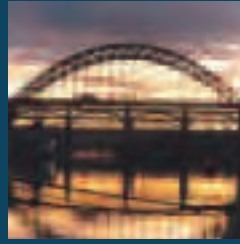


# Tyne and Wear Pension Fund

Administered by South Tyneside Council



## Transferring your Pension Benefits



## Transferring Pension Rights into the LGPS

In this leaflet we look at transferring previous pension rights into the Local Government Pension Scheme (LGPS).

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

You may be able to transfer pension rights into the LGPS from:

- a previous LGPS Fund, or
- a previous employer's pension scheme, or
- a self-employed pension plan, or
- a 'buy-out' policy, or
- a personal pension plan, or
- a stakeholder pension scheme, or
- an Additional Voluntary Contribution (AVC) arrangement including, in some cases, from an overseas pension scheme.

You cannot transfer a pension credit into the LGPS. A pension credit is a share of an ex-spouse's or *ex-civil partner's* pension benefits, as awarded by a Court under a Pension Sharing Order, or by a qualifying agreement in Scotland, following a divorce or a dissolution of a *civil partnership*.

### If you have previous LGPS pension rights

If you re-join the LGPS, you can normally transfer your previous LGPS pension rights to your new membership, enabling you to enjoy benefits based upon your entire membership and linked to your final pay in your new job.

They will not be transferred automatically. You only have 12 months from re-joining the LGPS to opt to transfer your previous LGPS pension rights, unless your employer allows you longer. This is an employer *discretion*; you can ask your employer what their policy is on this matter. However, if you have previously re-joined the scheme and chosen to keep earlier LGPS pension rights which you built up in England and Wales separate, you will not normally be able to transfer those earlier rights to your new job.

Transferred membership from the LGPS in England or Wales will count on a day for day basis, but transferred membership from the LGPS in Scotland or Northern Ireland may not count on a day for day basis.

If your new job is less well paid, you will need to decide whether it may be better not to join the benefits together.

If you wish to transfer your previous LGPS pension rights you should contact The Pensions Office as soon as possible to find out about this and about the matters you will need to consider in making your decision.

Pension rights built up as a councillor or mayor in England or Wales cannot be joined with rights built up as an employee in England or Wales and vice versa.

### **If you have pension rights in a non- LGPS arrangement**

If you have paid into a non-LGPS pension arrangement, you may be able to transfer your previous pension rights into the LGPS.

You have only 12 months from joining the LGPS to opt to transfer your previous pension rights, unless your employer allows you longer. This is an employer *discretion*; you can ask your employer what their policy is on this matter.

If you opt to transfer pension rights from a non-LGPS arrangement then a sum of money called a *transfer value* is offered to buy a membership credit in the LGPS. If you transfer your previous pension rights into the LGPS your retirement benefits will be based on membership including the membership bought by the transfer and, normally, your final years' pay on leaving the LGPS.

Any request you make to investigate a transfer will not be binding until you have been supplied with full details and subsequently confirm that you wish the transfer to go ahead.

Carefully consider whether to transfer or not, as a transfer may not always be advantageous. Compare the quotation of LGPS membership and the value of LGPS benefits attached to that membership against the value of the package of benefits if left with your previous pension scheme provider. Transfers from public sector schemes usually give broadly equivalent benefits in the LGPS, provided you apply for the transfer within 12 months of joining the LGPS.

Transferring your pension rights is not always an easy decision to make, and you may wish to seek the help of an independent financial adviser.

South Tyneside Council (your administering authority) may decline to accept a transfer from a non-LGPS arrangement (other than from another public sector "club" scheme if you apply for the transfer within 12 months of joining the LGPS).

### **I have a personal or stakeholder pension plan. Can I continue paying into it?**

If you have a personal or stakeholder pension plan you can continue to pay into it at the same time as paying into the LGPS or, alternatively, you can stop paying into it and consider transferring it into the LGPS.

You can, if you wish, pay up to 100% of your total UK taxable earnings in any one tax year into any number of concurrent pension arrangements of your choice (or, if greater, £3,600 to a "tax relief at source" arrangement, such as a personal pension or stakeholder pension scheme) and be eligible for tax relief on those contributions. Under HM Revenue and Customs rules there are controls on the pension savings you can have before you become subject to a tax charge - these will mainly affect some higher paid people. To find out about these controls, see the leaflet on **Tax Controls and Your LGPS Benefits**.

## **I have paid Additional Voluntary Contributions (AVCs). Can I transfer them into the LGPS?**

If you have paid AVCs to a scheme (other than to the LGPS in England or Wales) or you have paid Free-Standing AVC (FSAVCs) you can, if you wish, transfer them into the LGPS to buy extra LGPS membership. You have only 12 months from joining the LGPS to opt to transfer your previous AVC rights to buy extra LGPS membership, unless your employer allows you longer. This is an employer *discretion*; you can ask your employer what their policy is on this matter.

If you have paid AVCs to the LGPS in England or Wales, these can be transferred to the AVC arrangement offered by your new administering authority.

## **How do I transfer?**

**To investigate a transfer from an English or Welsh LGPS Fund into the Tyne and Wear Pension Fund** – please complete transfer form C and send it to your former LGPS Fund

**To investigate a transfer from an LGPS Fund in Scotland or Northern Ireland, or from a non-LGPS Pension Scheme** – please complete transfer form A and send it to your previous pension provider(s) with transfer form B

**Remember**, you have only 12 months from joining the LGPS to opt to transfer your previous pension rights, unless your employer allows you longer.

## **I've lost touch with my previous pension provider. Who can help?**

You may have lost touch with your former pension schemes but, if you have, don't worry. The Pension Tracing Service can help – it holds details of almost 200,000 UK pension schemes and provides a tracing service free of charge.

You can contact them at:

The Pension Tracing Service

The Pension Service

Tyneview Park, Whitley Road

Newcastle upon Tyne, NE98 1BA

Telephone 0845 6002 537

Also, don't forget to keep your pension providers up to date with any change in your home address.

## **More information**

For more information on the calculation of LGPS benefits and how membership counts, see the leaflet on Your LGPS retirement benefits.

For more information on transferring 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 leaflet.

The national web site for members of the LGPS can be found at [www.lgps.org.uk](http://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 April 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:

### **Civil partnership**

A Civil Partnership is a relationship between two people of the same sex (civil partners) which is formed when they register as civil partners of each other.

### **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.

### **Transfer value**

A transfer value is a cash sum representing the value of your pension rights.

# 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](mailto:pensions@twpf.info)**



**Web [www.twpf.info](http://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.