

Police Federation  
Of England and Wales



Ffederasiwn Heddlu  
Lloegr a Chymru

Established by Act of Parliament

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NATIONAL SECRETARY'S OFFICE

08/04/2021

Frances Clark  
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2 Marsham Street  
London  
SW1P 4DF

Sent via email to: [Frances.Clark@homeoffice.gov.uk](mailto:Frances.Clark@homeoffice.gov.uk)

Dear Frances

**TREATMENT OF NON-CLUB TRANSFERS INTO THE POLICE PENSION SCHEMES DURING THE REMEDY PERIOD**

I am writing to seek clarification on the treatment of non-Club transfers into the three police pension schemes during the Remedy Period (1 April 2015 – 31 March 2022). The Police Federation of England and Wales (PFEW) are receiving an increasing number of queries from officers who are in scope of the Remedy to the unlawful discrimination caused by the transitional protections in the Police Pension Scheme 2015 (2015 CARE Scheme), and who are seeking to make non-Club transfers in.

The issue relates particularly to officers who were originally members of the Police Pension Scheme 1987 (PPS) or the New Police Pension Scheme 2006 (NPPS) and who are now members of the 2015 CARE Scheme – due to being either unprotected by the transitional arrangements, or subject to tapered protection and have reached the end of their tapered

protection period. Whilst they are currently active members of the 2015 CARE Scheme, at the end of the Remedy Period they will automatically be returned to their legacy scheme for the Remedy Period, until they exercise their choice at retirement under the Deferred Choice Underpin (DCU) option. It is widely accepted among stakeholders that the vast majority of such members (especially ex-PPS members benefitting from double accrual) will ultimately opt to receive legacy scheme benefits for the Remedy Period. However, there is currently no clear position on how benefits arising from non-Club transfers in will be treated when the Remedy is implemented.

The HM Treasury response to the consultation on the Remedy which was published on 4 February 2021 refers to Club transfers (¶A.99 to ¶A.106), and confirms that these transfers will be treated in such a way as to allow members to exercise their choice of benefits during the Remedy Period at retirement, including any benefits arising from a Club transfer-in. However, no reference is made to the treatment of non-Club transfers-in.

In that regard, below are a list of questions that I seek your answers to:

**1a)** Please confirm that non-Club transfers are being accepted into all three of the police schemes, where they relate to an active member of that scheme?

**1b)** If the answer to (1a) above is yes, please confirm that in respect of active members of the Police Pension Scheme (PPS) 1987 and the New Police Pension Scheme (NPPS) 2006, the transfer-in calculation provides for additional 60ths (PPS 87) or additional pensionable service (NPPS 2006) if the member accepts the transfer-in offer.

**2a)** For members in scope of the Remedy (but who are currently active members of the 2015 CARE Scheme) who transfer-in non-club benefits during the Remedy Period, please confirm if the additional pension per annum in the 2015 CARE Scheme will be converted to additional 60ths (PPS 87) or additional pensionable service (NPPS 2006), if the member opts for legacy scheme benefits at retirement?

**2b)** If the answer to (2a) above is yes, how does the Government propose to address the position where a member may exceed maximum pensionable service in the PPS 87 due to a transfer-in during the Remedy Period?

For the officers involved, the answers to these questions will be of vital importance in their consideration of any potential non-Club transfers-in which would further affect their retirement plans.


The declaration of the court in the Aarons' case has ruled that those members discriminated against by the transitional protections are entitled to be treated as if they were fully protected. In the interim, there are a cohort of members who either have transferred-in or

are considering a transfer-in of non-Club pension benefits who stand to be treated differently than their fully protected equivalents.

PFEW maintain that members are to be considered as active members of their legacy scheme for the Remedy Period and treated accordingly, including for the purposes of transferring-in non-Club benefits during the Remedy Period. Further, it would be preferable if non-protected members in scope of the Remedy who have requested non-Club transfer-in during the Remedy Period are provided with a quote for benefits under both the 2015 CARE Scheme and their legacy scheme, so that they can understand how much additional benefit the transfer-in will provide in the legacy scheme should they make that choice at retirement. This will enable members to make a fully informed choice as to when they choose to retire.

I look forward to receiving clarification on the queries raised above.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alex Duncan', with a stylized flourish at the end.

**ALEX DUNCAN**  
**National Secretary**