

Pensions and OOPR

The Issue

A thread running on DNUK claimed that pension rules have changed so that only 18 months OOPR can be taken.

It was thought that this was nonsense (and that as OOPR trainee you could continue NHS pensions payment provided you had an honorary Deanery contract), but the following Deanery website and JCST site seem to suggest otherwise from 2010:

<https://www.nwpgmd.nhs.uk/time-out-of-programme>

http://www.jcst.org/mmc_trainee_info/takingtimeout_html

The BMA Pensions Department stated that a member can take a career break and make up to two years pensionable if their employer agrees. For the first 6 months, the member pays their employee contributions and the employer theirs. For the following 18 months (months 7-24) the member is then responsible for paying both the employer and employee contributions.

The issue then hinges on what the definition of 'career break' means in these circumstances. The specific issue is that many trainees undertake a period during training where they take an approved period of Out Of Programme training for Research. During this time they remain in continuous employment, but typically the substantive employer becomes a UK university and they have an honorary NHS contract. At the conclusion of OOPR the trainee reverts to NHS training and the NHS once again becomes the substantive employer.

Traditionally this situation has been treated as one of continuous service or at least, no break in service, in the NHS and the trainees continues on NHS-aligned salary scales, retains their incremental date and their service contribution accrues even during OOPR.

So the question is whether THIS specific type of training would be counted as a 'career break' for NHS doctors and thus attract these problems with the NHS pension scheme.

Reply

If the period is part of their training programme and the doctor still has an NHS contract of employment then they can remain a member of the NHS pension scheme.

If a doctor goes to University to do the PhD and is paid and employed by the University, the University can pay pension contributions under the direction arrangements to the NHS pension scheme.

It's just that if the period of research is neither of these, and the employer classes it just as a career break, if they want it to be pensionable they will have to pay the contributions in accordance with the NHS Career Breaks policy.

Hence, in some situations a direction arrangement can apply when a member moves to being employed by a University, having previously had membership

of the NHS pension scheme. However, a direction arrangement may not apply to all trainees, and this reason may be why it is not promoted in the literature.

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13 October 2011