



Age discrimination remedy – member factsheet

Remediable Pension Saving Statements (R-PSS)

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Purpose

1. This document provides information for [deferred choice members](#) who as part of the implementation of the Age Discrimination remedy, had membership in the Firefighters' Pension Scheme (FPS) 2015 during the remedy period¹ which has now been rolled back to their respective legacy scheme (FPS 2006/Special FPS 2006/FPS 1992).
2. As a result of being rolled back into your legacy scheme, there are a several consequential actions that need to happen to put a member back in the position that they would have been if the discrimination had not occurred, and they had not been transitioned to the FPS 2015.
3. This document is specifically about Pensions Tax and the Remediable Pensions Savings Statements (R-PSS) which will be issued to members to notify them if they have exceeded the Annual Allowance (AA) in one or more of the remedy years.

What is a Pensions Savings Statement (PSS)?

4. A [PSS provides key details](#) relating to the pension you have built up (the Pension Input Amount (PIA)) over a tax year, which is necessary to enable you to calculate any AA tax charge.
5. It is a legislative requirement that a PSS should be provided by 6 October following the end of the tax year, where your PIA in Pension Input Period (PIP) has exceeded the AA limit.

What is an Remediable Pensions Saving Statement (R-PSS)?

6. If because of remedy you exceed the annual allowance, you will be sent a revised Remediable Service Pensions Savings Statement (RS-PSS).
7. From 1 October 2023, HMRC is introducing a new service that enables affected members who have new, increased, or decreased annual allowance charges, as well as other tax charges such as lifetime allowance charges and unauthorised payments charges to:
 - **correct these for tax years 2019/20, 2020/21, 2021/22 and 2022/23**
 - **apply for compensation for any tax charge overpayments for tax years 2015/16, 2016/17, 2017/18 and 2018/19**
8. You will need your revised R-PSS to use this service. This service will be available on [gov.uk](https://www.gov.uk) website from 5 October 2023.

When will I get an R-PSS?

9. If you have exceeded the AA in one or more years of the remedy period, you should be sent a R-PSS.
10. The deadline for sending an R-PSS will be:
 - **For active and deferred members – by 6 October 2024**
 - **For pensioner members – within 6 months of making your election.**

¹ 1 April 2015 to 31 March 2022

11. Due to the implementation of remedy, HMRC set specific tax legislation which extends the statutory deadline for the 2022/23 tax year by 12 months to 6 October 2024.
12. This extension means that for any eligible remedy member, they will receive a R-PSS for the years 2015/16 to 2021/22, plus 2022/23 and a normal PSS for the 2023/24 tax year.

What are the timescales?

2015/16 to 2022/23

13. The statutory deadline to receive your R-PSS is 6 October 2024.
14. You have the later of 31 January 2025 or three months from the point of receiving your R-PSS if this is received on or after 1 November 2024 to submit your details via the HMRC digital service.

2023/24 tax year

15. The statutory deadline to receive your PSS is 6 October 2024.
16. You have until 31 January 2025 to submit a Self-Assessment return if applicable.
17. You have until 31 July 2025 to make any Scheme Pays election if applicable.

What actions do I need to take if I get an R-PSS or a PSS?

2015/16 to 2022/23 tax years

18. These tax years are treated as being the remediable years. This also includes the year 2022/23 as the end of this tax year occurs before the remedy implementation start date of 1 October 2023.
19. If you receive an R-PSS for any of these years', or a schedule with details of all years' then you must use the [HMRC digital service](#) to calculate your adjusted pension tax charge.
20. You must not amend any previous Self-Assessment returns that you have made to HMRC.

2023/24 tax year

21. If you receive a PSS for the 2023/24 tax year, then if you are left with a taxable excess after considering any available carry forward, you will need to make a Self-Assessment return to HMRC by 31 January 2025.

What is carry forward?

22. Carry forward allows those who use up the Annual Allowance in any particular tax year to carry forward any unused allowance from the previous three tax years.

Why haven't I received an R-PSS or a PSS?

23. Not all members will receive an R-PSS or a PSS.
24. If you were previously a fully protected member, your PIA calculations will have been correct and there is no adjustment necessary. Therefore, you will not receive an R-PSS for

all years, but you may receive an R-PSS for the 2022/23 tax year and or a PSS for 2023/24 tax year if applicable.

25. Your administrator will provide you with an R-PSS if either: -
 - a. You previously exceeded the annual allowance during the remedy period, and you were not a fully protected member or
 - b. Your rolled back PIA now exceeds the annual allowance in a remedy tax year.
26. If you did not receive a rolled back ABS or an ABS-RSS your pension administrator may not have all the relevant information to enable them to provide you with either an R-PSS or PSS.
27. This may be due to missing or incorrect information held on your pension record, or for technical reasons which means that the rolled back position cannot yet be determined. This will be the case for members that have a Pension Sharing Order because of a divorce or where they had a transfer in during the remedy period.
28. If you have not received an R-PSS or PSS and you believe that you should receive one, as you fall into the categories covered in this factsheet and you have received a rolled back ABS or ABS-RSS you may wish to contact your administrator to ensure that this will be sent to you as soon as possible.

How is the 2023/24 year different?

29. The 2023/24 year is a normal year as far as PSS' are concerned. It is not treated as part of the remedy period and the usual timescales for reporting to HMRC apply.
30. You will receive a PSS for the 2023/24 if your PIA exceeds the annual allowance in this tax year.

Using the HMRC digital service

31. You can [check the list of information that you will need](#) before you start and look through the questions that you will be asked.
32. Your administrator will provide you with your R-PSS which will give you your revised PIA because of rollback. You should review the list of information that you will need, but this will include for each year in the remedy period: -
 - a. Details of your total income if you do not have this information you may need to consider making a [subject access request](#) to HMRC.
 - b. Details of Pensions Savings from any other pensions.
33. The [HMRC digital service](#) is accessed on the GOV.UK website.

Further information

34. More information about pensions tax and remedy can be found: -
 - a. In the [HMRC Member Tax Adjustment Calculator](#) section of the [FPS member website](#).

Support and advice

35. If you are a member who needs to use the HMRC digital service to calculate your public service adjustment in relation to your pensions tax for the remedy period, you may wish to seek the help and support of a professional adviser to assure yourself that correct details have been submitted to HMRC.

36. We are unable to endorse any tax advisors, however you can refer to the Money Helper [Tax and Pensions](#) and [Choosing a Financial Adviser](#) sections of their [website](#).

Compensation scheme

37. If you do need to seek support from an adviser, then you will be able to claim the cost of this from the compensation scheme. You will need to submit a claim form with copies of receipts and or invoices that have been paid to your scheme manager so that they can reimburse you for the costs associated with the support you have received.
38. Details of the compensation scheme and the claim form are available on the [FPS members website](#): -
- In the [Member Remedy Factsheet – Compensation](#)
 - The [Member Remedy claim form - Compensation](#)

What happens next?

39. If you are due compensation because your annual allowance tax charge has now decreased, and you elected for a scheme pays debit previously, this information will be passed from HMRC to your scheme manager, and where necessary they will arrange for the scheme pays debit to be adjusted accordingly. This means that you do not have to submit a separate compensation claim.
40. If you did not elect for scheme pays and instead paid the tax charge yourself directly to HMRC, then HMRC will arrange to pay this money back to you directly. This means that you do not have to submit a separate compensation claim.
41. If you have an increased or new annual allowance tax charge and you have elected to use the scheme pays option, this information will be passed from HMRC to your scheme manager, and they will arrange for the relevant amount of scheme pays debit to be applied to your pension.
42. It is advisable for you to keep a record of any inputs made to, or outputs that you receive from the HMRC digital service as this may assist with any future compensation claim that you may need to make.

Settling your contribution adjustment after you have adjusted your pensions tax through the HMRC digital service

43. As and when you settle your [contribution adjustment](#), which may not be until you retire, it will not be known what effect any change to your contribution rate may have had on your taxable pay and associated marginal rate.
44. Settling your contribution adjustment will not actually alter either your taxable pay or the marginal rate that you received or paid in the remedy period, but compensation can be paid to put you in the same position.
45. If you had paid the correct amount of contributions at the time during the remedy period and this would have resulted in a different marginal rate of tax being applied to your income, then you may be entitled to make a claim for compensation, as set out in the [compensation scheme](#) section above.
46. If you think that this may affect you, you will need to ensure that you have all the relevant information to enable you to make a claim for compensation in the future. Therefore, it is recommended that you retain a full record of all your inputs to the HMRC digital service,

there is the ability to save a pdf version of your inputs prior to you making your final submission.

This factsheet has been prepared by LGA using the regulations as they stand in October 2024.

This factsheet will be reviewed, referencing any changes to the scheme regulations and policies that might be needed.

This factsheet should not be interpreted as legal advice.

Please address any queries on the content of this factsheet to

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