



Employer Administration Guide



Scottish Housing Associations' Pension Scheme



Administered by
The Pensions Trust

Employer Administration Guide



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1. Admitting New Members

It is a legal requirement to give basic information about your pension arrangements to members and prospective members.

Members will receive a copy of the 'A Guide for Members' booklet containing this information when they have joined the Scottish Housing Associations' Pension Scheme (the Scheme). If an employee requires a copy prior to joining please download a copy from the Scheme's website at www.shaps.org.uk

A representative from The Pensions Trust can visit your organisation to speak to prospective and existing members about the benefits the Scheme offers. Please contact Susan Wardlaw the Scheme Secretary (see page 13 for contact details).

Cost to new members

Many employees do not join the Scheme because they think that it might be too expensive. The main reason for this is that they do not take account of the savings due to tax relief and National Insurance. To assist you in providing help for your employees we have enclosed an 'Employee Cost Calculator' (on page 11) which will help you to calculate the net cost.

General information – submission of Employee Application Form

An employee will not be classed as a member of the Scheme until a completed Employee Application Form, signed by both the employer and the employee, has been received by The Pensions Trust.

Part-time employees may join the Scheme. Please ensure that the full-time equivalent of the part-time hours is noted on the Employee Application Form.

Employees who did not join the Scheme within the first year of becoming eligible to do so may apply to join. However, they will have to declare, and the employer will have to confirm, that they have completed three months' continuous service with no sickness absence immediately prior to the proposed date of joining before they can be admitted to the Scheme.

The employee will also need to declare that they do not have a pre-existing serious medical condition. This requirement protects the Scheme against 'adverse selection' where employees find themselves in poor health and decide to join the Scheme to take advantage of the generous early retirement or death-in-service provisions. Additional forms for completion by both the employee and employer will be provided upon receipt of the Employee Application Form.

If the member is subsequently granted ill-health early retirement and it is established there was a known pre-existing medical condition the Scottish Housing Associations' Pension Scheme Committee (the Committee) has the right to scale back the ill-health benefits being paid.

Please send a completed Employee Application Form to The Pensions Trust, if possible prior to the date of joining the Scheme. **Please check that all appropriate sections have been completed and that the form has been signed both by the employee and on behalf of the employer.**

The cash lump sum death benefit and pension nomination sections should be completed so as to avoid unnecessary delays in the payment of benefits in the event of death-in-service. See page 9 of this booklet for details of how to add or change nominees at a later date.

Once the Employee Application Form has been processed, The Pensions Trust will issue a Membership Certificate direct to the member.

You will receive confirmation of the member's Membership Number and contribution rate. Please quote the Membership Number in any future correspondence.

Contributions in respect of the member should not be deducted and sent to The Pensions Trust until you have received confirmation of their Scheme membership.

It is extremely important that these application procedures are followed. If this is not the case and an employee dies shortly after the expected date of joining, there could be complications with the payment of benefits.

Backdating membership

(i) Employers

Employers may not backdate their membership of the Scheme. The power to admit employers rests with the Committee. Currently employers may join the Scheme if they are Registered Social Landlords with at least 100 units of housing stock.

(ii) Members

Employers should aim to submit the Employee Application Form to The Pensions Trust before the member's date of joining the Scheme. Sometimes this is not possible and we receive requests for backdating.

Provided less than two months have passed between the entry date on the application and the form reaching The Pensions Trust it will be possible to backdate entry to the Scheme and only the contributions missed will be payable.

If there is a request to backdate membership for more than two months, this will be considered only if the employer has made an error which has put the employee at a disadvantage. If the employee has delayed returning the form to the employer then backdating will not be allowed. The cost of backdating will be the greater of the contributions that would have been paid, and the Actuary's calculation of the actual cost of the service which can be considerably higher than ordinary contributions. No more than three months' backdating will be allowed.

Transfers to the Scheme

Transfers of pension benefits from other schemes are no longer allowed.

Internal transfers within the Scheme

An employee may claim continuous membership within the Scheme, having joined your organisation within 30 days of leaving another participating employer. However, the member can choose to keep their benefits separate, for instance, if their salary is lower and would reduce the value of the benefits they have already built up.

This is a complex area and members considering an internal transfer may find it helpful to discuss this with the Scottish Housing Associations' Pension Scheme Administration Team at The Pensions Trust.

Once the member has reached a decision you will need to complete either an Internal Transfer Form or an Employee Application Form.

For those employers using the eBusiness system, the Internal Transfer Form can be completed online. A form is created which must be signed by the member and sent to the Scottish Housing Associations' Pension Scheme Administration Team within six weeks or the continuous membership will be cancelled and, the member will need to be re-enrolled as a new entrant into the Scheme.

2. Telephone Enrolment System

The Pensions Trust operates a telephone enrolment system for all employees wishing to join the Scheme. An Administration Team will deal with the enrolment process. Please have an Employee Application Form to hand as this will guide you through the information that is required.

The Administration Team will issue a confirmation document ('membership agreement'). This will show the new member's details, which can then be agreed by both the member and employer. This 'membership agreement' will need to be signed and returned to The Pensions Trust in order to complete the enrolment process.

If this is not returned within a period of two weeks from the date of issue, a reminder will be automatically issued. If it is not received within a further two weeks, it will be assumed that the enrolment is not to proceed.

On receipt of the signed and agreed 'membership agreement', the Administration Team will set up the contribution rate and issue final confirmations to both the member and employer.

Contributions should be not deducted by you until the final confirmation is received. Membership will, however, commence from the date upon which the employer first contacted the Administration Team.

3. Temporary Absence and Leaving

What to do when a member is absent from work

A member may be absent for some time due to family leave or illness. It is important that you notify The Pensions Trust in either case.

Maternity and family leave

When a member is on paid maternity, paternity or parental leave, they are required to pay contributions on any pay they are receiving from the employer. During this period, the employer pays the amount it would pay if the member were working normally (based on the pay they would have been receiving), plus any shortfall in the member's usual contribution.

For the avoidance of doubt, the above applies to periods of paid 'additional paternity/adoption leave' for members who qualify for such leave in respect of babies due on or after 3 April 2011.

So, if the member would have paid £90 per month in member contributions, but is paying £30 per month as a result of receiving Statutory Maternity Pay, the employer would need to pay the balance of £60 **plus** its usual employer contribution. Any shortfall paid by the employer, as described above, should be paid as employer contributions, not member contributions.

Membership of the Scheme must be maintained for the first 39 weeks of maternity leave as though the member were working normally and contributions must be paid. The member will earn the same pension as she would have if she had been at work.

Please note: This does not apply to member AVCs.

If the member returns to work before 39 weeks' absence, her normal contributions must resume immediately.

From week 40 onwards, unless the member is still receiving pay from you, no contributions are due and no benefits will accrue. Premiums in respect of death-in-service benefits are payable by the employer when no pension contributions are being paid.

However, the member has the choice, on returning to work, to pay contribution arrears for this period. If the member chooses to do so, the employer must also pay its share. If arrears are paid, the period will count as normal membership, otherwise there will be a break in membership.

The full range of death benefits will continue to apply whilst the member is on maternity leave or family leave. Premiums in respect of death-in-service benefits are payable by the employer when no pension contributions are being paid.

Sick leave and other temporary absence

If a member is off work for up to 30 months and is being paid, either full or reduced pay, the member decides what level of contributions they will pay (i.e. based on reduced pay, full pay, or a level in between). Employer contributions will be payable at the same level as adopted by the member.

On returning to work, the member may choose to pay any arrears for the period of absence, in which case the employer will be required to pay its share of contributions. Alternatively, the absence will be recorded as a break in membership (if no contributions have been paid) or membership will be reduced (if contributions were paid on reduced pay).

If the absence continues beyond 30 months, the member is treated as a leaver.

The full range of death benefits will continue to apply during the first 30 months of absence and employers will be required to pay premiums if no pension contributions are being paid.

What to do when a member leaves the Scheme

Complete and return a Withdrawal Form to The Pensions Trust, prior to the member's date of leaving, if possible.

For those employers using the eBusiness system, the Withdrawal Form should be completed online.

This must be completed within two months of the member leaving.

Once The Pensions Trust has received the form, a letter will be issued direct to the member's home address outlining the options available:

- **A deferred pension** – the pension remains in the Scheme and continues to increase whilst in deferment. Benefits can currently be taken at age 55 but are reduced for early payment. Members with a protected pension age can retire before age 55 but they will have to leave their job to do so.
- **A transfer** – it may be possible for the member to transfer the benefits from the Scheme to another registered pension arrangement. Members who wish to take this option should ask their new pension provider to contact The Pensions Trust for a quotation.
- **Refund of contributions** – this option is only available to members with less than two years' membership. Members will receive a refund of the contributions which they have paid into the Scheme. There are two deductions from the refund:
 - tax will be deducted at a rate of 20% (50% on any refund amount in excess of £20,000); and
 - an amount which will buy the member back into the additional State Pension (known as State Second Pension) if the member was contracted-out (with the exception of the CARE 120ths benefit option).

Please note: Should the member have transferred benefits from a previous arrangement, it may not always be possible for them to receive a refund of contributions.

If the member is leaving because of ill-health or is retiring, please refer to section 4, 'Retirement and Death'.

Please note: It is important to complete the Withdrawal Form in full. Failure to do so may delay the calculation and quotation of benefits.

An employee who has previously chosen to opt-out of the Scheme whilst remaining in employment and who subsequently wishes to rejoin at a later date may do so, subject to the agreement of their employer and the Committee, and satisfactory evidence of good health (see section 1 'Admitting New Members' for further information).

4. Retirement and Death

When a member retires before Normal Pension Age (NPA)

NPA for Scheme benefits is 65 years.

In most cases members are able to take all or part of their pension and continue to work. Should they wish to, they can accrue further pension benefits in the Scheme. Exceptions to this are ill-health retirements and those members with a Protected Pension Age who retire before age 55. This option is only available once in a 12-month period.

Members who wish to retire early will have to be aged at least 55, unless they joined the Scheme before 6 April 2006 in which case they will retain the right to retire between ages 50 and 55 as long as they leave the employment to which the pension relates. If the pension is claimed prior to age 65 it will be reduced to reflect early payment. The pension will be smaller than it would be at age 65 because:

- the member will have been in the Scheme for a shorter period; and
- early retirement pensions are expected to be paid for longer.
- Benefits earned in respect of membership prior to 1 April 2002 will not be reduced from age 60 or later. This reflects the previous rules permitting flexible retirement between ages 60 and 65. Any benefits transferred in from another scheme will be payable from age 65, and actuarial reductions will apply if these are to be paid at any earlier date.

If the member decides to retire early, please notify The Pensions Trust who will then send the member information about their retirement options.

Complete the Withdrawal Form as soon as possible and send it to The Pensions Trust if the retirement is to go ahead. The Pensions Trust will then liaise directly with the member.

If you also want to know what these options are, please inform The Pensions Trust when you send the form.

Please note: We cannot pay any benefits without a completed Withdrawal Form.

When a member is due to retire at NPA

Where it is known the member is retiring at NPA please complete a Withdrawal Form three months prior to NPA, otherwise complete the form as soon as possible.

The Pensions Trust will then liaise directly with the member and provide details of the options available.

If you also want to know what these options are, please inform The Pensions Trust when you send the form.

When a member retires after NPA

Employees who continue to work after NPA can continue contributing to the Scheme. Benefits earned to NPA will be increased to take account of the later payment and added to the benefits earned after NPA.

Death benefits will continue to be provided on the same basis as they were before NPA and the pension must be paid no later than age 75.

As soon as you know the date the member expects to retire, please notify The Pensions Trust and send a completed Withdrawal Form.

When a member has to retire because of ill-health

Inform The Pensions Trust as soon as it seems likely that a member may need to retire early because of ill-health. Guidance on eligibility for early pension benefits is available on request. The Pensions Trust will send a questionnaire for you to complete and return. We will also ask the member to complete and return a form giving consent for The Pensions Trust to contact their doctor for a medical report.

If the member has been absent for at least six months, provided there is satisfactory medical evidence that they are, and will continue to be, unable to work again in any capacity, the pension will be paid immediately, regardless of their age. In exceptional circumstances the Committee may waive the six months absence requirement.

Once the ill-health retirement is approved, we will contact you to request a Withdrawal Form. The ill-health pension is payable from the day after the date of retirement shown on the Withdrawal Form.

If the pension is paid, it will be at a higher rate than if the member had voluntarily elected to retire earlier than NPA.

Introduction of flexible retirement

There is no longer a requirement for members to leave their employment before they draw their pension. Pension benefits may be paid while a member continues to work for the same employer – exceptions to this are if a member retires on the grounds of ill-health or if a member has a protected pension age (i.e. has drawn benefits before age 55). Members who choose to do this will leave the Scheme on drawing their benefits.

What to do when a member dies

As soon as you become aware a member has died please telephone your normal contact at The Pensions Trust.

You should provide as much information as possible so that benefits can be calculated. You should follow this up with a letter enclosing the original death certificate and a completed Withdrawal Form, as soon as this is available.

Any further information relating to the deceased member's next of kin or nominated beneficiaries, or any unusual circumstances, should be highlighted. This will assist The Pensions Trust in dealing with the payment of the benefits in a sympathetic and efficient manner.

If you prefer to remain involved, you should notify The Pensions Trust. Otherwise The Pensions Trust will liaise directly with the deceased's family and/or nominated beneficiaries, asking for any necessary forms to be completed and requesting copies of relevant birth certificates.

5. Payroll Payment Procedures

Procedure

Employers submit contributions data via the eBusiness system. Please refer to the 'eBusiness Employer User Guide' for further information and the requirements.

Payment for the contributions must be received by The Pensions Trust by the 14th of the calendar month following the month in which the contributions were deducted from the members' salaries.

Please note: You are legally obliged to remit, on time, all contributions deducted from members' pay. If contributions are paid late, The Pensions Regulator can impose fines. The Pensions Trust will not be responsible for any late payment penalties imposed on employers.

Pensionable earnings

Benefits calculated and contributions payable are the member's normal basic pay. Overtime is **not** pensionable. Pensionable earnings are subject to an earnings cap which increases each year in line with inflation. This is currently £129,600 (2011/12).

Childcare vouchers: If these are offered to employees, it is your decision whether to treat the value as pensionable earnings. However, it should be borne in mind that the aim of these are solely to reduce childcare costs. We therefore recommend that payments made to members in the form of childcare vouchers should be treated as pensionable. Doing so ensures that pensionable earnings are not reduced and that the Scheme receives the correct level of contributions.

Contributions should be deducted from members' gross pay before calculating tax under the PAYE system.

Please note: Pension contributions should **not** be deducted from holiday pay, where this relates to outstanding holidays when a member leaves employment, or payment in lieu of notice. Where a member leaves part way through the month contributions should only be deducted for the portion of the month they are still employed and not for the whole month.

If contributions are deducted incorrectly you will be obliged to refund them to the member via your payroll system to ensure tax and National Insurance are deducted.

If you have any queries regarding the above, or require any further information, please contact the Administration Team at The Pensions Trust.

6. Basic Data Changes

It is important that members notify us when their circumstances change, so that we may update our records accordingly.

Change of address

We can change address details over the telephone. Before we can update the member's record we will need to ask a few simple questions to verify the member's identity. These are as follows:

- Full Name;
- Date of Birth;
- National Insurance Number; and
- Membership Number.

If the member is unable to supply this information, for security reasons, we may ask the member to confirm the change of address in writing.

Change of nominee for death benefits

We are unable to accept these changes over the telephone or by email at the moment. The member can either:

- provide signed confirmation of the changes; or
- download a Nomination Form from the Scheme's website, then complete and return it to The Pensions Trust.

Members' nominees, as held in our records, are shown on annual Benefit Statements to prompt members to let us know if any of the details need to be changed.

Change of name/status

We are unable to accept these changes over the telephone or by email at the moment. All changes of name/status should be confirmed in writing, accompanied by a copy of the relevant certificate (marriage, deed poll, decree of divorce, etc). Certified copies are acceptable.

Please note: All original documents will be returned following completion of the amendment.

For those employers using the eBusiness system, a change of name or status can be updated online when submitting the contributions data.

7. Additional Voluntary Contributions (AVCs)

Members of the Scheme may pay AVCs to The Pensions Trust, or to an alternative pension provider of their choice, in order to increase their income in retirement. Full details of the options available, and further information about AVCs, will be provided by The Pensions Trust on request.

Employers are not required to make any extra payment.

Please note: If the member chooses to make payments to an alternative provider you are not required to deduct or remit these contributions.

Members can receive full tax relief on contributions to as many different tax-registered pension arrangements as they choose, provided that the total paid in each year does not exceed their annual earnings or the 'Annual Allowance'.

Further information on the Annual Allowance is provided in the 'A Guide for Members' booklet.

As long as the total increase in benefits in any one year does not exceed the Annual Allowance, members will receive tax relief on up to 100% of their earnings. For example, if the member's normal contribution rate (to the Scheme) is 7%, they will have scope to pay up to a further 93% of their earnings as tax-free AVCs. If their contributions exceed 100% of earnings in any tax year, tax on the excess at the member's marginal rate, is payable through self-assessment. Further restrictions may apply to members earning more than £130,000 who wish to make additional payments before 6 April 2011.

Any member wishing to pay AVCs to The Pensions Trust should complete an AVC Application Form. Please sign the Employer's Declaration before sending the completed form to The Pensions Trust so that our records can be updated. Wherever possible, AVCs should be expressed as a percentage of salary.

You should deduct AVCs from gross pay, in the same way as main Scheme contributions, before calculating tax under the PAYE system.

A further guide, 'How to boost your pension' is available on request.

Please photocopy this page as required

d. Employee Cost Calculator

Calculation of the net cost to the employee

The Government encourages employees to join pension schemes by granting tax relief on their contributions. With the exception of the CARE 120ths benefit option, the Scheme is contracted-out of the additional State Pension and so members pay a lower rate of National Insurance. The net cost to the member is therefore considerably less than the gross contribution.

To calculate the net cost to the employee, simply complete the following:

A. Gross contribution

Contribution rate % × £ Salary = £ Gross contribution p.a.

B. National Insurance savings (Please note: This is not applicable to CARE 1/120ths)

Salary - £ Lower Earnings Limit* × 0.016** = £ p.a.

* Please consult your Payroll Team for the up-to-date figure (currently £5,304 p.a. for the 2011/12 tax year). If earnings exceed the Upper Accrual Point (£40,040 p.a.), then the maximum saving will be attained (£555.78 for 2011/12). **Please note: The Lower Earnings Limit changes each tax year.**

**Members currently pay 1.6% less in National Insurance Contributions as a result of the Scheme being contracted-out. This figure may change from time to time.

C. Tax relief

Gross contribution (see A) £ × Employee's highest tax rate = £ p.a.
× 20% or 40%

Please note: Someone who only just falls into the 40% tax band will only get tax relief at 40% on part of their contributions. Income tax rates may change in the future. Please contact your Payroll Team for up-to-date rates. If a member is earning £150,000 or more, please contact The Pensions Trust for confirmation regarding tax relief.

D. Net cost

Amount to deduct from employee's pay is:

Salary ÷ 12 = £ per month

But net cost to employee is:

(£ A - £ B - £ C) ÷ 12 = £ D per month

Example

A. Gross contribution

Contribution rate 6.6% × £15,000 = £990 p.a.

B. National Insurance savings

£15,000 - £5,304 × 0.016 = £155.14 p.a.

C. Tax relief

Gross contribution £990 × 20% = £198 p.a.

D. Net cost

Amount to deduct from employee's pay is:
£990 ÷ 12 = £82.50 per month

But net cost to employee is:
(£990 - £155.14 - £198) ÷ 12 = £53.07 per month

9. Miscellaneous

At the end of each tax year The Pensions Trust will request details of each member's earnings on which contracted-out National Insurance Contributions were paid (with the exception of the CARE 120ths benefit option).

These figures are essential for all types of benefit calculations, and it is important that you provide us with this information as early as possible. Failure to do this may delay the payment of benefits.

Employer's obligations

The employer has a duty under the Trust Deed to advise The Pensions Trust immediately should the employer go into liquidation, receivership or administration or become bankrupt. If any other event occurs relating to the employer which may be of material significance to the Trustee or their advisers, The Pensions Trust must be notified.

In addition, regulations have been issued which set out the events which employers and trustees have to notify to The Pensions Regulator from 6 April 2005 (SI 900/2005). For an employer the relevant events include:

- a decision to take action which may result in a debt to the Scheme not being paid in full;
- wrongful trading;
- breach of a banking covenant;
- relinquishing control of the employer company by a controlling company; and
- the conviction of a director or partner of your organisation for an offence involving dishonesty.

Under the Pensions Act 2004, various activities by employers (or their associates or connected persons) which The Pensions Regulator perceives as aiming to avoid a pensions debt can give rise to onerous obligations. These can include contribution notices or financial support directions

to make good the debt. To help decide which transactions might fall foul of these requirements, employers can seek clearance from The Pensions Regulator. The Pensions Regulator has issued guidance on the circumstances when it would expect clearance to be sought which includes:

- granting of a fixed or floating charge which affects more than 25% of the assets of the employer or group; and
- a change in the control group structure of the employer.

The Pensions Regulator has also indicated that it expects to be told about such events, whether or not clearance is sought (the notifiable events mentioned above may eventually be expanded to cover these clearance-related events).

A copy of the guidance is available at <http://www.thepensionsregulator.gov.uk/guidance/guidance-clearance.aspx>

Further information can be found on The Pensions Regulator's website at www.thepensionsregulator.gov.uk

Leaving a multi-employer pension scheme

The Scheme is a multi-employer defined benefit scheme. If an employer leaves, a debt may become due to the Scheme. An employer is deemed to have ceased to participate in the Scheme when it ceases to employ persons eligible to join the Scheme. Events like transfers of engagements, mergers, incorporations or other organisational restructures can result in a debt becoming due to the Scheme. Please contact The Pensions Trust at the earliest opportunity if your organisation is contemplating any changes to its structure or is considering withdrawing from the Scheme.

Trustee's insurance

In order to provide some protection for the Trustee against inadvertent regulatory failures for which the Trustee and the Committee are responsible, every participating employer is required to pay a small premium, which is currently approximately £20 every three years. You will be advised when payment is due.

Benefit statements

Benefit statements will be issued direct to members showing their accumulated benefits each year.

Annual funding statements

'Summary funding statements' must be issued to all active, deferred and pensioner members of the Scheme every year. These statements contain information about the Scheme's funding position.

Scheme literature

Copies of the latest documents can be printed directly from the Scheme's website at www.shaps.org.uk

Alternatively, should you require any additional copies, please telephone us on 0113 394 2735 or email us at enquiries@thepensionstrust.org.uk



10. Administration Team

The Scottish Housing Associations' Pension Scheme is administered by:

The Pensions Trust
Verity House
6 Canal Wharf
Leeds
LS11 5BQ
Tel: 0113 394 2735
Fax: 0113 234 5599
Email: enquiries@thepensionstrust.org.uk

The Pensions Trust's website address is www.thepensionstrust.org.uk

Scottish Housing Associations' Pension Scheme Secretary

Susan Wardlaw
Email: susan.wardlaw@thepensionstrust.org.uk
Tel: 0845 121 7805

Susan is the Scheme Secretary for the Scottish Housing Associations' Pension Scheme Committee and should be the first point of contact for employers with any non-administration type queries, for example where an employer requires assistance with organisational change and information on the implications for their participation in the Scheme.

Administration Manager

Simon Stead
Email: simon.stead@thepensionstrust.org.uk
Tel: 0113 394 2721

Simon manages the overall scheme administration function at The Pensions Trust and should be contacted with administration queries where a resolution cannot be provided by the Scottish Housing Associations' Pension Scheme Administration Team.

Team Leader

Joanne Hirstwood

Email: joanne.hirstwoods@thepensionstrust.org.uk

Tel: 0113 394 2747

Joanne is the manager of the Scottish Housing Associations' Pension Scheme Administration Team. All administration queries should be directed to Joanne and her team in the first instance.

Explore the Scheme's website.

It is easy to use and has lots of helpful information, for employers and employees including:

- Details of the benefits available.
- Forms and literature available to download.
- Online pension calculator.
- Administration guides for employers.
- Key contact details.

www.shaps.org.uk

Notes

A series of horizontal dotted lines for taking notes.



Administered by
The Pensions Trust

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email: enquiries@thepensiontrust.org.uk
or visit www.thepensiontrust.org.uk
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Visit the Scottish Housing Associations' Pension Scheme's website today
at www.shaps.org.uk