STATUTORY RULES OF NORTHERN IRELAND

2026 No. 0000

HEALTH AND PERSONAL SERVICES

PUBLIC SERVICE PENSIONS

The Health and Social Care Pension Scheme (Member Contributions) (Amendment) Regulations (Northern Ireland) 2026

Made - - - -	*1st xxxx 2026*
Coming into operation	*1st April 2025*

The Department of Health makes the following Regulations in exercise of the powers conferred by Articles 12(1), (2) and (3) of, and (14)(1) and (2) of, and Schedule 3 to the Superannuation (Northern Ireland) Order 1972(**a**) ("the 1972 Order") and sections 1(1) and (2)(e), 2(1) and 3(1) to (3) of, and paragraph 5 of Schedule 2 and Schedule 3 to, the Public Service Pensions Act (Northern Ireland) 2014(**b**)("the 2014 Act").

In accordance with Article 12(4) of the 1972 Order and section 22(2)(a) of the 2014 Act, the Department of Health has consulted such persons as appear to the Department of Health likely to be affected by these Regulations.

In accordance with section 22(2)(b) of the 2014 Act, the Department has laid a report before the Assembly.

In accordance with Article 12(1) of the 1972 Order and section 3(5) of the 2014 Act, these Regulations are made with the consent of the Department of Finance.

Citation, commencement and effect

1. These Regulations may be cited as the Health and Social Care Pension Scheme (Member Contributions) (Amendment) Regulations (Northern Ireland) 2026.

2. These Regulations come into operation on 1st April 2026 and will have retrospective effect from 1st April 2025.

(**a**) 1972 N.I 10 Section 12(1) was amended by sections 32 and 34(3) and Schedule 6 of the Health and Social Care (Reform) Act (Northern Ireland) 2009 and section 37(2) of the Public Service Pensions Act (Northern Ireland) 2014.
(**b**) 2014 c. 2 Section 3(1) and (2) were amended by section 94(2) and (3) of the Public Service Pensions and Judicial Offices Act 2022 (c.7).

Amendment to the Health and Social Care Pension Scheme Regulations (Northern Ireland) 2015

3.—(1) The Health and Social Care Pension Scheme Regulations (Northern Ireland) 2015(**a**) are amended as follows.

(2) In regulation 30 (members' contributions: employees)(**b**)—

(a) in paragraph (3), for the table substitute—

"Table Scheme Years 2025/26 to 2027/28

Column 1	*Column 2*
Pensionable earnings band	***Contribution percentage rate***
Up to £13,259	5.20%
£13,260 to £27,797	6.70%
£27,798 to £33,868	8.50%
£33,869 to £50,845	10.00%
£50,846 to £65,190	10.90%
£65,191 and above	12.70%".

(3) In paragraph (3A)—

(a) for the table substitute—

"Table Scheme Years 2025/26 to 2027/28

Column 1	*Column 2*
Pensionable earnings band	***Contribution percentage rate***
Up to £13,259	5.20%
£13,260 to £27,797	6.70%
£27,798 to £33,868	8.50%
£33,869 to £50,845	10.00%
£50,846 to £65,190	10.90%
£65,191 and above	12.70%".

(4) In paragraph (7), for "2025/26" substitute "2026/27".

(5) In paragraph (8)(d), for "2025" substitute "2026".

Amendment of regulation 31

4. In regulation 31 (members' contributions: practitioners and non-GP providers)(**c**)—

(a) for table 4 substitute—

"Table Scheme Years 2025/26 to 2027/28

Column 1	*Column 2*
Pensionable earnings band	***Contribution percentage rate***
Up to £13,259	5.20%
£13,260 to £27,797	6.70%
£27,798 to £33,868	8.50%
£33,869 to £50,845	10.00%
£50,846 to £65,190	10.90%
£65,191 and above	12.70%".

(**a**) S.R. 2015 No.120.
(**b**) Regulation 30 was amended by S.R. 2019 No.62, S.R. 2022 No. 244 and S.R. 2023 No.23.
(**c**) Regulation 31 is amended by S.R. 2019 No.62, S.R. 2022 No.33, S.R. 2022 No.244., S.R. 2024 No.116 & S.R. 2024 No 117.

(2) In paragraph (11), for “2025/26” substitute “2026/27”.

(3) In paragraph (12)(d), for “2025” substitute “2026”.

Sealed with the Official Seal of the Department of Health on Xth XXXXXX 2026.

(L.S.)

Philip Rodgers
A senior officer of the Department of Health

The Department of Finance consents to the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance on xth XXXXXX 2026.

(L.S.)

Name
A senior officer of the Department of Finance

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health and Social Care Pension Scheme Regulations (Northern Ireland) 2015 (S.R. 2015 No. 120) (“the 2015 Regulations”).

Regulation 2 amends the 2015 Regulations to update the pensionable earnings bands that determine a member’s contribution rate for the 2025/26 scheme year.

Regulation 3 amends regulation 30 (members’ contributions: employees) to update the pensionable earnings bands used to determine member contribution rates for scheme years 2025/26 to 2027/28, for employees.

Regulation 4 amends regulation 31 (members’ contributions: practitioners and non-GP providers) to update the pensionable earnings bands used to determine member contribution rates for scheme years 2025/26 to 2027/28, for practitioners and non-GP providers.

These Regulations come into operation on XXth XXXX 2026 and have effect retrospectively from 1st April 2025.

Article 14(1) of the Superannuation (Northern Ireland) Order 1972 and section 3(3)(b) of the Public Service Pensions Act (Northern Ireland) 2014 (c. 2) provide that Scheme Regulations may make retrospective provision.

A full impact assessment has not been produced for this statutory rule as no, or no significant, impact on the private, voluntary of public sector is foreseen.

EXPLANATORY MEMORANDUM TO

The Health and Social Care Pension Scheme (Member Contributions) (Amendment) Regulations (Northern Ireland) 2026

S.R. 2026 No. xxx

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department of Health (DoH) to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2 The Statutory Rule is made under Articles 12(1), (2) and (3), and 14(1) and (2) of, and Schedule 3 to, the Superannuation (Northern Ireland) Order 1972 and sections 1(1) and (2)(e), 2(1) and 3(1) to (3) of, and paragraph 5 of Schedule 2 and Schedule 3 to,   to (4) of, and paragraph 5 of Schedule 2 and Schedule 3 to, the Public Service Pensions Act (Northern Ireland) 2014(**1**) and is subject to the negative resolution procedures.

2. Purpose

2.1 This Statutory Rule amends the rules of the 2015 HSC Pension Scheme to update the member contribution tier thresholds from 1 April 2025 onwards. These thresholds, based on pensionable pay, determine the rate of contributions members must pay in order to accrue benefits in the HSC Pension Scheme and is in line with those introduced for the NHS Pension Scheme in England & Wales.

3. Policy Background – What is being done and why

3.1 There are two HSC Pension Schemes: the reformed 2015 Scheme and the older, closed scheme which is divided into the 1995 and 2008 Sections. The scheme is contributory. Members and their employer are required to pay towards the cost of benefits they build up in the scheme. An actuarial valuation is conducted every 4 years to ensure the level of contributions made by members and employers meet the full cost of their pension rights as they accrue them.

3.2 In doing so, the Department delivers on a commitment to uplift the member contribution tier thresholds in the 2015 Scheme annually according to a 'better of' test. Under this policy, the tier thresholds in the 2015 Regulations are uplifted automatically each year by the percentage increase in the Consumer Prices Index (CPI)[2] from the previous September. Then, the 'better of' test is applied once the AfC pay award for the year is known. If this pay award is higher than the percentage increase in CPI from the previous September, the

[1]2014 c.2 (N.I.) section 3 was amended by section 94(11) to (14) of the Public Service Pensions and Judicial Offices Act 2022 (c. 7)

[2] For this purpose, the "consumer prices index" is defined as the general index of consumer prices (for all items) published by the Statistics Board.

Department will lay a Statutory Rule to apply the marginal increase to the tier thresholds in the 2015 Regulations.

3.3 This policy acts to ensure that the tier thresholds remain up to date, and to reduce the likelihood of members moving into the next contribution tier solely as a result of receiving a nationally agreed pay award. Whilst not all members of the HSC Pension Scheme will receive the AfC pay award the Department considers this to be the most appropriate of the pay awards to use in uplifting thresholds, as it is received by the greatest number of scheme members.

3.4 For scheme year 2025/2026, the tier thresholds increased automatically on 1 April 2025 by 1.7%, the percentage increase in CPI from September 2024. The AfC pay award has now been announced and is 3.6%. Therefore, in line with the 'better of' test, this instrument is required to uplift the tier thresholds.

3.5 To do this, amending regulation 3 amends regulation 30 'Members' contributions: employees' of the 2015 Regulations, such that the pensionable earnings bands (tier thresholds) which apply to employee members of the HSC Pension Scheme at table are uplifted in line with the 2025/2026 AfC pay award. This amending regulation also amends the relevant dates in this regulation, such that the tables containing these pensionable earnings bands apply from scheme year 2025/2026 rather than 2024/2025, and the bands are updated automatically – in line with CPI – from scheme year 2026/2027 onwards, rather than 2025/2026.

3.6 Regulation 4 of this instrument amends regulation 31 'Members' contributions: practitioners and non-GP providers' to make similar changes for practitioner and non-GP provider members of the HSC Pension Scheme. Amending regulation 3 creates a new table with the uplifted pensionable earnings bands to apply from scheme year 2025/2026 until 2027/28 and amends the dates during which the existing table applies, from scheme years 2024/25 to 2027/28 to simply scheme year 2024/2025. This difference in approach, which maintains the 2024/2025 table in regulations for practitioner and non-GP provider members, is necessary due to the different method required to calculate these members' contributions, with practitioner and non-GP providers undergoing a reconciliation process which requires looking back to the table for the previous scheme year.

3.7 In the time between announcing the 'better of' test in 2024, the Department has applied the 'better of' test once, for the 2024/2025 scheme year. However, this did not result in a statutory instrument as the AfC pay award was lower than the percentage increase in CPI from the previous September.

3.8 Prior to the announcement of the 'better of' test, the member contribution tier thresholds were increased each year in line with the AfC pay award, through a series of statutory instruments. However, before the 'better of' test was announced there was no mechanism in the regulations for the tiers to be uplifted automatically in line with CPI, unlike in comparable public sector pension schemes. Because the Department was required to conduct a public consultation process and lay a statutory instrument in the time between the AfC pay award being announced and it being paid to staff, there was often a delay in between the implementation of the pay award and the uplifting of the tier thresholds.

3.9 Whilst under the current policy, the uplift to the tier thresholds in line with the AfC pay award is not automatic (this is not possible, due to the nature of this pay award), the 'better of' test minimises the risk of members moving into a higher contribution tier upon receiving their pay award, as by that time the contribution tier thresholds will have already been updated once, in line with CPI, in the April of that year.

4. Legislative and Legal Context

4.1 The 2014 Act provides a power to make regulations establishing the 2015 Scheme. The 2015 Scheme is set out by the Health and Social Care Pension Scheme Regulations (Northern Ireland) 2015 (SR 2015/120).

5. Consultation

5.1 The Department consulted with the Scheme Advisory Board (SAB), for the HSC Pension Scheme on these changes. The HSC Pension Scheme SAB is made up of representatives from HSC employers, HSC trade unions and the scheme administrator. The SAB has responsibility for providing advice to the Department on the desirability of changes to the HSC Pension Scheme when requested.

5.2 Consulting with the SAB, rather than the general public, was appropriate on this occasion as the policy underpinning the changes made by this Statutory Rule was previously consulted on back in 2023/2024. The consultation ran from 13 November 2023 to 22 January 2024. The 'better of' test, which this Statutory Rule delivers, was formally announced in the Department's response to this consultation which published on the 10 May 2024.

5.3 In this response, the Department stated that it would consult with the SAB when it had applied the 'better of' test and intended to uplift the member contribution tier thresholds in line with the AfC pay award. This is a proportionate way of minimising the time between the pay award going into payment and the increased tier thresholds taking effect, because the SAB comprises representatives of individuals and groups who are likely to be affected by the increase in tier thresholds.

5.4 The consultation with the SAB this year therefore focused on the detail of the new member contribution structure that would implement this previously agreed policy. SAB members were asked if they agreed with the proposed uplift methodology, which applies the higher of the September CPI (1.7%) or the Agenda for Change pay award (3.6%) resulting in a 3.6% uplift to the member contribution tier thresholds.

5.5 The consultation launched on 8 December 2025 and closed on 19 December 2025. Responses were generally supportive of the proposals. SAB provided some other comments on other aspects of pay and pensions policy in its response, but these were outside the scope of this consultation. The Department's response was issued to the SAB on 05 January 2026.

6. Impact Assessment

6.1 A full Impact Assessment has not been prepared for this instrument because no, or no significant, impact on business, charities, voluntary bodies or the public sector is foreseen. There is no, or no significant impact on business, charities or voluntary bodies. The only impacts to businesses, charities and voluntary bodies will be if they employ members of the HSC Pension Scheme. The impact to them will be the same as for public sector organisations who employ members of the HSC Pension Scheme.

7. Financial Implications

7.1 There are no financial implications for the Department.

8. Section 24 of the Northern Ireland Act 1998

8.1 Consideration has been given to the human rights implications of these regulations. They are considered compatible with section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1 None.

10. Parity or Replicatory Measure

10.1 Similar legislation has been introduced for the NHS Pension Schemes in England, Wales and Scotland.

11. Additional Information

11.1 Not applicable.