Information

Pensions Taxation - Annual Allowance

HM Revenue and Customs (HMRC) limits the amount of pension savings you can make without having to pay extra tax. This limit is in addition to any income tax you pay on your pension once it is being paid to you.

Before the 2023 Spring Budget there were two mechanisms for taxing pensions, the Annual Allowance and the Lifetime Allowance. However in that Budget, the Chancellor announced that nobody would face a Lifetime Allowance charge from 6 April 2023 onwards, and that it will be abolished entirely in April 2024.

What is the Annual Allowance?

The Annual Allowance (AA) is the amount by which the value of your pension benefits may increase in any one year without you having to pay a tax charge. This is in addition to any income tax you pay on your pension once it is in payment.

If the value of your pension savings in any one year, including pension savings outside of the Firefighters' Pension Scheme (FPS) are in excess of the annual allowance, the excess will be taxed as income.

The standard annual allowance has increased to £60,000 from 6 April 2023. For the tax years 2016/17 to 2022/23 it was £40,000.

Additional changes to the annual allowance were made for higher earners from 6 April 2016, which resulted in special transitional rules for the 2015-16 tax year. These changes, known as the tapered annual allowance are covered in more detail later in this factsheet.

Table 1: Annual allowance limits from 2011

Pension Input Period	Annual Allowance
1 April 2011 to 31 March 2012	£50,000
1 April 2012 to 31 March 2013	£50,000
1 April 2013 to 31 March 2014	£50,000
1 April 2014 to 31 March 2015	£40,000
1 April 2015 to 5 April 2016	£80,000 (transitional rules apply)
6 April 2016 to 5 April 2023	£40,000 (unless tapering applies)
6 April 2023 to 5 April 2024	£60,000 (unless tapering applies)

Am I likely to be affected by the Annual Allowance?

Most people will not be affected by the AA tax charge because the value of their pension saving will not increase in a year by more than £60,000 or if it does, they are likely to have unused allowance from previous years that can be carried forward.

You are most likely to be affected if:

- you have a lot of scheme membership and you receive a significant pay increase, and/or;
- you pay a high level of additional contributions, and/or;
- you are a higher earner, and/or;
- you transfer pension rights into the FPS from a previous public sector pension scheme[1] under the preferential club transfer rules and your salary (full time equivalent) upon joining the FPS is somewhat higher than the salary you earned when you left the previous scheme, and/or;
- you combine a previous FPS pension benefit that was built up in the final salary section of the FPS with your current pension account and your salary (full time equivalent) has increased significantly since leaving and re-joining the scheme.

Your pension administrator will inform you if your FPS pension savings exceed the standard AA in any year by no later than 6 October of the following tax year.

How is the Annual Allowance calculated?

The increase in the value of your pension savings in the FPS in a year is calculated by working out the value of your benefits immediately before the start of the ‘pension input period’, increasing the value by inflation (Consumer Prices Index, or CPI) and then comparing it with the value of your benefits at the end of the ‘pension input period’.

The ‘pension input period’ (PIP) is the period over which your pension growth is measured. From 6 April 2016, PIPs for all pension schemes are aligned with the tax year – 6 April to 5 April. Before 2016-17 the PIP for the FPS was 1 April to 31 March, except for the year 2015-16 when special transitional rules applied.

In the FPS the value of your pension benefits is calculated by multiplying the amount of your annual pension by 16.

If the difference in the value of pension benefits at the end of the PIP less the value of your pension benefits immediately before the start of PIP (adjusted for inflation), is more than the AA then you may be liable to pay a tax charge.

It is important to note that the assessment for the AA covers any pension benefits you may have where you have been an active member during the year, not just benefits in the FPS.

For example, if the increase in the value of your FPS benefits was calculated as £30,000 in 2022-23 when the AA was £40,000, but you also had an increase in the value of other pension benefits of £15,000 in the same year, that would mean you had a total increase in pension benefits of £45,000. If you did not have any carry forward (see below for more information), you would be liable for a tax charge for the amount you exceeded the AA by; even though at face value you did not breach the AA in either scheme.

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[1] A public service pension scheme includes a pension scheme covering civil servants, the judiciary, the armed forces, any scheme in England, Wales or Scotland covering local government workers, or teachers, or health service workers, or fire and rescue workers or members of the police forces; or membership of a new public body pension scheme.

Carry forward

You would only be subject to an AA tax charge if the value of your total pension savings for a year increase by more than the AA for that year. However, a three year carry forward rule allows you to carry forward unused AA from the previous three years. This means that even if the value of your pension savings increases by more than the AA in a year you may not be liable to the AA tax charge.

For example, if the value of your pension savings in 2022-23 increased by £50,000 (i.e. by £10,000 more than the AA) but in the three previous years had increased by £25,000, £28,000 and £30,000, then the amount by which each of these previous years fell short of the AA for those three years would more than offset the £10,000 excess pension saving in the current year. There would be no AA tax charge to pay in this case.

To carry forward unused AA from an earlier year you must have been a member of a tax registered pension scheme in that year.

Changes to Annual Allowance

The Finance (No 2) Act 2015 introduced two important changes to the AA with effect from 6 April 2016.

1. An annual allowance taper for high earners from 6 April 2016 and
2. To adjust the 'pension input period' during 2015/16 so that it became aligned with the tax year from 6 April 2016.

Tapered Annual Allowance for higher earners

From the tax year 2016/17 onwards, the AA is tapered for high earning individuals. The AA will be reduced if your 'Threshold Income' and 'Adjusted Income' exceed the limits in a year. For every £2 that your Adjusted Income exceeds the limit, your AA is tapered down by £1. Your AA cannot be reduced below the minimum that applies. The Government has changed these limits since they were first introduced. Table 2 shows the limits that apply.

Table 2 – tapered annual allowance limits

	Definition	Limit 2016/17 to 2019/20	Limit 2020/21 to 2022/23	Limit 2023/24 onwards
Threshold Income	Broadly your taxable income after the deduction of your pension contributions (including AVCs)	£110,000	£200,000	£200,000
Adjusted Income	Broadly your threshold income plus pensions savings built up over the tax year	£150,000	£240,000	£260,000
Minimum AA	If your AA is tapered, the minimum AA that can apply	£10,000	£4,000	£10,000

Threshold income includes income from all sources that is taxable eg property income, savings income, dividend income, pension income, social security income (where taxable), state pension income etc.

You are not allowed to deduct from taxable income any amount of employment income given up for pension provision as a result of any salary sacrifice made on or after 9 July 2015.

How does the taper work?

From the 2023/24 year, the taper reduces the AA by £1 for £2 of adjusted income received over £260,000, until a minimum AA of £10,000 is reached. The AA that applies for high earners from 6 April 2023 is shown in table 3.

Table 3 - The tapered AA from 2023/24 onwards

Adjusted Income	Annual Allowance
£260,000 or below	£60,000
£280,000	£50,000
£300,000	£40,000
£320,000	£30,000
£340,000	£20,000
£360,000 or above	£10,000

Tables 4 and 5 shows the effect of the tapered annual allowance in the years up to 2022/23.

Table 4 - The tapered AA from 2020/21 to 2022/23

Adjusted Income	Annual Allowance
£240,000 or below	£40,000
£250,000	£35,000
£260,000	£30,000
£270,000	£25,000
£280,000	£20,000
£290,000	£15,000
£300,000	£10,000
£312,000 or above	£4,000

Table 5 – The tapered AA from 2016/17 to 2019/20

Adjusted Income	Annual Allowance
£150,000 or below	£40,000
£160,000	£35,000
£170,000	£30,000
£180,000	£25,000
£190,000	£20,000
£200,000	£15,000
£210,000 or above	£10,000

For an example of the tapered annual allowance see appendix 1.

Annual Allowance 'Flexible Benefit' access

If you have any benefits in a money purchase (defined contribution) pension arrangement which you have flexibly accessed on or after 6 April 2015 then the Money Purchase Annual Allowance (MPAA) rules may apply. However, the MPAA will only apply if your total contributions to a money purchase arrangement in a Pension Input Period exceed the MPAA.

Generally, if you have flexibly accessed any benefits in a money purchase arrangement on or after 6 April 2015, any further contributions you make to a money purchase scheme in subsequent tax years will be tested against the MPAA. If your contributions exceed the MPAA your defined benefit pension (FPS) savings will be tested against the alternative AA and you will pay a tax charge in respect of your money purchase saving in excess of the MPAA.

Table 6: Money Purchase Annual Allowance limits from 2016

Tax Year	MPAA	Alternative annual allowance if MPAA is exceeded
2016-17	£10,000	£30,000
2017-23	£4,000	£36,000
2023/24	£10,000	£50,000

Special transitional rules applied for the tax year 2015-16 – contact your pension administrator for more information, if applicable.

If you access flexible benefits you will be provided with a flexible access statement; you should provide your administrator with a copy of this statement.

Flexible access means taking a cash amount over the tax-free lump sum from a flexi-access drawdown account, taking an uncrystallised funds pension lump sum (UFPLS), purchasing a flexible annuity, taking a scheme pension from a defined contribution scheme with fewer than 12 pensioner members or taking a stand-alone lump sum if you have primary but not enhanced protection[2].

How would I pay an Annual Allowance tax charge?

If you exceed the AA in any year you are responsible for reporting this to HMRC on a self-assessment tax return, even if you don't normally complete one. Your pension administrator is obliged to notify you if your FPS benefits exceed the standard AA, or if they believe you have exceeded the MPAA, in a year. They must inform you by no later than 6 October of the following tax year. However, your pension administrator is not obliged to inform you if you exceed the tapered annual allowance.

If you have an AA tax charge that is more than £2,000 and your pension savings in the FPS alone have increased in the year by more than the standard AA, you may be able to opt for the scheme to pay some or all of the tax charge on your behalf. The tax charge would then be recovered from your pension benefits when you retire.

If you want your Fire and Rescue Authority (FRA) to pay some or all of an AA tax charge on your behalf, you must notify them no later than 31 July in the year following the end of the year to which the AA charge relates. However, if you are retiring (and draw all of your benefits from the FPS) and you want the scheme to pay some or all of the tax charge on your behalf from your benefits, you must tell your employer before you become entitled to those benefits.

Your FRA, at their discretion, may also agree to pay some or all of an annual allowance charge on your behalf in other circumstances e.g. where your pension savings are not in excess of the standard AA but are in excess of the tapered or money purchase AA, or where part of the charge relates to pension savings outside of the FPS. Contact your FRA for more information.

Table 3: Sample timescales that would apply for an Annual Allowance tax charge incurred in respect of the 2019/20 tax year

Date	Event
5 April 2021	Tax year ends
6 July 2021	FRA provides pay information to pension administrator
6 October 2021	Pension administrator provides pension saving statement to the scheme member who has breached the annual allowance
31 January 2022	Deadline for scheme member to submit Self-Assessment Tax Return stating how Annual Allowance tax will be paid.
31 July 2022	Scheme Pays election deadline (if scheme member elects for scheme pays).
31 January 2023	Deadline for scheme to submit HMRC event report.
14 February 2023	Deadline for scheme to pay tax to HMRC (if member elected for scheme pays).

[2] A stand-alone lump sum is a lump sum relating to pre 6 April 2006 where the whole amount can be taken as a lump sum without a connected pension

Am I affected?

If you think you are affected by the AA more information is available on the Government's website - https://www.gov.uk/tax-on-your-private-pension/annual-allowance.

Appendix 2 to the factsheet shows some examples within the Firefighters' Pension Schemes.

More information

If you have any questions about your FPS membership or benefits, please contact:

Administrator to enter their own details.

Disclaimer

This factsheet provides an overview of the Annual Allowance rules as at April 2020. It should not be treated as a complete and authoritative statement of the law. The rules governing AA can be complex and are subject to change.

If you are unsure how to proceed, you are advised to obtain independent financial advice. For help in choosing an independent financial advisor you can visit the money advice website.

Some of the examples shown in the appendix have been rounded to the nearest whole pound in order to simplify the calculations.

Appendix 1: taper calculations

Cerys		
Gross Salary 2020/21	£140,000	
Less employee pension contributions	£23,100	16.5% (FPS 1992)
Threshold Income 2020/21	£116,900	Below £200,000 so the AA will not be tapered and remains at £40,000
Pensions saving in the year	£19,500	**Less than £40,000 so no tax charge**

Sanjay		
Gross Salary 2020/21	£180,000	
Less employee pension contributions	£26,100	14.5% (FPS 2015)
Plus taxable income from property	£60,000	
Plus savings income	£15,000	
Threshold Income 2020/21	£228,900	Greater than £200,000
Plus pensions saving in the year	£35,000	
Adjusted Income 2020/21	£263,900	Greater than £240,000 so AA will be tapered
Tapered AA	£28,050 *	
In excess of AA	£6,950	Pension saving of £35,000 less tapered AA
AA tax charge at marginal rate (assumed to be 45%)	£3,127.50	£6,950 x 45%

*Taper = £263,900- £240,000 = £23,900 / 2 = £11,950. Standard AA £40,000 less £11,950 = £28,050

Please note that the examples above make no allowance for any carry forward.

Appendix 2: example AA calculations

1) Permanent promotion from Crew Manager to Watch Manager B on 1 September 2020 - FPS 1992.

Work out the opening value of the member's benefits for 2019/20:

At 5 April 2020		
Pensionable pay		
06/04/2019 – 30/06/2019	£33,851 / 366 x 86 days	£7,954
01/07/2019 – 05/04/2020	£34,528 / 366 x 280 days	£26,414
	Total	£34,368
Scheme membership		
26 years	20 years at 1/60th and 6 years at 2/60^{ths}	32/60^{ths}
Opening Value		
Annual Pension	£34,368 x 32/60^{ths}	£18,330
Multiply by 16	x 16	£293,280
Increase by CPI at Sept 2018	x 1.024 (2.4%)	£300,319
	Total opening value	**£300,319**

Work out the closing value of the member's benefits for 2020/21:

At 5 April 2021		
Pensionable pay		
06/04/2020 – 30/06/2020	£34,528 / 365 x 86 days	£8,135
01/07/2020 – 31/08/2020	£35,219 / 365 x 62 days	£5,982
01/09/2020 – 05/04/2021	£38,611 / 365 x 217 days	£22,955
	Total	£37,072
Scheme membership		
27 years	20 years at 1/60th and 7 years at 2/60^{ths}	34/60^{ths}
Closing Value		
Annual Pension	£37,072 x 34/60^{ths}	£21,007
Multiply by 16	x 16	£336,112
	Total closing value	**£336,112**

The increase in the member's benefits over the year to 5 April 2021 is £336,112 less £300,319 = £35,793.

As this is less than the annual allowance limit for 2020/21 of £40,000, there is no annual allowance charge in this example, and they have £4,207 unused annual allowance from 2020/21 to carry forward to 2021/22.

2) Permanent promotion from Watch Manager B to Station Manager B (Flexi) on 1 September 2020 - FPS 2015 with previous membership of FPS 1992

Work out the opening value of the member's benefits for 2019/20:

At 5 April 2020		
Pensionable pay		
06/04/2019 – 30/06/2019	£37,854 / 366 x 86 days	£8,895
01/07/2019 – 05/04/2020	£38,611 / 366 x 280 days	£29,538
	Total	£38,433
Scheme membership		
20 years	20 years at 1/48.75th*	20/48.75ths
CARE pot of £3,421		£3,421
Opening Value		
Final Salary Pension	£38,433 x 20/48.75ths	£15,767
CARE Pension	CARE pot of £3,421	£3,421
	Total Pension	£19,188
Multiply by 16	x 16	£307,008
Increase by CPI at Sept 2018	x 1.024 (2.4%)	£314,376
	Total opening value	**£314,376**

* Includes double accrual guarantee

Work out the closing value of the member's benefits for 2020/21:

At 5 April 2021		
Pensionable pay		
06/04/2020 – 30/06/2020	£38,611 / 365 x 86 days	£9,097
01/07/2020 – 31/08/2020	£39,383 / 365 x 62 days	£6,690
01/09/2020 – 05/04/2021	£53,156 / 365 x 217 days	£31,602
	Total	£47,389
Scheme membership		
20 years	20 years at 1/47.647th*	20/47.647ths
CARE pot of £3,421		£3,421
Closing Value		
Final Salary Pension	£47,389 x 20/47.647ths	£19,892
CARE Pension	CARE pot of £3,421	£3,421
CARE Pension built up in year	£47,389 x 1/59.7	£794
	Total Pension	£24,107
Multiply by 16	x 16	£385,712
	Total closing value	**£385,712**

The increase in the member's benefits over the year to 5 April 2021 is £385,712 less £314,376 = **£71,336.**

The member has exceeded the annual allowance in the year 2020/21 by **£31,336** (£71,336 - £40,000). However, the member may be able to use any unused allowance in their three previous years to reduce or eliminate the £31,336.

The member had the following pension input amounts in the three previous years:

Tax Year	AA Limit	Pension Input Amount	Remaining AA to carry forward
2017/18	£40,000	£35,000	£5,000
2018/19	£40,000	£20,000	£20,000 + £5,000 (from 2017/18) = **£25,000**
2019/20	£40,000	£20,000	£20,000 + £25,000 (from 2017/18 + 2018/19)
Total Unused Allowance			**= £45,000**

The member has £45,000 of unused annual allowance from previous years that they can use to offset the amount of £31,336. They would then have £13,664 (£45,000 - £31,336) remaining to carry forward.

3) Permanent promotion from Station Manager B (Flexi) to Group Manager B (Flexi) from 1 May 2020 - FPS 1992

Work out the opening value of the member's benefits for 2019/20:

At 5 April 2020		
Pensionable pay		
06/04/2019 – 30/06/2019	£52,114 / 366 x 86 days	£12,245
01/07/2019 – 05/04/2020	£53,156 / 366 x 280 days	£40,666
	Total	£52,911
Scheme membership		
23 years	20 years at 1/60th and 3 years at 2/60ths	26/60ths
Opening Value		
Annual Pension	£52,911 x 26/60ths	£22,928
Multiply by 16	x 16	£366,848
Increase by CPI at Sept 2018	x 1.024 (2.4%)	£375,652
	Total opening value	**£375,652**

Work out the closing value of the member's benefits for 2020/21:

At 5 April 2021		
Pensionable pay		
06/04/2020 – 30/04/2020	£53,156 / 365 x 25 days	£3,641
01/05/2020 – 30/06/2020	£61,530 / 365 x 61 days	£10,283
01/07/2020 - -5/04/2021	£62,761 / 365 x 279 days	£47,973
	Total	£61,897
Scheme membership		
24 years	20 years at 1/60th and 4 years at 2/60^{ths}	28/60^{ths}
Closing Value		
Annual Pension	£61,897 x 28/60ths	£28,885
Multiply by 16	x 16	£462,160
	Total closing value	**£462,160**

The increase in the member's benefits over the year to 5 April 2021 is £462,160 less £375,652 = **£86,508**.

The member has exceeded the annual allowance in the year 2020/21 by **£46,508** (£86,508 - £40,000). However, the member may be able to use any unused allowance in previous years to reduce or eliminate the £46,508.

The member had the following pension input amounts in the three previous years:

Tax Year	AA Limit	Pension Input Amount	Remaining AA to carry forward
2017/18	£40,000	£35,000	£5,000
2018/19	£40,000	£25,000	£15,000 + £5,000 (from 2017/18) = **£20,000**
2019/20	£40,000	£55,000	-£15,000 + £20,000 (2017/18 + 2018/19)
Total Unused Allowance			**= £5,000**

Annual Allowance excess	-	Unused Allowance	=	Adjusted Annual Allowance excess
£46,508	-	£5,000	=	**£41,508**

This is added to the member’s taxable income to determine the marginal tax rate to be used. In this case, it would be 40%.

Adjusted Annual Allowance excess	x	Tax Rate	=	Tax payable
£41,508	x	40%	=	**£16,603**

The member has two options for how to pay this tax charge:

1. Directly to HMRC, or
2. Via ‘scheme pays’

Whatever the member decides to do, they must declare this on a self-assessment tax return, even if they have never had to complete one before.

The member decides to elect for ‘scheme pays’, so that the scheme pays the charge on the member’s behalf, in exchange for the member having a reduction to their pension benefits. This worked out using actuarial ‘scheme pays’ factors.

The member is age 50 at the date of implementation (i.e. the day after the pension input period ends – 6 April 2021), the actuarial factor for someone aged 50 and in the FPS 1992, is 15.52.

Tax Charge	/	Actuarial Factor	=	Scheme Pays Debit
£16,603	/	15.52	=	**£1,069.79**

The Scheme Pays Debit will attract appropriate inflation increases up until retirement.

The Scheme Pays Debit assumes retirement at age 60 and the member decides to retire when they are age 55. The scheme pays debit is reduced accordingly:

Scheme Pays Debit	x	Retirement Timing Factor	=	Adjusted Scheme Pays Debit
£1,069.79	x	0.787	=	**£841.92**