

unfairly, you can complain to an employment tribunal about your employer (if you believe they are responsible for the unfair treatment) or about the provider of group insurance (if you believe they are responsible for the unfair treatment). If the scheme has a dispute resolution mechanism, you could use this to try to resolve the problem.

● **Will my pension be affected if I take early retirement?**

The effect on your pension of early retirement or early ill health retirement is different for each individual case. It is important to seek advice from the pension fund trustees.

● **Further details**

Disability Rights Commission (DRC) Helpline

Free advice if you feel you have been treated unfairly.

Open 08:00 to 20:00, Monday to Friday
See back page of this leaflet for details.

See also on the DRC website (www.drc-gb.org/knowyourrights/employment.asp) 'Employment, health and disability – Getting in, staying in and getting on'.

The Office of the Pensions Advisory Service (OPAS)

Free advice on pensions including help with problems.

11 Belgrave Road, London SW1V 1RB
Telephone: 0845 601 2923
Fax: 020 7233 8016

Email: enquiries@opas.org.uk
Website: www.opas.org.uk

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If you require this publication in an alternative format and/or language please contact the Helpline to discuss your needs. It is also available on the DRC website: www.drc-gb.org

The DRC Language Line service offers an interpretation facility providing information in community languages and is available on the DRC Helpline telephone number 08457 622 633. You can email the DRC Helpline from our website: www.drc-gb.org

Other leaflets currently available

- Who has rights under the Disability Discrimination Act 1995 (DDA)?
- What are reasonable adjustments?
- Health and safety
- Discipline and dismissal
- Sick leave, sick pay and medical appointments
- Redundancy
- Getting into work – my rights

- ☎ **Telephone** 08457 622 633
- ☎ **Textphone** 08457 622 644
- Fax** 08457 778 878
- Website** www.drc-gb.org
- ✉ **Post** DRC Helpline
FREEPOST MID 02164
Stratford upon Avon
CV37 9BR

Pensions



A series of leaflets providing practical advice and information on getting and keeping employment



INVESTOR IN PEOPLE



There are three main types of pensions that you may be entitled to. Under the Disability Discrimination Act (DDA) 1995, there are special rules to ensure you are not at a disadvantage because of your disability or long-term health condition.

● Am I entitled to the basic state pension even though I have not always worked?

Your contribution record will be credited as having been paid, making you eligible for the basic state pension, if you received any of the following when you were not earning:

- Invalid Care Allowance.
- Disability Working Allowance.
- Jobseeker's Allowance.
- Incapacity Benefit.
- Severe Disablement Allowance.

● What other types of pensions are there?

A Personal Pension Plan: an investment policy designed to offer a lump sum and income during retirement. Some more facts:

- available to most UK residents including children
- you can contribute up to £3,600 per annum or a percentage of your salary determined by your age
- within certain rules, available to members of occupational schemes
- cannot be accessed before you are 50 and you must buy an annuity (a yearly payment) by the time you are 75
- it has virtually tax free growth
- you get up to 25 per cent in a tax free lump sum on retirement
- you get tax relief on contribution at the highest tax rate.

An Occupational Pension Plan: a pension arrangement set up by an employer to provide income in retirement for their employees.

Under the DDA every occupational pension scheme has a 'non-discrimination' rule. This means that trustees and pension managers are under similar duties as employers not to treat you less favourably because of your disability or health condition.

If you have been treated unfairly, you can complain to an employment tribunal about your employer (if you believe they are responsible for the unfair treatment) or about the pension provider (if you believe they are responsible for the unfair treatment). You could also use the pension's dispute resolution mechanism or complain to the Pensions Ombudsman. The law says that accessible information on the pension scheme and how to complain should be made available to you by the pension provider.

An Ill Health Pension: in some cases provided by your employer and designed to support you if you are no longer able to work due to illness or disability.

If you are unsure if your company has an ill health pension or if you are covered, speak to your manager, or ask the trustees of the pension scheme for a copy of the rules on ill health.

Do also check out whether your company has a permanent health insurance scheme. This is an arrangement with an insurance company that is separate from the pension scheme. This is called group insurance. If your employer has group insurance in respect of employees, then the insurance provider should not discriminate against you because of your disability or health condition, unless this can be justified – for example by reference to actuarial evidence. If you have been treated