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14<sup>th</sup> March 2024

Deputy Robert Troy  
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Dear Deputy Troy

**RE: PQ10933/24 To ask the Minister for Health if he will urgently address an anomaly in the retirement system, whereby a retiree from the HSE must apply for jobseekers for a nine month period prior to receiving a suitable pension. -Robert Troy**

The Health Service Executive has been requested to reply directly to you in the context of the above Parliamentary Question, submitted by you to the Minister for Health. This matter has been referred to me for response on behalf of the HSE.

This matter is common to all public service pension schemes and is not specific to employees retiring from the HSE. The HSE Employee Superannuation Scheme was made under SI 362 of 2010 with the approval of the Minister for Health and Children and the consent of the Minister for Finance.

Individuals paying Class A PRSI have an entitlement to co-ordinated pension benefits. The pension payable takes into account the State Contributory Pension (or other similar contributory benefits) payable by the State. Fully insured scheme members pay lower pension contributions and higher PRSI contributions. The annual retirement pension for fully insured members is calculated at normal retirement age as:

*Pensionable Remuneration (to threshold of 3.333333 State Pension Contributory) \* Years of Service \* 1/200; plus Pensionable Remuneration in excess of threshold \* Years of Service \* 1/80*

The relevant Scheme provisions are set out at Paragraph 9.1 (c) (i) & (ii) of SI No. 362 of 2010.

Individuals paying Class A PRSI can qualify for the State Pension Contributory from age 66. The full rate for a qualified adult aged 66 being €277.30 per week or €14,469.51 per annum with effect from 5 January 2024. There are a range of further benefits available to Class A PRSI contributors such as the Payment for people who retire at 65.

The HSE Employee Superannuation Scheme also makes provision for the payment of a supplementary pension to fully insured members (Class A PRSI contributors) from the minimum scheme retirement age. This is provided for at paragraph 9.5 of SI 362 of 2010 which states -

- (a) "Where a person who was a fully insured member is in receipt of a pension or a preserved pension under this scheme is unemployed and, due to causes outside his or her own control:
- (i) fails to qualify for Social Welfare benefit or
  - (ii) qualifies for Social Welfare benefit at a reduced rate



- (iii) in the case of a person mentioned in paragraph 9.3(g) has attained the age of 65 years or
- (iv) in the case of a person mentioned in paragraph 9.4(g) has attained the age of 60 years

then for so long as the Executive is satisfied that the preconditions set out in this subparagraph are met, the person concerned may, at the discretion of the Executive, be paid a supplementary pension under this Scheme.

(b) The amount of a supplementary pension payable pursuant to subparagraph of this paragraph shall be the amount, if any, arrived at by the formula:

A — (B+C), where:

A is the amount of the pension or preserved pension which would be payable to the former member if he or she had not been fully insured under paragraph 9.1 of this Scheme if such pension had been calculated by reference to pensionable remuneration rather than net pensionable remuneration,

B is the amount of the pension actually payable to the former member under the said paragraph 9.1, and

C is the annual amount of the Social Welfare benefit, if any, which is payable to the former member.”

In the case where a fully insured member in receipt of a pension under the Scheme is unemployed and due to circumstances outside his or her own control fails to qualify or qualifies at a reduced rate for a social welfare benefit then a supplementary pension may be paid. The supplementary pension will be equal to pension payable if the person were not fully insured less the pension in payment and any social welfare benefit in payment.

When processing an application for the supplementary pension, the HSE is obliged to assess the application against the criteria set out in the rules of the pension scheme. The HSE must confirm that the applicant has applied for and exhausted all benefits for which they are eligible. This includes the Job Seekers Benefit. Once the payment of the Job Seekers Benefits is exhausted, provided no other personal social welfare benefits are payable, an application for the supplementary pension is progressed. The payment of the supplementary pension is subsequently reviewed on receipt of a social welfare benefit or on reaching qualification age for a social welfare benefit such as the State Pension (Contributory) or similar.

The HSE is bound to operate within the confines of the scheme rules as laid down in statute and within the parameters of public service pensions policy without exception.

If you require any further information, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Eileen Winnington', written in a cursive style.

Eileen Winnington  
Assistant National Director of HR