

FPS Bulletin 84 – August 2024

Welcome to issue 84 of the Firefighters’ Pensions Schemes bulletin.

If you are looking for information on a certain topic, issue and content indexes are held on the [main bulletin page](#) of the website and are updated following each new issue.

If you have any comments on this bulletin, suggested items for future issues, or a job you would like to advertise, please email bluelightpensions@local.gov.uk.

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Calendar of events

Please see below a calendar of upcoming events relevant to the Firefighters' Pension Schemes. Only those events which are hyperlinked are currently available to book. If you have any events you would like to be included in a future bulletin, please email bluelightpensions@local.gov.uk.

Table 1: Calendar of events

Event	Date
FPS Coffee Morning	11 September 2024
FPS Technical Working Group	25 November 2024
SAB	12 September 2024 12 December 2024
FPS Communications Working Group	25 September 2024 3 January 2025
Firefighters' AGM	18 and 19 September 2024
Local Pension Board training	2024 dates: 18 September 2024 (In person) 2025 dates: 23 January 2025 (MS Teams) 25 March 2025 (MS Teams) 16 June 2025 (MS Teams) 17 September 2025 (in person) 2026 dates: 22 January 2026 (MS Teams)

Actions arising

Scheme Managers

[Firefighters Pension Scheme Valuation 2024 - GAD data request](#) : should ensure that high quality, timely data is shared with the administrator who will be doing the extract on their behalf.

[Age Discrimination Remedy – ABS-RSS statutory deadlines](#): should familiarise themselves with the statutory deadlines, to ensure that they are adhered to.

If a statutory deadline cannot be met, it is important that, as per instructions from TPR, **all** breaches are reported, regardless of their materiality.

[Age Discrimination Remedy – Treasury Directions \(tax relief on contributions for active members\)](#): to inform the LGA should they have any objections to the recommendations set out in the scheme manager [paper](#).

[General Code](#): should ensure that review their compliance against the code.

[Firefighters' Pensions AGM 18 and 19 September 2024](#): are encouraged to book onto [Day one](#) and [Day two](#) of the AGM.

Finance

[Firefighters' Pensions: DELTA returns – collection of data](#): should ensure that they have prepared the information. The deadline for submission of both requests is 17:00 on **Wednesday 18 September 2024**

Administrators

[Age Discrimination Remedy – Immediate Choice Remediable Service Statements \(IC-RSS\) roll out](#): Should ensure that they are providing this information to affected members.

[Age Discrimination Remedy – ABS-RSS statutory deadlines](#): should familiarise themselves with the statutory deadlines, to ensure that they are adhered to.

If a statutory deadline cannot be met, it is important that, as per instructions from TPR, **all** breaches are reported, regardless of their materiality.

[GAD Guidance: CETVs \(FPS 2006 and FPS 1992 addendum\)](#): should ensure that they are using the most up to date guidance with immediate effect.

[Matthews – Clarification on outstanding HMRC queries](#): Should take note of the content of the email before progressing with Matthews cases.

[Firefighters' Pensions AGM 18 and 19 September 2024](#): are encouraged to book onto [Day two](#) of the AGM.

Local Pension Boards

[Age Discrimination Remedy – Immediate Choice Remediable Service Statements \(IC-RSS\) roll out](#): Should make themselves aware of the communications to affected members.

[Age Discrimination Remedy – ABS-RSS statutory deadlines](#):

- should familiarise themselves with the statutory deadlines, to ensure that they are adhered to.

If a statutory deadline cannot be met, it is important that, as per instructions from TPR, **all** breaches are reported, regardless of their materiality.

- are encouraged to gain assurance that statutory deadlines are adhered to and that any breaches that have occurred are reported to them.

[General Code](#): are recommended to include Code compliance as an agenda item to their meetings.

[Local Pension Board \(LPB\) Training Sessions](#): LPB members are encouraged to book onto one of the training sessions if they have not done so already.

[Firefighters' Pensions AGM 18 and 19 September 2024](#): are encouraged to book onto [Day one](#) of the AGM.

FPS

Firefighters' Pensions: DELTA returns – collection of data

On 1 August 2024, Home Office sent two emails to Claim certifiers at FRAs tilted:

- [Firefighters' Pensions: DELTA forecast Returns - Collection of local assumptions](#)
- [Firefighters' Pensions: DELTA Returns - Collection of firefighters' pension forecasts for period 2024/25 to 2029/30](#)

The emails provided the formal commissioning of the request for pension forecasts from FRAs, including the [notification letter](#), [pension forecasting guidance](#) and [spreadsheet](#) to declare the local assumptions applied to calculate pension estimates.

ACTION:

Finance: should ensure that they have prepared the information. The deadline for submission of both requests is 17:00 hours **Wednesday 18 September 2024**

Firefighters Pension Scheme Valuation 2024 - GAD data request

GAD have requested that Fire and Rescue Authorities (FRAs) provide membership data extracts for the 2024 valuation **no later than 1 December 2024**. Tables covering changes in member status since the 2020 valuation extract (“movement data”) can be provided in the new year i.e. February 2025. Shortly after 31 March 2025 GAD will ask FRAs to provide their compiled data in respect of positive elections under the Matthews second options exercise. (The request to compile data on positive Matthews elections was first raised in [FPS Bulletin 75](#), page 6.)

The GAD Fire data specification has been updated for the 2024 valuation, primarily to collect data on the impact of the Sargeant and Matthews legal remedies. GAD are grateful for the comments and feedback from software suppliers and sector experts early this year on how best to incorporate these new items and keep existing areas of the specification up to date. The final data specification was shared with software suppliers in March. As updated extract software becomes available from software suppliers in coming weeks, GAD will be:

- launching a spreadsheet tool to allow Fire and Rescue Authorities to validate their extracts.
- sharing the 2024 data submission process. (This will be similar to that used at the 2020 valuation and will use Egress secure online folders.)

GAD understand that this request comes during an extremely busy year for FRAs. However, receiving quality data on time by **1 December 2024** is needed for GAD to advise on the scheme employer contribution rate from 1 April 2027 in good time. Timely data is also key for ensuring 2024/25 FRA pension scheme financial disclosures supplied by GAD are consistent with best practice on updated data. This will help minimise the risk of auditor challenges around data.

GAD reported it was able to use a very high proportion of the data provided for the 2020 valuation (98.8%). It is appreciated that addressing issues identified when reviewing extracts before submission can be time consuming. However, resolving data issues is essential for the valuation results to be robust and reliable, and to avoid the need for remedial action at subsequent valuations. GAD are keen for FRAs to maintain the level of data quality achieved at the 2020 valuation. GAD are happy to receive extract updates, for any data cleansing after the December deadline, as part of the February movement data update.

ACTION:

Scheme Managers: should ensure that high quality, timely data is shared with the administrator who will be doing the extract on their behalf.

Age Discrimination Remedy – Immediate Choice Remediable Service Statements (IC-RSS) rollout

On 2 August 2024, we [emailed](#) administrators to confirm that HMRC have responded on their official wording that they would like administrators to use in respect of tax on interest for remedy cases.

HMRC have provided information to be shared with affected members, which should be used immediately.

Any cases which have been processed based on our previous [email](#) of 19 June 2024, will need to be informed of this information from HMRC as there may be a follow up action for the member to take.

The information is available under the [Age Discrimination Remedy – Useful information](#) section of the member area of the [FPS regulations and guidance](#) website.

ACTION:

Administrators: Should ensure that they are providing this information to affected members.

Age Discrimination Remedy – Treasury Directions (Tax relief on contributions for active members)

You will be aware that on the ABS-RSS, the contribution adjustment for an FPS 1992/FPS 2006 (Special) legacy scheme member is quoted as the gross amount with interest having been calculated on this figure.

This is because, under the current Treasury Directions active members can only obtain tax relief in the usual way, i.e. through PAYE or self-assessment. This is why the Treasury Directions had to specify that for all non-active members i.e. deferred, pensioners and beneficiaries, any adjustments for contributions would be adjusted for tax relief at source (known as the **non-active tax relief method**) and paid as compensation.

We now know that HM Treasury (HMT) will be making amendments to these Directions to allow active members to be treated in the same way as non-active members; in other words, the **non-active tax relief method** can be used.

The amended Directions are not due to be laid before parliament until the Autumn. So, to ensure that this does not delay the production of ABS-RSS', HMT have confirmed that they are content for scheme managers to implement the amended Directions in advance of them being laid.

A [paper](#) which sets this out in more detail was shared with scheme managers on 20 August 2024.. The paper provided a recommended approach and asked for scheme managers to only respond should they **not** be content with the suggested approach. To date, the LGA have received no objections, it is therefore assumed that scheme managers are content with the recommendation set out in the paper.

It should be noted that this change only affects FPS 1992/FPS 2006 (Special) members, Standard FPS 2006 members who are due a contribution compensation payment are unaffected.

The [contribution adjustments factsheet](#) for members has also been updated to reflect this change and has been published on the [FPS member](#) website.

Additionally, we have provided the sector with some further [guidance on the contribution adjustment process](#) as well as some template member communications.

Finally, we can also confirm that we are in discussion with software suppliers in relation to updating the ABS-RSS template to reflect the net contribution position, however at this stage, we cannot provide any indication as to if/when the amendments will be made. With this in mind, we therefore strongly advise that, if you can produce an ABS-RSS ahead of any template changes, then please continue as planned. Should the member wish to settle their contribution adjustment the [guide](#) will talk you through the steps you need to take and provides you with all the communication material you need.

ACTION:

Scheme managers: to inform the LGA should they have any objections to the recommendations set out in the paper.

Age Discrimination Remedy – ABS-RSS statutory deadlines

In [FPS Bulletin 81 – May 2024](#) we published a [factsheet](#) that sets out the different statutory deadlines within the age discrimination remedy process, and the requirements that are needed to meet such deadlines.

We wanted to remind scheme managers and administrators of the **31 August 2024** deadline where it has been strongly encouraged that, where possible, a combined ABS-RSS is produced. If a combined ABS-RSS is not possible by 31 August 2024 then, to meet disclosure requirements, an ABS should be produced which illustrates the members correct roll back position. This should then be followed by an RSS no later than **31 March 2025** to meet the requirements of [Section 29 of the PSPOA](#) and [Direction 20 of HMT Directions](#).

Failure to comply with providing a rolled back ABS by 31 August 2024 will result in a breach of the law and The Pensions Regulator (TPR) have confirmed that they expect **all** breaches to be recorded and reported to them, regardless of whether the breach has been deemed material or not.

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TPR are very keen to get a clear picture of the impact of the Sargeant remedy on the public sector landscape and can only achieve this if schemes are transparent in their reporting.

ACTION: Scheme managers, administrators and local pension boards should familiarise themselves with the statutory deadlines, to ensure that they are adhered to.

If a statutory deadline cannot be met, it is important that, as per instructions from TPR, **all** breaches are reported, regardless of their materiality.

Local Pension Boards - are encouraged to gain assurance that statutory deadlines are adhered to and that any breaches that have occurred are recorded and appropriately reported to TPR.

GAD Guidance: CETVs (FPS 2006 and FPS 1992 addendum)

On 13 August 2024, we [emailed](#) administrators to inform them that the Government Actuary's Department (GAD) guidance for CETV's had been updated.

The updated documents have been added to [GAD guidance](#) section of the [FPS regulations and guidance](#) website.

ACTION:

Administrators: Should ensure that they are using the most up to date guidance with immediate effect.

Matthews – Clarification on outstanding HMRC queries

On 9 August 2024, we emailed administrators to confirm that HMRC had responded in respect of three outstanding queries we had with them:

1. Treatment of tax on interest,
2. Pension arrears arriving in a single year, and
3. Additional lump sum paid outside 12 months.

ACTION:

Administrators: Should take note of the content of the email before progressing with Matthews cases.

Matthews - Deceased firefighters death grant for extended limited period and additional death grants

We have recently update our [Employer Guide](#) in respect of the Matthews remedy and have expanded the information we had previously provided in relation to the treatment of deceased cases.

The additions to the guide should now adequately support FRAs in performing the necessary calculations set out in the [Firefighter's' Pension Scheme \(England\) \(Amendment\) Order 2023](#) of both the death grant for extended limited period ([Part 5, 1B](#)) and the additional death grant ([Part 5, 1C](#)).

Matthews – Tax on death grant lump sums

At the coffee morning of 8 August 2024 there was a question asked in respect of whether death grant lump sums were liable for tax. After consulting the [pensions tax manual](#), we can confirm the tax treatment of the lump sum paid on or after 6 April 2016 depends on how old the member was when they died, how long it takes to pay the lump sum and who receives the payment.

If the eligible individual was **under** 75 when they died, **and** the lump sum is paid within two years of:

- the date the scheme administrator/FRA first knew of the member's death, or
- if earlier, the date they could first reasonably have been expected to know of it.

the lump sum will be **tax free** unless the payment exceeds the deceased member's [lump sum and death benefit allowance](#).

The lump sum death benefit **is** taxable if:

- the eligible individual was 75 or older when they died, **or**
- the lump sum was not paid within the two-year payment period shown above.

In the circumstance whereby the eligible individual was 75 or older when they died, or the lump sum was not paid within the relevant two-year period FRAs should be deducting Income Tax using an [emergency tax code](#).

To support FRAs with consistent communications we have updated our template letters [Death grant confirmation of approval and bank details request](#) and [Death grant confirmation of payment](#), with some conditional paragraphs that explain their set of circumstances.

By way of assurance, we can confirm that the LGA have entered discussions with the Home Office in respect of whether any of the tax the beneficiary is liable for should be subject to compensation. We will ensure that the sector is kept up to date with such developments as these discussions progress.

Matthews – GAD calculator manual cases

We have been working closely with GAD to develop the process for “manual cases” which are not covered by the Matthews 2 calculator i.e. higher tier ill health retirements. To allow us to progress we are reaching out to any FRA who would be willing to share their higher tier ill health cases and assist GAD in testing the process. If you would like to be involved, please email the BluelightPensions@local.gov.uk.

Update your contact details

Readers will be aware that we carried out an exercise to update your contact details in [FPS Bulletin 76 – December 2023](#).

Going forward if you need to update your contact details, please complete the [contact details form](#) and return to bluelightpensions@local.gov.uk.

General technical query log

The [current log of queries and responses](#) can be accessed by practitioners in the member-restricted area of the FPS Regulations and Guidance website. The queries have been anonymised and divided into topics. The log is updated monthly in line with the bulletin release dates.

There have been no technical queries in August 2024.

Matthews and Age discrimination remedy Query logs

We have three query logs:

- Age Discrimination remedy technical query log
- Matthews technical query log
- Matthews GAD calculator query log

These logs record the technical queries we have been receiving under the age discrimination remedy, the Matthews exercise and the calculator queries that GAD have been receiving for in respect of the Matthews exercise.

The technical query logs can be accessed by practitioners in the restricted area of the FPS regulations and guidance website under the sections '[Age Discrimination remedy technical queries](#)' and '[Special members of the FPS 2006 technical queries](#)'.

The Matthews GAD calculator query log can be accessed through the tab 'Calculator query log' in the [Special members of FPS 2006 - GAD calculator](#) section of the FPS Regulations and Guidance website.

The queries have been anonymised. The log is updated monthly in line with the bulletin release dates.

If you do not have access to the member restricted area of the FPS regulations and guidance website, you can request access by contacting the bluelightpensions@local.gov.uk inbox.

As a reminder if you have a query relating to either the [Age Discrimination remedy](#) or [Matthews](#) GAD calculators you can email GAD using their dedicated inboxes

FirePoliceMcCloudTaxInterest@gad.gov.uk

Firematthewscalculator@gad.gov.uk

FPS England SAB updates

Response from Fire Minister

Further to our article in [FPS Bulletin 83 – July 2024](#), informing readers of the SAB Chair's letter to the Fire Minister. We are pleased to confirm that the SAB Chair has received a response dated 13 August 2024.

The [letter](#) is published on the [correspondence](#) section of the [FPS Board](#) website.

SAB website

You can use the links below to find out about the latest updates on the work of the SAB and its committees on the SAB website:

- [SAB membership](#)
- [SAB meeting and agenda papers](#)
- [Committee meetings and agenda papers](#)

Other News and Updates

The Pensions Dashboard Programme – Frequently Asked Questions Newsletters

PDP publish regular [FAQ newsletters](#) about the Pensions Dashboards and the Programme which you can find on their [website](#).

The Pensions Regulator - August newsletter

On 2 August 2024, TPR sent their monthly [Newslink](#), if readers would like to sign up to receive these directly, they can by emailing TPR at engagement@tpr.gov.uk.

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The Pensions Regulator - General Code

We reported in [FPS Bulletin 77 - January 2024](#) that the General Code ('the Code') had been published.

As a reminder scheme managers should not delay reviewing their own compliance against the code.

We are aware that some FRAs will have started to plan and report to their governance bodies on how they intend to review their own compliance against the Code, and some will have already completed their compliance review. All FRAs will have different starting positions and will need differing action plans and timescales to be able to demonstrate full compliance. There is no regulatory timescale to comply within the Code, but having a clear action plan setting out how and when the FRA is planning to address Code compliance has been strongly encouraged by TPR.

We suggest that Code compliance should be an agenda item for upcoming local pension board meetings if it has not already been considered.

ACTION:

Scheme managers: Should ensure that they review their compliance against the code.

Local Pension Boards: are recommended to include Code compliance as an agenda item to their meetings.

The Pensions Regulator - Nudge Campaign

During July, TPR commenced their nudge for Pensions Dashboard campaign and emailed their scheme manager contacts. This campaign is specifically for all public sector schemes and comes 15 months before the staging onto the Pensions Dashboards is due in October 2025.

The email titled 'get pensions dashboard ready', enables scheme managers to provide additional contact details within their FRA so that future Pensions Dashboard communications can be directed to the most appropriate person.

The Pensions Ombudsman - Recent determination

The Pensions Ombudsman recently determined a complaint about a £44,000 overpayment of a spouse's pension, which the scheme was seeking to recover by repayment.

The complainant sought to rely on a limitation defence, claiming that he and the administrator would have known about the overpayment sooner if the administrator had carried out reasonable diligence in respect of changes to his marital status.

In this case, the Ombudsman concluded that the administrator had acted with reasonable diligence by relying on explanations given at the point the pension came into payment and later reminders in annual newsletters to communicate the need for spouses to notify the administrator of changes to their personal circumstances.

A later change in process did not, in and of itself, mean that the earlier process was flawed. Therefore, recovery of the overpayment was not restricted by the Limitation Act and this part of the complaint was not upheld.

This case highlights the need for administrators to keep processes under review to make sure they remain fit for purpose – as the administrator had done in this case. The [full determination](#) is available on the TPO website.

HMRC

Newsletter 161 – August 2024

On 7 August 2024, HMRC published their [August newsletter 161](#).

Within this newsletter it covers:

- lifetime allowance (LTA) abolition
- relief at source
- pension flexibility data
- qualifying recognised overseas pension schemes transfer data
- Managing pension schemes service

Pension Commencement Excess Lump Sum (PCELS)

In [FPS Bulletin 83 – July 2024](#), we provided an update about the PCELS.

NPCC had been asked to confirm an outstanding query that the Home Office had received about whether the Police Pension Scheme allowed the payment of a PCELS and whether regulations needed to be amended.

The Home Office have taken the view that the Police Pension Scheme **does** permit the payment of the PCELS without the need for regulatory change.

We wanted to confirm that this also applies for the Firefighters' Pension Scheme.

[GAD's commutation guidance](#), dated 3 April 2023, mentions (paragraph 2.3) that tax charges may be due for members taking a lump sum above £268,275 for retirements on or after 6 April 2023, as this is when the lifetime allowance was removed and then abolished.

Administrators are reminded that each member's available Lump Sum Allowance (LSA) will depend on whether they have had any prior benefit crystallisation events as the guidance examples use a figure of £268,275. GAD will make this clearer in their guidance note review, which is underway and will be completed within this scheme year.

Events

Local Pension Board (LPB) Training Sessions

Further to [FPS Bulletin 77 – January 2024](#) where we let readers know that we launched our new LPB training.

We were excited to release the dates of the training as follows:

- Wednesday 18 September 2024 11:00 – 15:30 (In person - 18 Smith Square) *(bookings live on [LGA events](#) page)*

This session is ahead of 'day one' of the [Firefighters' AGM](#) which is also aimed at Local Pension Board members and scheme managers. We encourage you to attend both the training and the governance session, but please note you will need to book the two sessions separately through the [LGA events](#) page.

We are also pleased to release our 2025 dates as follows:

- Thursday 23 January 2025 10:00 – 14:00 (MS Teams) *(Fully booked)*
- Tuesday 25 March 2025 10:00 – 14:00 (MS Teams) *(Fully booked)*
- Monday 16 June 2025 13:00 – 17:00 (MS Teams) *(2 spaces left)*
- Wednesday 17 September 2025 11:00 – 15:30 (in person – 18 Smith Square)
- Thursday 22 January 2026 10:00 – 14:00 (MS Teams)

To book:

Please email bluelightpensions@local.gov.uk for the MS Teams sessions and we will announce when the booking link goes live for the 2025 in-person session at the LGA offices, 18 Smith Square, Westminster, SW1P 3HZ.

Attendees will hear from a range of speakers including:

LGA – to provide an overview of the FPS scheme(s) and current pension related hot topics e.g. Matthews and McCloud

SAB (England) Chair – to give an introduction and overview of the work that SAB are involved in.

Fire LPB Effectiveness Committee Chair – to provide input on LPB effectiveness and what the committee have been working on.

The Pensions Regulator – to provide an update on the Administration and Governance survey and how the results relate to Fire, as well as covering the importance of the Public Sector Pensions toolkit and any current developments e.g. the General Code.

The Pensions Dashboard Programme (PDP)/ The Pensions Regulator (TPR) – to provide an update on the programme and requirements on scheme managers/to provide detail of the tools that scheme managers can use to help them prepare for dashboards e.g. checklists.

ACTION: Readers are asked to make their LPB members aware of the training sessions and encourage them to book onto a session.

Firefighters Pensions AGM – 18 and 19 September 2024

We are pleased to announce that the final agenda has been published for our AGM.

The two-day programme allows delegates to network with fellow colleagues and hear the latest news on the Firefighters' Pension Scheme (FPS) from the scheme's key stakeholders.

You will hear important updates, from:

- The Home Office
- The Pensions Regulator
- First Actuarial
- The SAB legal advisor
- The Pension Dashboards Programme

Day one – Wednesday 18 September 2024 16:30 – 18:30

This will follow the [Local Pension Board training session](#) and is primarily for Scheme Managers and Local Pension Board members, day one of the conference will provide practical guidance on the role of the scheme manager and will offer the opportunity to network with counterparts in other FRAs.

Following this session there will be a drinks reception on the terrace from 18:45.

Day two – Thursday 19 September 10:00 – 15:30

Day two of the conference provides delegates with an annual update on the Firefighters' Pension Scheme from key stakeholders.

Bookings are open and the agenda has now been published on the LGA Events page:

[Day One](#)

[Day Two](#)

FPS coffee mornings

Our MS Teams coffee mornings are continuing in September 2024. The informal sessions lasting up to an hour allow practitioners to catch up with colleagues and hear a brief update on FPS issues from the LGA Bluelight team.

We are pleased to include the presentations from recent sessions below:

8 August 2024 – [GAD note and other topical items](#)

20 August 2024 – [Ill Health process](#)

If you do not already receive the meeting invitations and would like to join us, please email bluelightpensions@local.gov.uk. Please note that attendance at the coffee mornings is generally restricted to FPS practitioners and managers.

Useful links

- [The Firefighters' Pensions \(England\) Scheme Advisory Board](#)
- [FPS Regulations and Guidance](#)
- [FPS Member](#)
- [Khub Firefighters Pensions Discussion Forum](#)
- [FPS1992 guidance and commentary](#)
- [The Pensions Regulator Public Service Schemes](#)
- [The Pensions Ombudsman](#)
- [HMRC Pensions Tax Manual](#)
- [LGA pensions website](#)
- [LGPS Regulations and Guidance](#)
- [LGPC Bulletins](#)
- [LGPS member site](#)
- [Scottish Public Pensions Agency - Firefighters](#)
- [Welsh Government Fire circulars](#)
- Pensions Dashboards
 - [TPR guidance and checklist](#)
 - [DWP guidance on connection](#)
 - [PASA connection readiness guidance](#)

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Contact details

Raising a query

If you have a technical query, please complete the 'query form', that is available on the [member area](#) of the FPS regulations and guidance website and email bluelightpensions@local.gov.uk and one of the team's Firefighters' pension advisers will get back to you. To avoid delays in receiving a response, please avoid emailing advisers directly.

Claire Johnson (Senior Firefighters' Pensions Adviser)

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Email: claire.johnson@local.gov.uk

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07825 731 924

Email: Tara.atkins@local.gov.uk

Sandra Sedgwick (Firefighters' Pension Adviser)

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