



FPS Bulletin 90 - February 2025

Welcome to issue 90 of the Firefighters' Pensions Schemes bulletin.

We would encourage you to read this bulletin, taking note of and carrying out any relevant actions. This may entail escalating items, alerting colleagues where necessary, and circulating and discussing this bulletin in other forums including but not limited to others within your FRAs i.e. HR or Finance colleagues, Local Pension Boards and third-party administrators/payroll providers.



If you are looking for information on a certain topic, issue and content indexes are held on the <u>main bulletin page</u> 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	
FPS Technical Working Group	27 February 2025 22 May 2025 20 August 2025 24 November 2025
SAB	12 December 2024 19 March 2025 18 June 2025 11 September 2025 11 December 2025
FPS Communications Working Group	21 January 2025
Local Pension Board training	25 March 2025 (MS Teams) (fully booked) 16 June 2025 (MS Teams) (fully booked) 17 September 2025 (in person) 22 January 2026 (MS Teams) Refresher Training: 1 August 2025 (MS Teams)
LPB Chair Forum	29 April 2025
Administrator Forum	10 March 2025 22 April 2025 12 May 2025 9 June 2025
LGA FRA drop-in session	24 March 2025 23 April 2025 23 May 2025 23 June 2025

Induction Training	3 April 2025 (in person) 8 May 2025 (MS Teams)
III Health retirement training	28 July 2025 (MS Teams)
IDRP training	2 April 2025 (MS Teams)

Actions arising

Scheme Managers

Remediable Service Statements readiness: should discuss the points raised and what actions they need to take to decide whether they can use Section 20(10b) or to report a breach and to communicate with their members.

<u>Internal Dispute Resolution Procedure:</u> should consider the points raised and ensure that they have an IDRP policy in place, and if not take measures to do so.

<u>Training and Development:</u> are encouraged to allow their employees to attend the relevant training on offer, where it will help with their role and ongoing development.

<u>Local Penson Board Training</u>: Readers should make their LPB members aware of the training sessions and encourage them to book onto a session.

Administrators

<u>Annual Benefit Statement – Remediable Service Statements</u>: are encouraged to use the updated versions, however as they are a template they can be modified where cases require.

Remediable Service Statements readiness: should discuss the points raised and what actions they need to take to decide whether they can use Section 20(10b) or to report a breach and to communicate with their members.

Local Pension Boards

<u>Local Penson Board Training</u>: LPB members should make themselves aware of the training sessions and ensure that they maintain their knowledge and understanding and where relevant book onto a session.

Age Discrimination Remedy updates

Compensation

A query was raised with our colleagues NPCC, regarding whether compensating a member for advice in choosing options or making a submission was taxable as a 'Benefit in Kind'. HMRC have confirmed:

"Schemes will need to consider the basis on which they are paying compensation. Where compensation is paid under Part 1 of PSPJOA and in accordance with HMT directions, then regulation 44 of Finance Act 2020 makes provision to exempt these

compensation payments from income tax.

If there is a specific power or compensation type not covered by the above that you require specific advice on, then we would need a more detailed analysis of the type and the powers under which the scheme is making the payment."

Both NPCC and LGA are comfortable that advice/support to use the HMRC digital service is covered by the compensation in the Public Service Pensions and Judicial Offices Act 2022 (PSPJOA) and therefore we do not see that this would be treated as a Benefit in Kind.

HMRC Digital Service

We have been made aware of an issue for some members who use the HMRC digital service if they have a previously paid annual allowance tax charge with a different FRA during the remedy period to their most current FRA.

The member will need to enter the Pensions Scheme Tax Reference (PSTR) of the relevant scheme relating to when the tax charge was paid. This is because the member will have completed a self-assessment and, if they chose scheme pays, the PSTR will have been entered. HMRC will be matching this with the information provided in the HMRC Digital service. They will contact the member if they cannot trace payment under the PSTR the member provided.

In addition, HMRC will send any details about any compensation due via the Secure Data Exchange System (SDES) to the original scheme, rather than the most current one. This means that scheme managers may receive SDES files relating to members that they are no longer responsible for.

We are in discussions with HMRC about possible solutions and ways of working to deal with these issues and we are currently awaiting confirmation on a couple of areas from both HMRC and HMT. We will be providing guidance on these processes in due course.

Annual Benefit Statement Remediable Service Statements (ABS-RSS)

At their meeting on 21 January 2025 the communications working group reviewed the active and deferred ABS-RSS templates for 2025, to consider any feedback from members.

The revised templates have been shared with software suppliers and are published on the <u>Age Discrimination remedy – Remediable Service Statement</u> section of the <u>FPS regulations and guidance</u> website.

ACTION: Administrators are encouraged to use the updated versions, however as they are a template they can be modified where cases require.

Remediable Service Statements readiness

In our <u>coffee morning</u> session on 18 February 2025 we discussed and encouraged actions that scheme managers and administrators need to take in the run up to the deadline of 31 March 2025.

We particularly discussed a scheme manager's use of <u>section 29(10b)</u> within the PSPJOA and what constitutes as reasonable and what should be reported as a breach.

Section 29 requires a scheme manager to provide a remediable statement by the 'relevant date'.

The <u>legislation</u> then gives a member 12 months to make an election known as a 'section 6 election' from receipt of the remediable statement.

A **remediable statement** sets out options under remedy to a member and tells them how they make an election.

The **'relevant date'** is set by section 29 (10a) to be 18 months from the coming into force date (31 March 2025)



Section 29(10b) allows the scheme manager to set a later relevant date...

"as the scheme manager considers reasonable in all the circumstances in the case of a particular member or a particular class of member."

What is reasonable?

As the scheme is locally managed by the scheme manager of each 44 FRAs, the LGA cannot confirm the exact scenarios that are deemed as being reasonable, as these will need to be considered at a local level. We have however set out below what we believe you should consider.

How do you enact Section 29(10b)?

There is no statutory process you need to invoke; however, we recommend that you demonstrate that you have considered the following questions and can confirm how the member meets the test of 29(10b).

"The scheme manager needs to consider 'reasonable' and in what 'circumstances', in the statement "as the scheme manager considers reasonable in all the circumstances"

We believe that when considering the circumstances a scheme manager should consider the circumstance of a member, not the circumstance of a scheme manager i.e. where the scheme manager does not have something at the point of the calculation which means circumstances in which **they cannot reasonably calculate a correct RSS**. We have sent out below circumstances where we believe that this is relevant, but this is not an exhaustive list:

- 1. GAD guidance for a transfer/divorce
- 2. A club transfer from another public sector scheme
- 3. An ill-health re-assessment
- 4. Data from a previous FRA or administrator

- 5. Accuracy of data (if this is not something within the scheme managers control, such as historic record keeping from a previous administrator)
- 6. Individual is involved in both the Matthews and Sargeant remedy and have not yet been able to make their Matthews election, so has a direct impact on their Sargeant remedy choice.
- 7. Some other policy issue arising

"How would you define a 'class of member' in the statement "in the case of a particular member or a particular class of member", given there is <u>case law</u> **against** scheme managers applying blanket policies"

We do not believe that all members can be branded as a 'class' of member, we believe 'reasonable', 'circumstance' and 'class' are linked, a member must be able to have both the first two tests met for reasonable and circumstance to be categorised in a 'class' of members.

To assist members, we have created a <u>factsheet</u> on why an RSS may be delayed, which has been published on the <u>'What is remedy'</u> section of the <u>FPS member</u> website.

What is likely to be a breach?

Scenarios such as those illustrated below, we recommend reporting as a breach, (and consider whether the breach is materially significant to be reported to the Pensions Regulator):

Cases where there:

- has been a delay due to software development
- have been data issues (caused by lack of forward planning or thinking)
- have been delays, due to lack of resourcing

You may wish to review our <u>statutory deadline</u> factsheet which provides more details on breaches.

Communication

It is important that members are communicated with to manage their expectations.

We recommend that you communicate well:



Good Communications

Do:

- Be transparent
- State fact
- Apologise where relevant
- · Include relevant detail
 - When can they expect to receive their RSS
 - Where have you got to so far
 - What have your challenges been so far – give context
 - Have you reported a breach
 - Are you extending the relevant date and on what grounds

Do not:

- Play the blame game
- Air your frustrations

www.local.gov.uk

ACTION: Scheme managers and administrators should discuss the points raised and what actions they need to take to decide whether they can use Section 20(10b) or to report a breach and to communicate with their members.

Internal Dispute Resolution Procedure (IDRP)

We have received several queries relating to IDRP cases where members are starting to formally complain about not receiving their RSS by 31 March 2025.

It is important that you ensure you have processes in place, as each FRA should have a published IDRP policy.

You should also consider both the TPR's <u>single code</u> and the Pension Ombudsman's advice <u>'How to avoid the Ombudsman'</u>.

Particularly as it will be a more effective use of time to communication with members to manage their expectations, than it will be to respond to an IDRP case, where they do not know when to expect to receive their RSS.

We also have a published factsheet under the 'IDRP' tab of the <u>Guides and Sample</u> <u>documents</u> section of the <u>FPS regulations and guidance</u> website and we are working on providing a guidance note for decision makers which should be published in the same area within the next few weeks. We have also added IDRP training to the training agenda for 2025, as covered in our <u>Training and Development</u> section further on in the bulletin.

ACTION: Scheme managers should consider the points raised and ensure that they have an IDRP policy in place, and if not take measures to do so.

Matthews exercise updates

Amendments to the Firefighters' Pension Scheme: retained firefighters

On 10 February 2025, we emailed stakeholders to inform them that our draft response to the Home Office's <u>consultation</u> published on 23 December 2024 on the Matthews remedy had been published on the <u>consultation</u> section of the <u>FPS</u> regulations and guidance website.

We are pleased to confirm that this was submitted to Home Office on 17 February 2025, and the website has been updated with our final response.

FPS

Firefighters' Pensions: Top Up grant 2025 - Collection of pensions accounting

On Thursday 27 February 2025, Home Office <u>emailed</u> claim certifiers and claim administrators to provide an advance notification that they would be formally requesting the pensions accounting data for the 2025 top up grant in April 2025.

Promotion of FPS 2015 Supporting documents

Following a discussion at the Scheme Advisory Board last year, where the board were concerned that members were not aware of what the FPS 2015 offers a member, we have produced some promotional documents to help scheme managers publicise the FPS 2015 for their members.

The <u>factsheet</u> has been published on the <u>FPS 2015</u> section of the <u>FPS member</u> website.

The <u>slides</u> have been published on the <u>Training guides</u> section of the <u>FPS</u> regulations and guidance website.

2024 valuation data update

Thank you to all the FRAs who have provided the full valuation 'movement' data for the 2024 valuation ahead of the 28 February date requested. GAD look forward to receiving the remaining movement data from remaining FRAs.

GAD also note that they have now received 'stock' data for 2024 valuation from all FRAs. We are both very grateful for the efforts FRAs have made to get this information to GAD which will support the robustness of the valuation outcome. The team at GAD will be in contact with the individual FRAs if they have any queries as processing progresses over the coming weeks.

Matthews elections data

As a reminder, GAD have also asked FRAs to provide their data for final Matthews second options elections by Friday 2 May. This was initially announced in FPS

Bulletin 75 - November 2023, page 6.

The Matthews election data should include elections received from firefighters up to and including 31 March 2025. Data should be uploaded to the same online folder as the data extracts already provided using the Matthews 2 calculator bulk input format as described in <u>FPS Bulletin 75 – November 2023</u>. Only final elections to purchase benefits should be included.

GAD recognise that the FRAs are extremely busy and appreciate your continued hard work on collating the data for the valuation. If FRAs have any queries on either the movement data, GAD data checking tool, or the Matthews elections, please contact GAD at Fire.2020Valuation@gad.gov.uk

The Neonatal Care Leave and Pay (Consequential Amendments to Subordinate Legislation) Regulations 2025

On 24 February 2025, the Department for Business and Trade laid the <u>Neonatal Care Leave and Pay (Consequential Amendments to Subordinate Legislation)</u>
Regulations 2025.

The regulations come into force on 6 April 2025 and make changes related to neonatal care leave and pay. This is a new statutory entitlement for employed parents whose child receives neonatal care starting within 28 days of birth and goes on to spend seven or more continuous days in care. The entitlement applies to children born after 5 April 2025.

The regulations amend the definition of 'child-related leave' in Part 8, regulation 113(4) and Part 3 regulations 18(2)(c) and 18(2)(e) and Part 1, regulation 3, treating neonatal care leave similarly to most other types of child-related leave. Members on paid neonatal care leave are treated as receiving assumed pensionable pay. Members on unpaid neonatal care leave can choose to buy back their unpaid contributions.

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 <u>contact details form</u> and return to <u>bluelightpensions@local.gov.uk</u>.

General technical query log

The <u>current log of queries and responses</u> 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.

We have not responded to any technical queries in February 2025.

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 '<u>Age Discrimination</u> remedy technical queries and '<u>Special members of the FPS 2006 technical queries</u>'.

The Matthews GAD calculator query log can be accessed through the tab 'Calculator query log' in the Special members of <u>FPS 2006 - GAD calculator</u> 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 <u>Age Discrimination remedy</u> or <u>Matthews GAD</u> calculators you can email GAD using their dedicated inboxes

FirePoliceMcCloudTaxInterest@gad.gov.uk

Firematthewscalculator@gad.gov.uk

Training and Development

2025 Training and Development

In <u>FPS Bulletin 88 – December 2024</u> we informed readers that we were launching a training programme for 2025. We are pleased to confirm that we have added a new <u>Training and Development</u> section to <u>FPS regulations and guidance</u> website, which provides information on what training and qualifications we are offering.

The first set of induction training dates are now available to book. Induction training is aimed at new employees of FRAs who need to understand the history of the Firefighters Pension Scheme and the relevant pension areas and actions needed within an FRA.

We have also added two training dates to cover ill health retirements, and Internal Dispute Resolution Procedure (IDRP) which will be available to book in the coming week.

If there are any specific areas of training that you would like to see, please let us know via bluelightpensions@local.gov.uk or be part of our training working group.

ACTION: Scheme managers are encouraged to allow their employees to attend the relevant training on offer, where it will help with their role and ongoing development.

Local Pension Board (LPB) Training Sessions

All details of the LPB training sessions are included on the <u>'Training and Development'</u> section of the <u>FPS Board</u> website. The section sets out the dates that are available and how you book for these, as this will now be completed via a booking system, which is a change to the process.

*Please note that you will need to put NA in the box where it asks for the purchase order.

The full training is aimed at newer LPB members, where they need a more detailed session on the different areas of FPS and their role. For this session we invite other stakeholders to cover certain sessions, including TPR, PDP and the Chair of the SAB.

The refresher training session is aimed at LPB members who have already received LPB training, as they have a been a LPB member for a period already, and just require a bit of a refresher in their knowledge.

This training is provided by the LGA Team and will provide a reminder of the purpose of an LPB, the key role and responsibilities of all stakeholders and the current hot topics.

If you have booked onto the full training and think that the refresher training would be more suitable, please contact us and we can transfer your booking.

ACTION:

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

Events

FPS coffee mornings

Our MS Teams coffee mornings are continuing in March 2025. 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:

18 February 2025 – Remedy (Sargeant and Matthews) deadline and challenges

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.

FPS England SAB updates

Amendments to the Firefighters' Pension Scheme: retained firefighters

We are pleased to confirm that the SAB response to the Home Office's <u>consultation</u> published on 23 December 2024 on the Matthews remedy had been published on the <u>consultation</u> section of the <u>FPS Board</u> 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

New Head of Pensions

We are pleased to announce that following Jo Donnelly leaving the LGA yesterday, for her new role as CEO at the London Pension Fund Authority (LPFA), the new Head of Pensions will be Clair Alcock.

The sector will be familiar with Clair, as she has been supporting the Fire pensions team over the last few months. Clair brings an understanding of the roles and responsibilities of those in charge of overseeing, managing, and administering locally administered public sector schemes, having previously established the Firefighters Pension Scheme Advisory Board and national pension teams across police and fire.

Clair will join the LGA on Monday 19th May.

Firefighters' Pensions Adviser Role

We are pleased to announce that our Pensions Adviser role has been advertised.

This role offers an exciting opportunity to work as part of the pensions team at the LGA. The LGA pensions team works with and on behalf of authorities and other stakeholders across the Firefighters and Local Government pension schemes in England. As part of the team, you will play an important role in the legislative and administrative framework of some of the largest pension schemes in the UK.

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We are looking for a highly performing individual with strong analytical, research and problem-solving skills. The successful candidate will provide technical guidance and support to Fire and Rescue Authorities in their role as scheme manager, as well as specialist advice to Government departments on the development and implementation of pension policy changes.

You will lead on the delivery of projects, develop networks and work to maintain a positive and strategic reputation for the LGA within the fire sector.

You will also play a part in the secretariat function of the Firefighters' Pensions Scheme Advisory Board, its committees as well as development of governance around Local Pension Boards.

We encourage flexible working at the LGA. This post is offered as a home or office based (Westminster) contract. The salary for a home-based worker ranges from £48,710 to £55,189. The salary for an office-based worker includes London Weighting and ranges from £52,894 to £59,373.

The job is advertised on the LGA website: https://www.careers.local.gov.uk/job/firefighters-pensions-adviser-002142

If you are interested in this role or know someone that is and would like an informal discussion, please do not hesitate in contacting me tara.atkins@local.gov.uk, to find out more.

Pensions Dashboards Programme



Dashboard Programme – Publications

PDP publish regular <u>publications</u> about the Pensions Dashboards and the Programme which you can find on their <u>website</u>.

The Pensions Regulator (TPR)



Dashboards readiness survey

TPR will be sending their second dashboards readiness survey in March 2025.

We strongly recommend you complete the surveys to enable TPR to create a picture of the dashboards implementation progress across the public sector. All responses will be kept anonymous.

Pension scam blog

TPR published a blog entitled 'Working together to strengthen our defences against pension scams'. It highlights TPR's efforts to enhance intelligence to combat this type of scam.

The blog includes information on a webinar on 25 March 2025, where pension schemes can learn how to support TPR's efforts and hear updates from the Pension Scams Action Group.

Blog on 2025 plans

On 17 February 2025, TPR published <u>a blog titled 'Implementing our vision – what you can expect from us this year'</u> by Nausicaa Delfas, Chief Executive at TPR.

On 17 February 2025, TPR published <u>a blog titled 'Implementing our vision – what you can expect from us this year'</u> by Nausicaa Delfas, Chief Executive at TPR.

The blog encourages pension schemes to engage early with TPR to prevent problems arising later. It also outlines their 2025 plans, which include:

- data: emphasising the importance of better data and supporting schemes in raising standards, seizing new opportunities, and reducing regulatory burdens and frictions in information sharing with TPR
- **supervision**: continuing to change how they supervise the most strategically significant schemes, stating with master trusts
- innovation hub: launching an innovation hub to encourage industry to support market innovation and facilitate early-stage discussions on new models and ideas
- enforcement: setting out their future approach to enforcement and tackling serious crimes
- value for money: continuing to progress the value for money framework
- **climate change**: continuing to protect savers' outcomes from climate-related risks.

HMT

Confirmation of annual revaluation, earnings and pensions increase
On 11 February 2025, <u>HM Treasury (HMT) published a written ministerial statement</u> confirming the rates of annual revaluation, earnings and pensions increase due to apply from April 2025. The statement confirms:

- public service pensions will increase on 7 April 2025 by 1.7%, in line with the Consumer Prices Index for the year up to September 2024
- revaluation of 1.7% plus any local addition will be used in April 2025 to revalue CARE accounts in public service pension schemes that use prices as the measure of revaluation
- revaluation of 4.5% will be used in April 2025 to revalue the CARE accounts in public service pension schemes that use earnings as the measure of revaluation.

The Government will legislate for these changes in the coming weeks. We will publish the relevant Statutory Instruments when they become available on the <u>annual update Statutory Instruments</u> section of the <u>FPS regulations and guidance</u> website.

Pensions Increase multiplier tables

On 11 February 2025, HMT published the 2025 Pensions Increase multiplier tables and a covering letter. There are available on the <u>annual update Statutory</u> <u>Instruments</u> section of the <u>FPS regulations and guidance</u> website.

Wider Landscape

Inquiry on AI in banking, pensions and other financial services

The Treasury Committee has launched <u>an inquiry into the use of artificial intelligence</u> (AI) in <u>banking</u>, <u>pensions and other financial services</u>. This inquiry aims to understand the potential benefits and risks, including its impact on employment, financial stability and consumer protection.

The Committee is seeking input from various stakeholders, with a deadline of 17 March 2025.

Useful links

- o The Firefighters' Pensions (England) Scheme Advisory Board
- o FPS Regulations and Guidance
- o FPS Member
- o Khub Firefighters Pensions Discussion Forum
- o FPS1992 guidance and commentary
- The Pensions Regulator Public Service Schemes
- The Pensions Ombudsman
- o HMRC Pensions Tax Manual
- LGA pensions website
- LGPS Regulations and Guidance
- LGPC Bulletins
- o LGPS member site
- o Scottish Public Pensions Agency Firefighters

- Welsh Government Fire circulars
- Pensions Dashboards
 - o TPR guidance and checklist
 - o DWP guidance on connection
 - o PASA connection readiness guidance

Legislation

Statutory Instruments

The Neonatal Care Leave and Pay (Consequential Amendments to Subordinate Legislation) Regulations 2025 [2025/201]

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.

Tara Atkins (Senior Firefighters' Pensions Adviser)

Telephone: 020 7664 3031 (Teams Direct Dial)

Email: Tara.atkins@local.gov.uk

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