

FIREFIGHTERS' PENSION COMMITTEE (FPC)

NOTE ON THE 1ST MEETING OF THE FIREFIGHTERS' PENSION COMMITTEE HELD AT ODPM, ELAND HOUSE ON 13 OCTOBER 2004

A list of those attendees is attached in Annex A.

Introduction

1. Diana Kahn welcomed everyone to the meeting, explaining that she would chair the item 'New Pension Arrangements' which she proposed, with the agreement of the Committee, to take as the first item.
2. It was recorded that, with the abolition of the CFBAC, the Pension Sub-Committee (PSC) no longer existed: it would be replaced by the Firefighters' Pension Committee which will be the usual channel for consultation with the representative organisations. A copy of the terms of reference for the Committee is annexed.

1. New Pension Arrangements for Firefighters - Presentation

3. Diana Kahn told the Committee that the Deputy Prime Minister had just issued two consultation documents regarding new pension arrangements for firefighters:- 'Government Proposals for a New Firefighters' Pension Scheme' and 'Proposals for amendments to the Firefighters' Pension Scheme' together with Fire Service Circular 44/2004. These were being sent to stakeholders and placed on the ODPM website. The consultation period will last for 12 weeks and the closing date for responses will be 14 January 2005.
4. Diana Kahn advised the FPC that ODPM had organised a seminar on the 29 October 2004. More stakeholders would be present at this meeting and this would give opportunity to generate further discussion. Invitations will be sent out shortly.
5. Martin Hill gave a presentation to the FPC members on the new pension arrangements highlighting the proposals. Copies of his slides are attached.
6. In discussion three points were made:-
 - stakeholders would want assurances on the main details of the proposed death and injury benefits scheme proposals before submitting their response;
 - there was an issue about commutation if the minimum pension age was raised to 55 as factors reduced from age 52;
 - FRA's should be advising new recruits of the proposals to change the pension arrangements.

ACTION: ODPM to provide response to stakeholders on the first two issues raised.

2. Minutes of the 15th Meeting of the Pension Sub-Committee (PSC)

7. The minutes of the 15th meeting of the PSC were agreed.

3. Matters arising from the Minutes of the 15th PSC Meeting - FPC(04)1

8. *Retained firefighters' appeal for membership of the FPS* - Dave Patton of the FBU advised the Committee that the Retained Firefighters had sought leave to appeal, however he thought that with the publication of the two consultation documents, the FBU might want to have a second look at the whole situation before making a decision to proceed.
9. Under the current proposals retained firefighters will be eligible for membership of the new pension scheme which is expected to be introduced April 2006. Decisions would have to be taken on any arrangements for purchasing service.

4. Further amendments to the FPS - FPC(04)2

10. The Chairman introduced the paper by item:-

Disability Discrimination Act – The introduction of the Disability Discrimination Act (DDA) meant that amendment to the scheme was unavoidable to protect the FPS against the increased risk from firefighters admitted to the scheme who were unlikely to be fit for the roles of a firefighter through to retirement. There was discussion of the issues and reference was made to the amendments recently introduced into the Police Pension Scheme. In conclusion the Chairman said that ODPM would discuss with its Legal Adviser and bring forward an amendment to the FPS for further consideration by the Committee.

11. *Ranks to Roles* – There was brief discussion and the Chairman said that ODPM would prepare draft amendments to the FPS.
12. *Regular/Retained contracts of employment* – The Chairman said ODPM would bring forward a draft amendment to the FPS so that the Committee would have a clearer view of the intention.
13. *Protection of Pensionable Pay* – The Chairman said that the recent change to the definition of “regular firefighter” had highlighted the possibility that some FRAs might transfer firefighters to lower paid administrative posts as an alternative to ill-health retirement; this was not the intention of the amendment and an FRA's ability to do this is a matter of employment law and contract. The Chairman suggested that the FPS should be amended in order to protect pensions in such

instances e.g. pensions to be based on best pensionable pay in the last 10 years. Members of the FPC are invited to submit written comments by 31 October 2004.

14. *Purchase of additional 60ths* - Paper FPC(04)2 identified two approaches that the FPS can implement to enable part-time firefighters to purchase additional benefits. Members of the FPC are invited to submit written comments by 31 October 2004.
15. *Substitution of 'Brigade' for 'Fire and Rescue Authority'* - The Chairman advised that the changes are needed to reflect the new terminology of the Fire and Rescue Services Act 2004; a consequential order is being made to make the necessary amendments to a number of orders and this could be extended to include the FPS.

ACTION: Members to comment on proposals outlined in FPC(04)2 by 31 October; and thereafter ODPM to prepare a draft amending order.

5. Death and Serious Injury Compensation Scheme - FPC(04)3

16. The Chairman advised members that ODPM will be issuing a consultation document on a separate 'Death and Injury Compensation Scheme' in early 2005. This scheme would work in parallel with the FPS and the new pension scheme. The new scheme would include the death and injury compensation benefits that were previously part of the Grey Book.
17. Assurance was given that the principles of the death and injury packages would not be changed and the consultation would concentrate on how these benefits should be determined in the future e.g. the banding of injuries.
18. Des Prichard asked that the assurance which it was believed had been given to the CFBC in 2000 be re-issued. It was agreed that ODPM would search for the guidance and bring it to the attention of APFO, copying to other members of the Committee.

ACTION: Martin Hill to send Des Prichard APFO a copy of any CFBC assurances on the payment of injury awards that was issued in 2000.

Any Other Business

19. There was no other business discussed.

Next Meeting

20. The next meeting of the FPC will be held on 13 January 2005.

ODPM
October 2004

1st MEETING OF THE FIREFIGHTERS' PENSION COMMITTEE

Attendees

Diana Kahn	ODPM (for item on New Pension Arrangements)
Martin Hill (Chair)	ODPM
Jean Archer	ODPM
Eunice Heaney (Consultant)	ODPM
Anthony Mooney (Secretary)	ODPM
Ray Jennings	LGA
Dennis Musgrave	LGA
Fred Walker	LGA
Michael Hill	DHSSPSNI
Bertie Kennedy	DHSSPSNI
Ken Gibson	FANI
Jim Preston	SPPA
Karen Bradley	SEJD
Ken Thompson	CoSLA
Dave Patton	FBU
Des Prichard	APFO
Dr Will Davies	ALAMA
Glyn Morgan	FOA
Derek Chadbon	RFU
Ian Hayton	CFOA