

Retained Firefighter Opt-Out Member - FAQs

1. Who is this provision applicable to?

Para 7(1) of Part 15

This rule applies to a person who—

- (a) is a “retained firefighter opt-out member”, or
- (b) the spouse, civil partner or child of a “retained firefighter opt-out member” who is deceased.

2. What is the definition of a retained firefighter opt-out member?

Para 1 of Part 1

A retained firefighter opt-out member is defined as:

a retained firefighter who joined this Scheme on or after 6 April 2006 and either—

- (a) became a special member of this Scheme during any part of the extended limited period and opted out on or before 31 March 2015; or
- (b) elected to purchase service during the limited period but then ceased to pay periodic contributions such that rule [6B\(5\)\(c\) of Part 11](#) applied.

3. What can they purchase?

Para 7(2) of Part 15

A retained firefighter opt-out member may elect to pay pension contributions in respect of the service during the part of the extended limited period during which the retained firefighter opt-out member or deceased firefighter opt-out member opted out or ceased to make periodic contributions such that rule [6B\(5\)\(c\) of Part 11](#) applied.

When FRAs are reading this guidance, reference to opted-out periods should also be taken to include the period where contributions have not been paid for those members who ceased to pay mandatory special period contributions after the first options exercise.

4. When does the FRA need to notify them by?

Para 7(4) of Part 15

The FRA must use reasonable endeavours to notify the retained firefighter opt-out member of their eligibility to purchase opted-out service **by 1 June 2026**.

A [template letter](#) has been provided for FRAs to use.

5. When does the member need to express their interest by?

Para 7(7) of Part 15 and Para 7(8) of Part 15

An application must be made within six months of the receipt of the notification under [Para 7\(4\) of Part 15](#).

Where the retained firefighter opt-out member did not receive a notification from the authority, despite the authority using reasonable endeavours to notify them, an application may be made after this six month period.

6. How does the member express their interest?

Para 7(6) of Part 15

A retained firefighter opt-out member must make an application in writing and it must state—

- (a) the date on which the retained firefighter opt-out member took up employment as a retained firefighter;
- (b) if the retained firefighter opt-out member has left employment, the date on which they left;
- (c) the date on which the retained firefighter opt-out member joined this Scheme, and if they already joined this Scheme as a special member, the period of service 10 the retained firefighter opt-out member has already elected to purchase under rule 6A of Part 11; and
- (d) the date on which the retained firefighter opt-out member opted-out of this Scheme.

A [template expression of interest form](#) has been provided for FRAs to use to ensure members can provide the right information. This application form has been designed to be used for those members who have already joined the scheme and this is a new entitlement for them.

Where the FRA has not yet complied with the requirement to notify eligible members of their entitlement to join the modified FPS 2006 under the second options exercise (should have been by 30 December 2023) the [existing expression of interest form](#) has been adapted to accommodate this requirement.

7. How long does the FRA have to provide the statement?

Para 7(11) of Part 15

The FRA must provide the applicant with a statement of the purchasable service, pensionable pay and contributions due within three months of receiving an application from the retained firefighter opt-out member.

8. What information does the statement have to contain?

Para 7(11) of Part 15

The FRA must give the applicant a notice setting out—

- (a) the period of service during the opt-out period which the person may purchase;
- (b) the amount of mandatory special period pension contributions payable (and any additional contributions due for those members who ceased to pay contributions after the first options exercise) plus interest, in respect of the opt-out period;
- (c) the pensionable pay and, where applicable, the final pensionable pay which the authority have determined was paid during the period to which the entitlement relates.

Para 7(9) of Part 15

The FRA must determine the retained firefighter opt-out member's service and pensionable pay during the opt-out period in accordance with rule [5C of Part 11](#).

The GAD calculator will be provided for FRAs to carry out this calculation. It is anticipated that this will be available by the end of June 2026. LGA will work with the sector to design template statements for this purpose and provide these as soon as reasonably practicable.

9. What does the member have to do if they wish to go ahead?

Para 7(10) of Part 15

Where a retained firefighter opt-out member makes an application and is provided with a statement of service and costs, they must make an election in writing to purchase the pensionable service in respect of the opt-out period and pay the mandatory special period pension contributions due.

The retained firefighter opt-out member must make an election as soon as reasonably practicable after receiving their statement under para 7(3)(a) of Part 15 but in any event, not later than the date falling 12 months after the notification under [Para 7\(4\) of Part 15](#)

10. How does the member repay the contributions?

A retained firefighter opt-out member who makes an election to pay the mandatory special period pension contributions would do so in line with rule 6A (4) of Part 11.

The retained firefighter opt-out member would have the option to pay the contributions by periodical payments or by a lump sum.

11. Are there any restrictions?

Para 7(12) of Part 15

A retained firefighter opt-out member may elect to pay pension contributions in respect of the service during the part of the extended limited period during which the retained firefighter opt-out member or deceased firefighter opt-out member opted out or ceased to make periodic contributions such that rule [6B\(5\)\(c\) of Part 11](#) applied.

However, this period does not include any period of service in respect of which the person paid

- (a) pension contributions under this Scheme as a standard member, or
- (b) special pension contributions under this Scheme as a special member in relation to service during the limited period which the person elected to purchase

Glossary

<p>Extended limited period</p>	<p>means the period beginning on the date on which the person was first employed as a retained firefighter and ending on the earliest of—</p> <ul style="list-style-type: none"> (a) the date, if applicable, on which that person joined this Scheme as a special member or as a standard member in respect of service which that person could otherwise reckon as special pensionable service; (b) the date, if applicable, on which that person ceased to be employed as a retained or a regular firefighter, and (c) 31 March 2015
<p>Limited period</p>	<p>means the period beginning on 1 July 2000 or if later, the date falling before 6 April 2006, on which the person was first employed as a retained firefighter and ending on the earlier of—</p> <ul style="list-style-type: none"> (a) the date on which that person joined this Scheme as a special member or as a standard member in respect of service which he could otherwise reckon as special pensionable service, and (b) the date, if applicable, on which he ceased to be employed as a retained or regular firefighter
<p>Mandatory special period</p>	<p>Mandatory special period means—</p> <ul style="list-style-type: none"> (a) in relation to service purchased following an application made under rule 5A of Part 11 (purchase of service during the limited period), that part of a person's service during the limited period beginning on the date selected by that person before 6 April 2006 and ending on the earlier of— <ul style="list-style-type: none"> (i) the date on which the person joined this Scheme as a special member or as a standard member in respect of service which the person could otherwise reckon as special pensionable service, and (ii) the date, if applicable, on which the person was dismissed or retired from employment as a regular or retained firefighter; (b) in relation to service purchased following an application under rule 5B of Part 11 (purchase of service during the extended limited period), that part of a person's service during the extended limited period beginning on the date selected by that person before 6th April 2006 and ending on the last day of the extended limited period. (c) in relation to service purchased following an application under rule 7 of Part 15 (Retained firefighter opt-out member), that part of a retained firefighter opt-out member's

	service during the extended limited period in which they had opted-out of membership of this Scheme, or had ceased to pay periodic contributions such that rule 6B(5)(c) of part 11 (election to purchase service during the limited period or the extended limited period) applied;
Mandatory special period contributions	Mandatory special period pension contributions means the special pension contribution payable in respect of a special member's service during the mandatory special period under rule 6A of Part 11 together with any interest payable in respect of that contribution in accordance with rule 6A(13) ;