

FPS Induction Training

The Bluelight Team

Autumn 2024

www.local.gov.uk

Agenda

Welcome and Introductions

Introduction to the Firefighters' Pension Scheme(s) (FPS)

Sargeant and Matthews

Contingent Decisions

Retirement Process

- Ill Health and injury retirement
- Re-engagement and abatement
- Protected Pension Age
- Authority Initiated Retirement

What else?

- BAU
 - Local Pension Boards
 - Reference materials
-

•HELLO.
welcome

Introductions

Bluelight team

Claire Johnson (on maternity leave)

Senior Firefighters' Pension Adviser

Tara Atkins

Firefighters' Pension Adviser

Bluelightpensions@local.gov.uk

Time to hear from you....



Name



Where do you work



What's your role



How long have you been in this post?



What are the challenges you are facing



What do you want to achieve from today's training?

Why are we here?



LGA - Role and responsibilities

To support scheme managers with their responsibilities for the administration and management of the FPS.



Provide central guidance and support on national issues.



Provide regular training and access to [forums and groups](#), and [events and conferences](#).



Provide technical support on matters relating to the FPS.

To provide effective and professional support for the governance arrangements of the Firefighters (England) Scheme Advisory Board and its members.



Support the facilitation of meetings of the Board and its sub committees.



Ensure that the Board has relevant advisors at its disposal.



Support the Board with their duties in relation to LPBs

Who else is involved?

- Scheme Advisory Board (SAB)
- Home Office (HO)
- Government Actuaries Department (GAD)
- Treasury (HMT)
- Unions



Administration and management

- There are 44 Fire & Rescue Authorities in England
- Responsible for the management and administration of the scheme and are defined in law as the [scheme manager](#)
- This responsibility is managed differently within each FRA depending on their governance arrangements
- Each FRA is required to administer the scheme
- Currently 11 different pension administrators across the 44 FRAs, a list of Authorities and their administrators can be found [here](#).



Introduction to the Firefighter Pension Scheme(s)

Fire Service Employees

Grey Book – Fire Pension Scheme (FPS)

Green Book – Local Government Pension Scheme (LGPS)

[Local Government Pension Scheme \(LGPS\) - GOV.UK \(www.gov.uk\)](http://www.gov.uk)



Who do you think is eligible



Eligibility

- **Regular' firefighter:**

(a) A person who is employed-

(i) by a fire and rescue authority as a firefighter (whether whole-time or part-time), other than as a retained or volunteer firefighter; and

*(ii) on terms under which he is, or may be, required to engage in fire-fighting or, without a break in continuity of such employment, may be required to perform other duties appropriate to his role as a firefighter (whether instead of, or in addition to, engaging in fire-fighting) and **whose employment is not temporary;***

Eligibility

- **Retained' firefighter –**

A person who is employed by an authority-

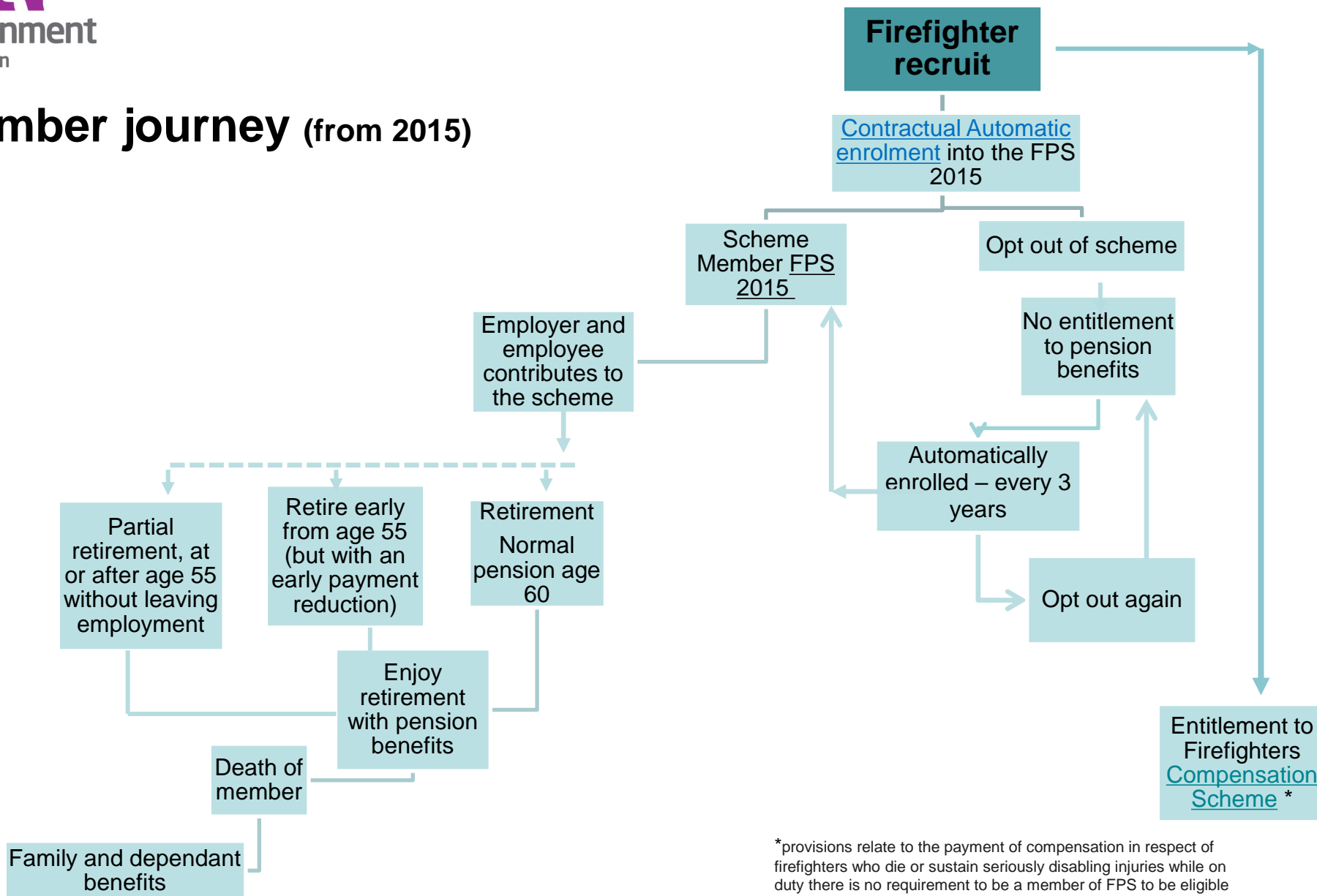
(a) as a retained firefighter, but not as a regular firefighter or a volunteer firefighter,

(b) on terms under which he is, or may be, required to engage in fire-fighting or, without a break in continuity of such employment, may be required to perform other duties appropriate to his role as a firefighter (whether instead of, or in addition to, engaging in fire-fighting),

*(c) **otherwise than in a temporary capacity**, and*

(d) who is obliged to attend at such time as the officer in charge considers necessary, and in accordance with the orders that he receives;

Member journey (from 2015)



*provisions relate to the payment of compensation in respect of firefighters who die or sustain seriously disabling injuries while on duty there is no requirement to be a member of FPS to be eligible

Maternity / Adoption / Parental / Carers Leave



Contributions during child-related leave

- During child-related leave the member pays contributions on whatever rate of pensionable pay received (including statutory pay).
- If the member is not entitled to receive any pensionable/statutory pay during a period of **ordinary** maternity, paternity or ordinary adoption leave, they would be treated as if they had paid contributions.
- If the member is not entitled to receive any pensionable/statutory pay during a period of **additional** maternity or adoption leave, parental leave or shared parental leave, there is the option to pay contributions on "assumed pensionable pay", i.e. the pensionable pay that would have received but for the leave.
- Payment can be made, within certain time limits, by lump sum or in instalments from your salary, as agreed with your employer. The FRA would pay employer contributions on the assumed pensionable pay.

Pension Scheme Enrolment.

Contractual Enrolment

FPS regulations require for an employee who is eligible to be enrolled into the FPS, by virtue of their contract of employment.

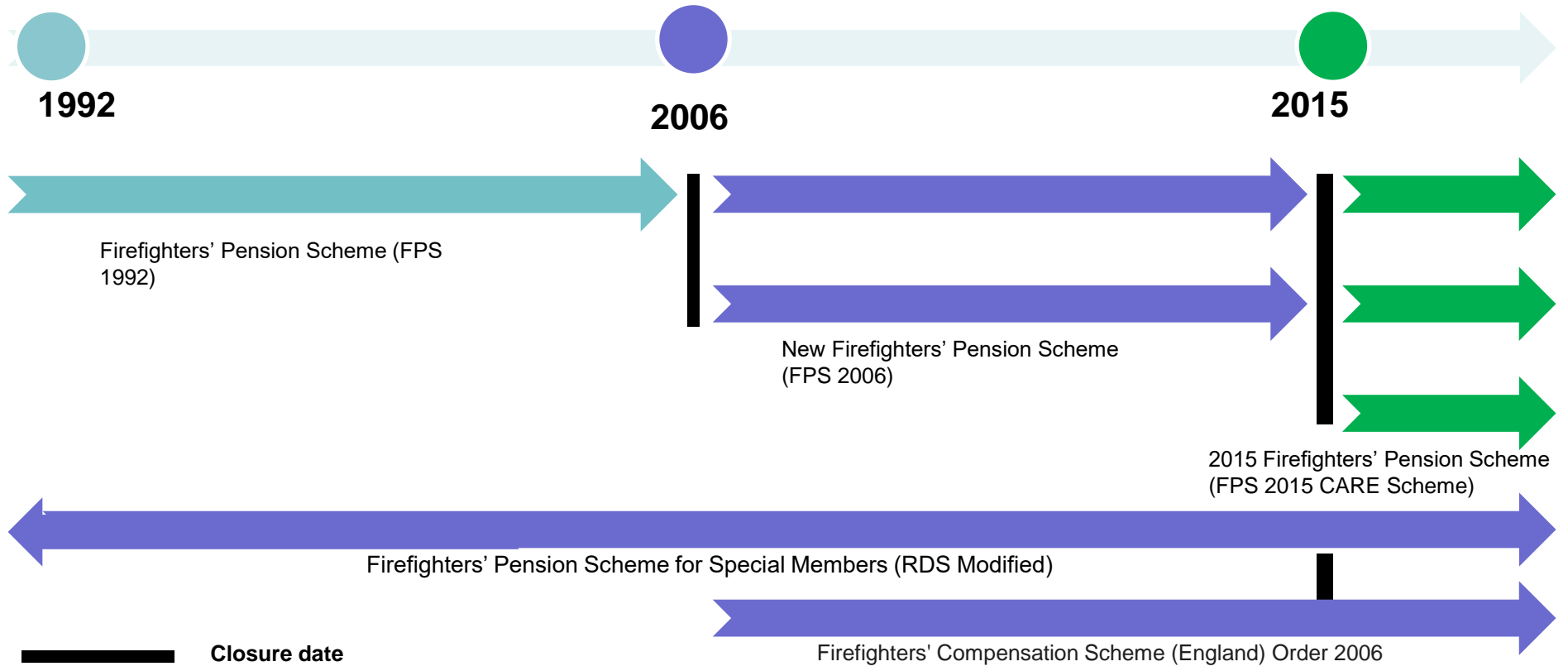
The FPS is a 'qualifying' workplace pension for purposes of auto enrolment. If a member opts out of the FPS following contractual enrolment FRAs are required to reenrol them on their relevant automatic reenrolment date.

[Opting in, joining and contractual enrolment - automatic enrolment detailed guidance for employers | The Pensions Regulator](#)

Automatic Enrolment

Under the Pensions Act 2008, [regulations](#) were introduced that require employers in the UK to enrol their employees into a workplace pension scheme and contribute towards it.

Firefighter Pension Scheme – Timeline



Background to the Firefighters' Pension Schemes

Up to 18 years ago...
there was one scheme



1992 Firefighter Pension Scheme

- Open to regular firefighters
- Final Salary scheme
- 1/60th accrual rate
- Double accrual after 20 years
- Maximum service is 30 years
- Earliest retirement age 50 (with at least 25 years' service). Restriction on lump sum
- Normal retirement age 55 (irrespective of service)
- Can commute up to 25% of pension (but may be subject to unauthorised payment charges)
- Actuarial commutation factors
- Injury benefits
- Built in ill-health benefits/life cover
- Pension for Widow's/Children
- Deferred pension age 60
- Closed to new entrants from 06/04/2006

Then in 2006...



2006 Firefighter Pension Scheme

- Open to regular and retained firefighters from 6th April 2006
- 1/60th accrual rate
- Maximum service 40 years
- Retirement age 60
- Earliest retirement age 55 (subject to reductions)
- Final Salary Scheme
- Commutation based on 1 : 12 ratio
- Can commute up to the lesser of 25% of pension or amount before unauthorised payment charge is applicable
- Built in ill health benefits/life cover
- Pension benefits for Partners/Children
- Deferred pension age 65

Compensation scheme

Firefighters' Compensation Scheme –

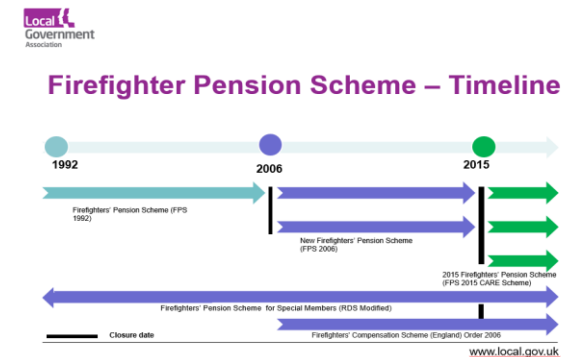
The provision for the payment of pensions, allowances and gratuities to and in respect of persons who die or are permanently disabled as the result of an injury sustained or disease contracted while employed by a fire and rescue authority

Compensation scheme

- Scheme applies to ‘regular’ and ‘retained’ firefighters, and their spouses or civil partners and dependents
- Qualifying injury (Injury includes disease)
 - received by a person, without his own default, in the exercise of his duties as a regular or retained firefighter
- Qualifying injury in the ‘exercise of his duties as a regular or retained firefighter’
- Degrees of disablement
 - Extent the qualifying injury has caused or contributed to the permanent disablement
 - Determined by the degree to which their earnings capacity has been affected as a result of a qualifying injury
- Not eligible if employment is temporary
- Requirement of the FRA to carry out reviews of injury pension awards
- Qualifying member needs to make a claim for certain DWP benefits e.g. Industrial Injuries Disablement Benefits, Employment & Support Allowance

What happened next

In 2010 the coalition government commissioned Lord Hutton to review public sector pensions. In his [final report](#) in 2011 Lord Hutton recommended that the existing final salary pension schemes should be closed and a new pension scheme made available for public sector workers.



Timeline

2010

- Review of public sector pensions – final salary pension schemes to close and new pension available (protections members of the scheme who would be 55 by 31 March 2022. It also provided for [tapered protection](#))
- Legal challenge by the Fire Brigades Union (FBU) on behalf of members as to whether these protections constituted direct age discrimination, and indirect race and sex discrimination

2013-2014

- Government enacted [Public Service Pensions Act 2013](#) Act which included protections under [Part 2](#) and [Part 3](#) of Schedule 2

2015

- New CARE scheme comes into force

2018/19

- High court rules in favour of Sargeant/McCloud

2022

- Prospective regulations came into force – “Phase 1 of Remedy”

2023

- Retrospective regulations came into force – “Phase 2 of Remedy”



From 2015...



Special Members of the 2006 Firefighter Pension Scheme

- Ability for retained/on-call employees excluded from a scheme from 2000-06 to join a scheme similar to the FRS 1992.
- Benefits reflect 1992 scheme (in part)
- Incorporated into 2006 scheme
- Accrual rate 1/45th
- Normal pension age 55
- Deferred pension age 60
- Can commute up to the lesser of 25% of pension or amount before unauthorised payment charge is applicable
- Commutation based on 1:12 ratio
- Built in ill health benefits/life cover
- Pension benefits for Partners/Children
- The options exercise ended September 2015

2015 Firefighter Pension Scheme

- All members transferred in April 2015
- Transitional protections apply for existing members of 1992/2006 scheme
- Accrual rate 1/59.7ths
- Retirement Age 60
- Earliest retirement age 55 (subject to reductions)
- Career Average scheme
- Can commute up to the lesser of 25% of pension or amount before unauthorised payment charge is applicable
- Actuarial commutation factors
- Scheme year runs from 1 April to 31 March
- In-service revaluation applied each year
- Age addition increases applicable
- Individual Pension accounts
- Deferred pension age equal to State Pension Age (min 65)

Scheme comparison

Feature	1992 Scheme	2006 Standard Scheme	2006 Scheme Special Members	2015 Scheme
Basis of pension	Final Salary	Final Salary	Final Salary	(CARE)
Accrual rate	40/60ths 1/60 th (2/60 th after 20 years)	1/60 th	1/45 th	1/59.7 th
Benefit / Membership Cap	30 years	45 years	30 years	None
Normal pension age	55	60	55	60
Deferred pension age	60	65	60	State Pension Age
Revaluation rate	n/a	n/a	n/a	Average Weekly Earnings

Now from 2022.....



Ill-health Retirement Process

Ill health step by step

- Resources
- Qualifying criteria and entitlement
- The FRA and their role – Pre IQMP
- The IQMP and their role
- The FRA and their role – Post IQMP
- Appeals
- Reviews
- Consequences of review
- Injury on Duty (IOD)
- Reassessment due to remedy

Resources



What we have

[Ill Health process guidance](#)

[IQMP guidance on early payment of deferred pensions](#)

[IQMP guidance \(4th Edition\)](#)

[Template Certificates](#)

[IQMP Contacts](#)



What we are working on

Ill Health member guidance

Injury member guidance

Updating IQMP guidance

Ill-health and injury section – Member area

Ill-health and injury

While the FCWG continue to review the IQMP forms and guidance, we felt it would be helpful to collate all existing resources [Edit](#) into a central location.

The following page contains information and resources to assist practitioners in administering ill health and injury benefits to members.

The resources section contains guidance and training materials.

The subsequent sections are divided by scheme and contain certificates that were prepared in 2015 and circulated as drafts for authorities to use if they wished. Note, however, that these forms have not been endorsed by the LGA or the Home Office. Authorities should satisfy themselves that the certificates meet all of their requirements and do not leave the opinion open to challenge

Latest news	▼
IQMP/IQMP provider contact information	▼
Resources	▼
Medical appeals	▼
FPS 1992	▼
FPS 2006	▼
FPS 2015	▼
FCS	▼
Severe ill health	▼

You are here: [Home](#) / [Member Area](#) / Ill-health and injury

Login Form



Hi Tara Atkins,

[Log out](#)



Qualifying criteria – Active members

- [Part 5, chapter 4, regulations 65 to 69](#) of the FPS 2015 provide a provision for members to retire early on the grounds of ill health
- For active members, a basic structure of a two-tier ill-health retirement system applies. These tiers are formally referred to as lower and higher
- All active members moved into FPS 2015 on 1 April 2022
- All active ill health retirements are therefore assessed and paid from FPS 2015

Qualifying criteria

Lower	Higher
<ul style="list-style-type: none">• the <u>member</u> deemed incapable of performing any of the duties of the <u>role</u> in which the <u>member</u> was last employed because of incapacity of mind or body and this incapacity will continue until <u>normal pension age</u> (60);• the <u>member</u> has three months of <u>qualifying service</u>;	<ul style="list-style-type: none">• the <u>member</u> is deemed incapable of undertaking <u>regular employment</u>* because of incapacity of mind or body and this incapacity will continue until <u>normal pension age</u> (60);• the <u>member</u> has at least five years of <u>qualifying service</u>

*Regular employment is defined as:

“employment for at least 30 hours a week on average over a period of not less than 12 consecutive months

beginning with the date on which the issue of the person's capacity for employment arises”

Entitlement

Lower	Higher
Immediate payment of accrued pension up to date of leaving	Immediate payment of accrued pension up to date of leaving + Enhancement to NPA

Actuarial reductions do not apply

What about deferred members?

- There is no tiered system for deferred members
- Qualifying criteria is as follows:

FPS 1992	FPS 2006	FPS 2015
<ul style="list-style-type: none"> • the <u>member</u> is deemed incapable of firefighting because of infirmity of mind or body and this incapacity will continue until <u>deferred pension age</u> • the <u>member</u> is deemed incapable of undertaking <u>regular employment</u> because of infirmity of mind or body and this incapacity will continue until <u>deferred pension age</u> (60) 	<ul style="list-style-type: none"> • the <u>member</u> is deemed incapable of undertaking <u>regular employment</u> because of infirmity of mind or body and this incapacity will continue until <u>deferred pension age</u> (65) 	<ul style="list-style-type: none"> • the <u>member</u> is deemed incapable of undertaking <u>regular employment</u> because of infirmity of mind or body and this incapacity will continue until <u>deferred pension age</u> (state pension age, with a minimum of 65)

Entitlement

Deferred

Immediate payment of deferred benefits

Actuarial reductions do not apply

The FRA and their role – Pre IQMP

- Reasonable adjustments
- Re-deployment
- Open communications with the member, union or personal representative
 - What you're doing
 - Why you're doing it
 - Potential outcomes

Division of duties - HR or OH?

- Consent to request medical information
- Preparation of medical information
- Selection of IQMP
- Referral to IQMP

IQMP Bundle

- Detailed covering letter
- Appropriate [certificate](#)
- Job description
- Occupation health notes
- Capability assessment
- GP notes
- Consultant notes, x rays, scans etc.
- Accident reports (in the case of IOD)
- Anything else?

Best practices

Involve the member in the referral process

Ensure any formal discussions are documented

Allow them to submit their own evidence

Allow them to see the bundle before it goes to the IQMP

Ask for informed consent of release of IQMP report

[III Health Process guidance](#)

The IQMP and their role

The [scheme manager](#) must request an [IQMP](#) to provide an opinion on the following issues for the purpose of determining any question arising under [this scheme](#)—

- a) whether a person is incapable of performing any duties of the [role](#) in which that person was last employed because of incapacity of mind or body;
- b) whether the incapacity in sub-paragraph (a) above is likely to continue until [normal pension age](#) or [deferred pension age](#), as the case may be;
- c) whether a person has become capable of performing any duties of the [role](#) from which that person retired on grounds of ill-health;
- d) whether a person is or has become capable of undertaking [regular employment](#); or
- e) any other issue wholly or partly of a medical nature.

What is an IQMP?

The regulations define an IQMP to be:

“A medical practitioner holding a diploma in occupational medicine, or an equivalent or higher qualification issued by a competent authority in an EEA State, or being an Associate, a Member or a Fellow of the Faculty of Occupational Medicine or an equivalent institution of an EEA State; and for the purposes of this definition “a competent authority” has the meaning given by section 55(1) of the Medical Act 1983;”

Where can I find one?

[IQMP contacts](#)

- These IQMP's are not endorsed by LGA or Home Office.
- It is up to each FRA to carry out their own due diligence.
- Some OH providers will have their own IQMP.
- You may want to consider this as part of any tender process.
- You do not need to inform the LGA of which IQMP you use, but they must hold the appropriate qualifications defined by the regulations which they will declare when they complete the relevant ill health certificate.

Good to know

The IQMP does not act as an occupational health advisor to the FRA.

The IQMP must certify that they haven't had any prior involvement in the case.

If there is any doubt about any procedural issue the IQMP should contact the FRA before proceeding further.

The IQMP is under an obligation to ensure that they are competent in performing the IQMP role and have the necessary knowledge and skills to perform this role.

The IQMP is required to have an awareness of relevant case law.

The IQMP should have regard to Pension Ombudsman guidance.

The IQMP should ensure that they clearly understand the job that the member performs or, in the case of a review, last performed in the Fire and Rescue Service.

The IQMP is under no obligation to examine the member.

The FRA and their role – Post IQMP

‘The IQMPs decision is binding, but do not accept blindly’

IQMP report and certificate

A member is required to provide consent to release IQMP report. This could be:

In full

In part

(may not want all medical evidence being shared)

Not at all

If member does not provide consent, then there may be no option other than to go with the certificate, or without medical evidence, as per Part 12, Chapter 1, regulation 152 (7) which could mean that eligibility has not been met.

Case law

Mrs G – (CAS-29778-J8R1)

Ill Health retirement

“If the College had read the medical report carefully it would have noticed the first IRMP had provided his opinion based on the wrong date”

“On receipt of the second IRMP opinion the College needed to understand the IRMP’s reasoning and not adopt the IRMP’s conclusion without question. In particular; - Where there is insufficient information or uncertainty, clarification must be sought from the IRMP”

“Where there is conflicting medical evidence the College must be clear that both have been considered and why one has been given more weight than the other”

“The question of untried treatments must be addressed properly. The IRMP must give their opinion of the likely effects of untried treatment and the prognosis”

Routes of appeal



Review of medical opinion

28 days
New evidence
Submit to same IQMP



Board of medical referees'
referral

28 days
Disagrees with Scheme Manager
determination



IDRP

Non-medical issues i.e.
administration

Reviews



Regulatory requirement



IQMP to give steer on suggested date, however, Scheme Manager has ultimate discretion



Different IQMP



Consent and evidence gathering required

Timescale of reviews

FPS 1992	FPS 2006/Special FPS 2006	FPS 2015
<ul style="list-style-type: none"> • Individual has been in receipt of an ill health pension for less than 10 years, and • is under the age of 60 	<ul style="list-style-type: none"> • Individual has been in receipt of an ill health pension for less than 10 years, and • is under state pension age 	<ul style="list-style-type: none"> • Individual has been in receipt of an ill health pension for less than 10 years, and • is under deferred pension age
<p>At intervals as the scheme manager considers appropriate.</p>		
<p>An IQMP should consider whether the member has become capable:</p> <ul style="list-style-type: none"> (i) of performing any duty appropriate to the role from which they retired on grounds of ill-health, and (ii) of undertaking regular employment. 		

Consequences of review

Lower	Higher	Deferred
Entitlement removed	Entitlement reduced to lower tier Or Entitlement removed	Entitlement removed

Ill health pensions cannot be uprated

Injury on Duty – Useful to know



Determined at the outset of discussions with member.



Considered at the same time as ill health referral.



FRA to select 3 suitable, alternative occupations

Regard given to skills, experience, qualifications and training as well as the individuals capabilities

Best practice



Request capability assessment from OH



Ask member to provide details on training, qualifications, experience etc.

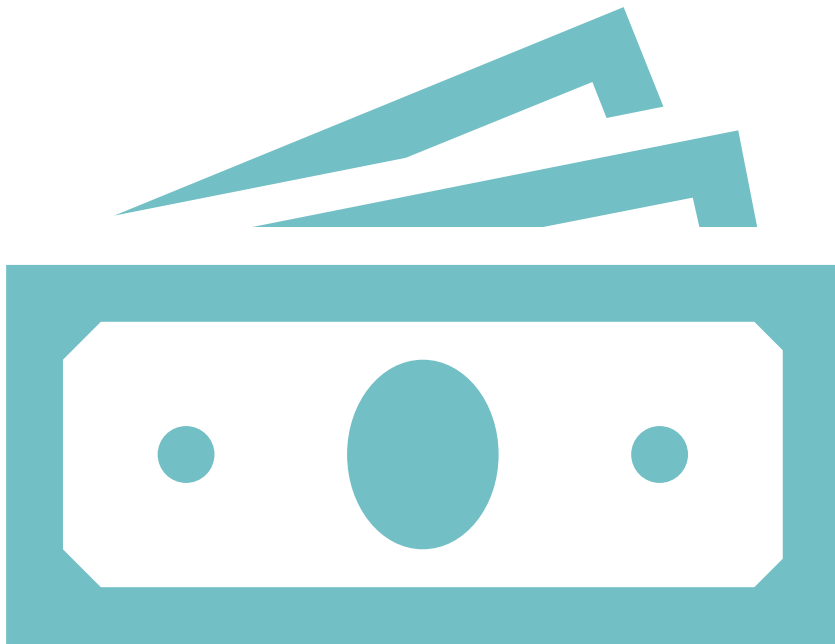


Involve the member when selecting suitable jobs



Provide the IQMP with information on why you think these jobs are suitable

Funding



Injury amounts are **solely** funded by the FRAs operating budget and **not** the pensions account.

Reassessments due to remedy

Sargeant

- [Coffee 'morning' presentation on 8 November](#)
- [Factsheet](#) and [Letter templates](#)

Matthews

- Regulations updated to allow for retrospective ill health retirements.

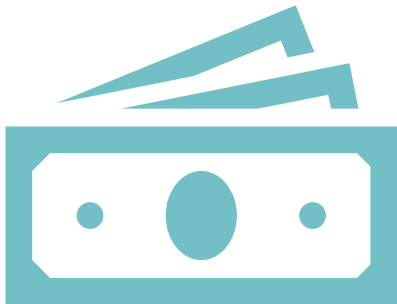
Compensation Scheme

Makes provision for the payment of –

- pensions, allowances and gratuities
- to and in respect of persons who die or are permanently disabled as the result of an injury sustained or disease contracted while employed by an FRA.

Funding

- **Costs borne entirely by Fire Authority**



Firefighters' Compensation Scheme

The provisions relate to

- ill-health and injury awards in respect of firefighters, their spouses, civil partners, children and other dependants,
- the payment of compensation in respect of firefighters who die or sustain seriously disabling injuries while on duty.

Eligibility

Scheme applies to 'regular' and 'retained' firefighters, and their spouses or civil partners and dependents



Exclusions from eligibility

- **Temporary contracts?**

A person who has ceased as a regular firefighter and entered temporary employment is covered by the scheme in very limited circumstances set out in the regulations, e.g. in connection with various training roles

- **What about secondary contracts?**

Should a member have multiple employments, it is the employment in which they suffered the injury in which should be assessed for compensation purposes.

Injury awards

- A firefighter is entitled to (1) a gratuity; and (2) an injury pension if:
 - Retired
 - Permanently disabled; and
 - The infirmity was occasioned by a ‘qualifying injury’
- Additional compensation for death or permanent incapacity while on duty i.e. where death is solely **caused by a ‘qualifying injury’** or permanent incapacity for carrying out any occupation is solely **caused by a ‘qualifying injury’**



Injury Pensions- Regulations

Compensation Scheme [Part 2]

Injury awards **Payment of pension and gratuity** [Para 1] A firefighter who has retired and is permanently disabled if the infirmity was occasioned by a qualifying injury. [Part 2, Para 1 (1)]

Compensation for permanent incapacity while on duty **Payment of five times annual pensionable pay** [Para 3]

A firefighter who has retired and is permanently disabled if the infirmity was occasioned by a qualifying injury. [Part 2, Para 1 (1)]

Permanently incapacitated for carrying on any occupation solely by reason of qualifying injury [Part 2, Para 3 (1b)]

Permanently disabled

- Incapacity occasioned by infirmity of mind or body for the performance of duty
- “*performance of duty*” is not defined under the Compensation Scheme regulations
- For IHR benefits under the pension scheme regulations a member must be “*incapable of performing any of the duties of the role*”
- “*role*” is defined as the firefighter’s Rolemap role
- *NB: the Marrion* case – includes operational & non-operational duties unless no redeployment opportunities exist

Permanently disabled

- Disablement **must** continue to the person's normal pension age (age 60 for the 2015 Scheme)
- If as a result of a 'qualifying injury' a person is receiving inpatient treatment at a hospital he shall be treated as being totally disabled
- Where a person has retired before becoming disabled and the date of disablement cannot be ascertained, it shall be the date when the claim that he is disabled is first made known to the FRS
- No payment of an injury pension can be made for a period before a firefighter became permanently disabled

Qualifying Injury

An injury received by a person, without his own default, in the **exercise of his duties** as a regular or retained firefighter

Injury includes disease

An injury is treated as having been received by a person without his default unless the injury is wholly or mainly due to his own serious and culpable negligence or misconduct



Exercise of duties

To be a 'qualifying injury' it has to be received in the '***exercise of his duties as a regular or retained firefighter***' –

again, not defined in the regulations



Exercise of duties – what does this mean?

Does the injury have to be sustained whilst on operational duty?

What about an injury sustained whilst journeying to and from reporting for duty?

What about an injury sustained whilst at the fire station during rest periods?

What about an injury sustained whilst being on call away from the fire station, whilst waiting for a call out?

Causation

- The infirmity has to be occasioned by a qualifying injury
- Where a firefighter has become permanently disabled, any infirmity of mind or body shall be taken to have been occasioned by an injury if the injury caused or substantially contributed to the infirmity
- It is not necessary to establish that the work circumstances are the only cause of the injury
- What matters is that work circumstances have a causative role



Causation

- Physical injuries tend to be more easily attributable to work duties
- Psychiatric injuries tend to be much more difficult to attribute to work duties
- There has to be a substantial causal connection between the permanent incapacity and the qualifying injury
- It is accepted, particularly with psychiatric illness, that it can arise out of a combination of work and external circumstances



Question time

- Can you think of some examples of where it would be more difficult to establish whether the permanent incapacity was caused by a qualifying injury



Determinations under the regulations

- Whether a person is entitled to any and if so what award under the regulations is determined in the first instance by the FRA
- Before making a determination, the authority is required to obtain a written opinion of an IQMP as to –

Whether any disablement has been occasioned by a qualifying injury

The degree to which a person is disabled

Any other issue wholly or partly of a medical nature

Determinations under the regulations

- If a person is dissatisfied with a medical opinion he may appeal to a Board of Medical Referees
- A person can ask for a reconsideration by the FRA if the FRA does not admit the claim at all or does not admit the claim for injury benefits to the full extent
- If dissatisfied on a reconsideration an appeal may be made to the Crown Court

Degree of disablement

The IQMP guidance provides that:

- Consideration is given to the type of work an individual might undertake, both in terms of functional capability and skills/experience
- FRA should provide details of a firefighter's skills, educational qualifications and an indication of the types of alternative employment they think appropriate
- Any secondary employment or previous employments will be relevant



Degree of disablement

- The medical opinion should consider whether the member could carry out these alternative employments and, if not, what would be within member's capability from a medical viewpoint
- The IQMP may need to confirm with the FRA that the individual has the necessary skills/competence for the employments the IQMP considers is within the individual's medical capabilities



Degree of disablement

Normally an average of earnings from three employments would be used to calculate the degree of disablement

To try and ensure consistency national rates of pay from the ASHE tables (Annual Survey of Hours and published by the Office of National Statistics should be used when calculating degree of disablement

Apportionment should be used to avoid liability for non-occupational factors

Degree of disablement

Before apportionment can arise each factor must have separately caused some degree of loss of earnings capacity on its own

It is for the IQMP to consider apportionment on the basis of the evidence and applying his/her medical judgement

Question time

- Is your FRA carrying out reviews of injury pensions?
- How often do you carry out these reviews?
- How many reviews need to be undertaken?



Review of injury pensions

- The regulations require the FRA to consider whether the degree of disablement has substantially altered at such intervals as they think fit
- If the degree of disablement has substantially altered, the injury pension shall be reassessed accordingly
- Where, on review, the disability has ceased, the injury pension shall cease with immediate effect



Resources

- Firefighters' Compensation Scheme
<http://www.fpsregs.org/index.php/regulations/firefighters-compensation-scheme>

Transitional protections

Ill-health pension paid from Compensation Scheme to Retained Firefighters employed before 6 April 2006

Retained Firefighter

Compensation Scheme [Part 8]

- Entitlement to ill-health pension for retained firefighter [Part 8, rule 2, (4)]
- Protected right to [Part 8, rule 2 (4)]
- [SI 2014/447Rule 3 (2)]
- A retained firefighter who was employed prior to 6 April 2006 and awarded an injury pension before 1st April 2014 shall be treated as having been a regular firefighter and awarded an ill-health pension
- A retained firefighter employed prior to 6 April 2006, who didn't subsequently become a 'special member' under the terms of the modified arrangements and after 1 April 2014 has been retrospectively awarded an injury pension.
- Where it has been determined that the injury is a qualifying injury and was sustained before the 1st April 2014.

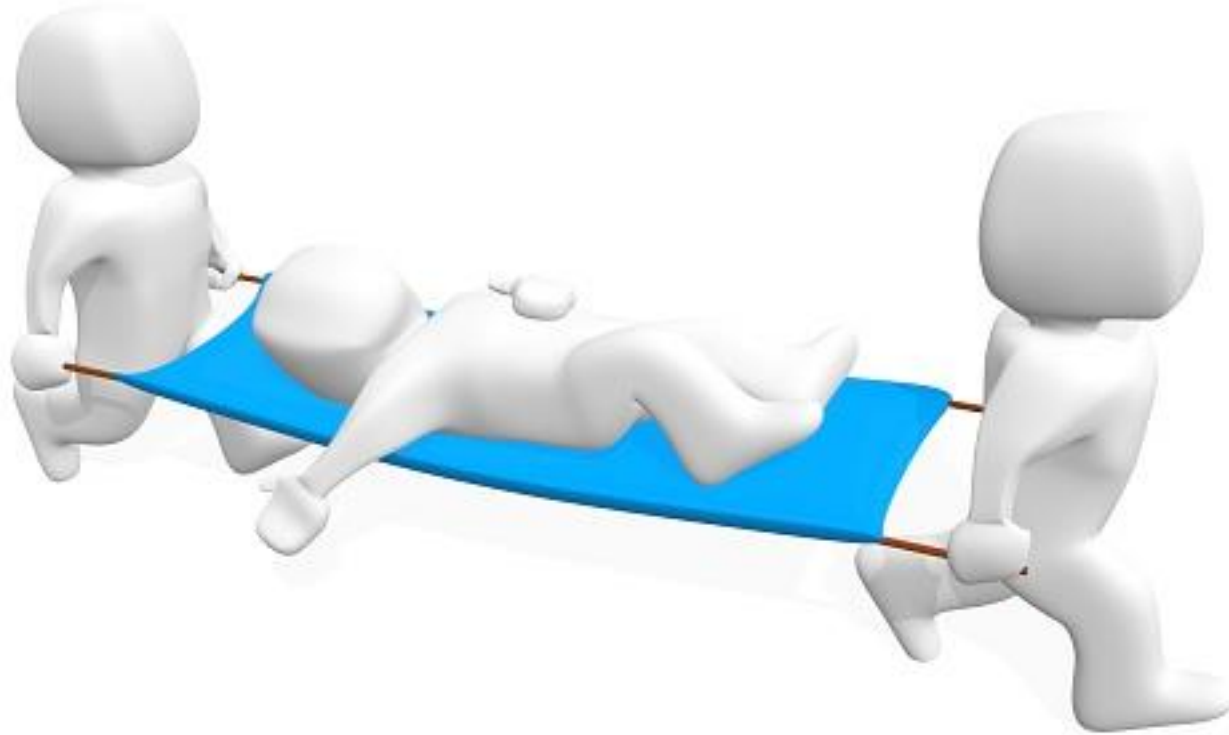
Medical Appeals

Compensation Scheme Part 6, Para 2 & Schedule 5

- Appeal by member: Within 28 days of decision (some discretion)
- Costs may be recovered if the opinion is that the appeal was “frivolous, vexatious or manifestly ill founded, or that the appeal is withdrawn less than 21 days of hearing date

- Schedule 5
- Schedule 5 (9)

How are we all feeling?



Resources

[Compensatory 'ill-health' pensions](#) for retained FFs
employed before 06 04 2006

Ill-health and injury

While the FCWG continue to review the IQMP forms and guidance, we felt it would be helpful to collate all existing resources into a central location. [Edit](#)

Hi Tara Atkins,

[Log out](#)

The following page contains information and resources to assist practitioners in administering ill health and injury benefits to members.

The resources section contains guidance and training materials.

The subsequent sections are divided by scheme and contain certificates that were prepared in 2015 and circulated as drafts for authorities to use if they wished. Note, however, that these forms have not been endorsed by the LGA or the Home Office. Authorities should satisfy themselves that the certificates meet all of their requirements and do not leave the opinion open to challenge

Latest news	∨
IQMP/IQMP provider contact information	∨
Resources	∨
Medical appeals	∨
FPS 1992	∨
FPS 2006	∨
FPS 2015	∨

Is it lunch time?



Sargeant and Matthews

Two major projects



Sargeant



Matthews

Sargeant / Matthews - Central support

FPS Websites

- [FPS Regulations and guidance website](#)
- Specific section on the [age discrimination remedy](#)
- [FPS Member website](#)
- Specific section on the [age discrimination remedy](#)
- Member [FAQs](#)

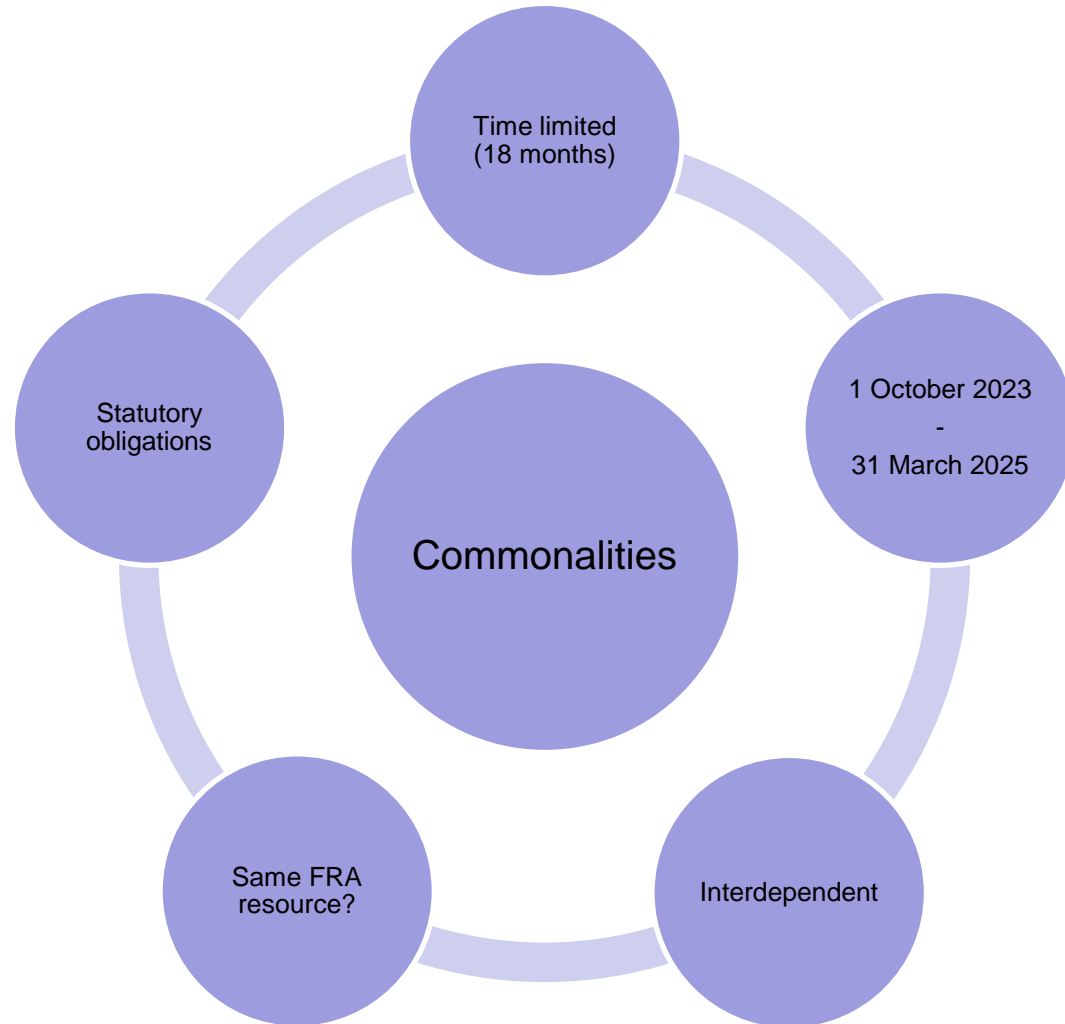
LGA Communications

- Monthly [bulletins](#)
- Regular '[coffee mornings](#)'
- Bank of [supporting documentation](#) aimed at scheme managers and administrators

Over to you ...

- Tell us what you already know?





Sargeant

Age discrimination remedy

- McCloud
- 2015 remedy

Public sector pension reform

- 2011 – [Lord Hutton report](#)
 - Removal of final salary scheme
 - No protection required for existing members
- 2014 - Firefighters' Pension Scheme regulations 2014
 - Introduction of Career Average Scheme from 1 April 2015
 - Full protection for members over age 55 on 31 March 2012
 - Taper protection based on age until 31 March 2022

Legal challenge by FBU

Two aims

- Did government have a legitimate aim in providing protection and tapered protection?, and
- Was the aim achieved proportionately?

Series of Employment Tribunals

- [January 2017](#) – Judge found in favour of the Government
 - But what about the Judiciary Pension Scheme?
- [December 2017](#) - Judiciary and fire heard together by Employment Appeal Tribunal
 - Judges = found in their favour
 - Fire = found in favour of the government on the legitimate aim but questioned the law used on proportionately (used EU instead of UK)
- [November 2018](#) – Court of Appeal (CoA)
 - Panel of 3 judges
 - Findings were that the government should have justified the discriminatory impact but that it had failed to do so, and therefore justification on the grounds of legitimate aims must **fail**.
 - Further deliberation over the question on proportionality of means were dismissed.
 - Dismissed automatic right to submit an appeal to Supreme Court

Government accept the judgement

15 July 2019

- Government made [written statement HCWS1725](#) accepting the Court's decision and confirming their intention to engage with the ET to agree remedy.
- The written statement confirmed that remedy would apply across all public sector schemes.
- Confirmation that it would apply to both claimants and non-claimants equally.

Discrimination to be removed in two parts

- Prospectively
- Retrospectively

Key provisions

From 1 April 2022, all members build up service in FPS 2015, removing future discrimination.



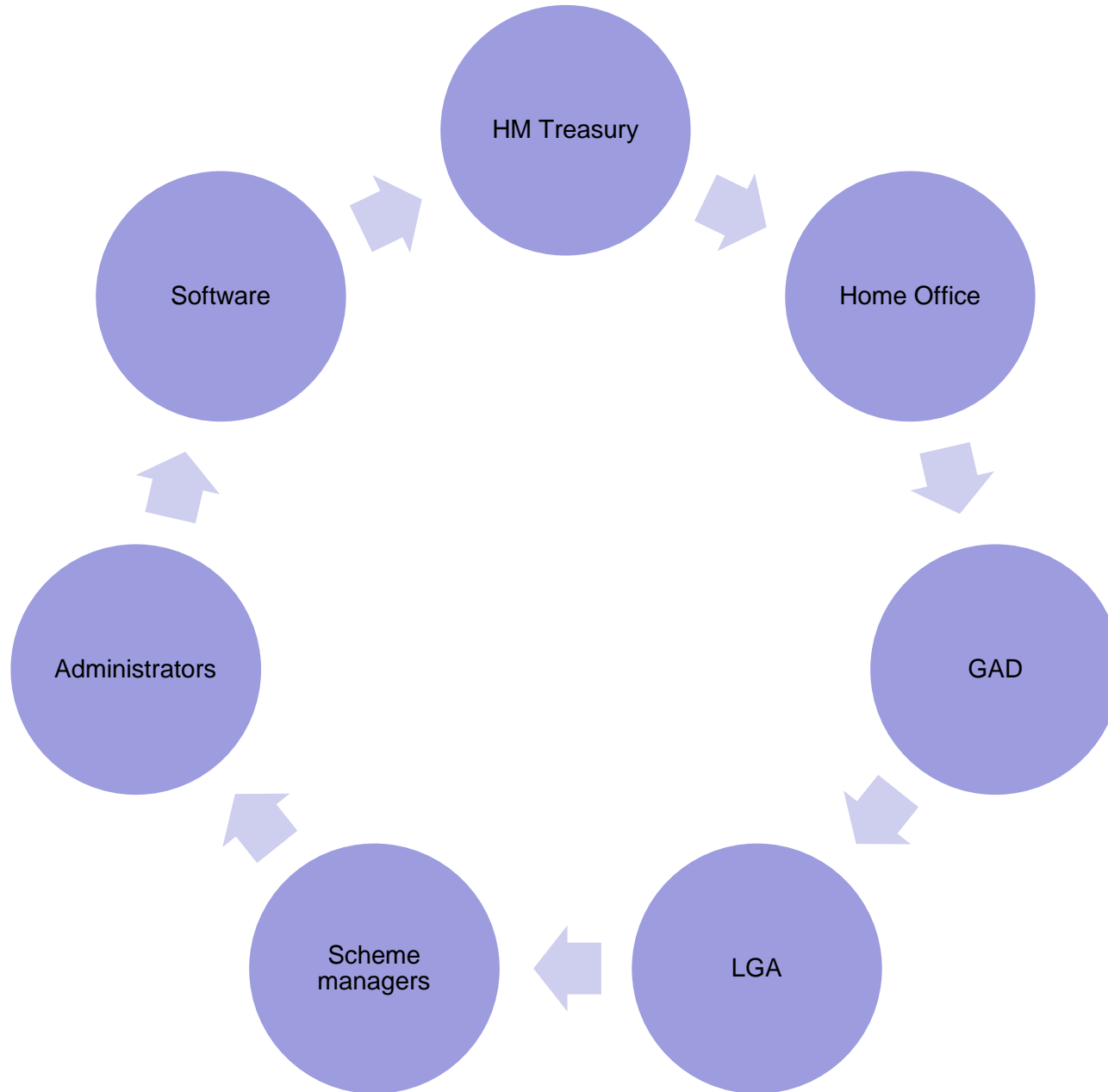
All affected members “roll back” to final salary scheme with effect from 1 April 2015 to rectify past discrimination.



As members may have been better off under reform, they will be offered a choice to receive CARE benefits for the remedy period 1 April 2015 to 31 March 2022 – deferred choice underpin (DCU).



Choice will be made “immediately” (retired/ deceased members) or at retirement (active/ deferred members)



What should we be asking?

Readiness

- How have we prepared ourselves?
- Do we have a project implementation plan?
- Who are the people involved in the project?
- Have we needed to expand our resources/ create additional resources?
- What key risks have we identified?

Data

- Is all required data easily accessible and in a manageable format?
- Do we have any gaps in data?
 - If so, what do these gaps look like?
- What are the expectations on sharing data with third parties?
- Do we have time limits etc.

Communications

- What type of communications are being shared centrally?
 - Is there any action we are being asked to take?
- What communications have been shared with affected individuals?
 - Is there any central communications we have been asked to share?
- Have we received any feedback from affected members on communications?

Progress

- Where are we with implementation?
- What challenges have we faced?
- Have our risks changed?
- Have we met all necessary deadlines?
- What feedback have we received?

Remedy readiness self-assessment tool

Remedy readiness tool
is available on the
Regulations and
Guidance website.

Scheme
managers/Pension
Boards can reflect on
own readiness for
remedy.

Identifies potential
gaps which need
addressing.

Step by step – read all about it

Age discrimination remedy

Data collection

Immediate detriment

Tax regulations

Contingent decisions

Compensation

The list goes on ...

Age Discrimination Remedy - GAD Tax and Contribution Calculator

The Government's Actuary's (GAD) calculates the contribution adjustments, tax relief on contribution adjustments and interest on those adjustments as required by the Age Discrimination remedy

McCloud tax and contributions calculator

Interest calculations are based on NS&I rates – the NS&I rate changed from 3.65% to 4% from 23 May 2024

Compensation

Section 23 [Public Service Pensions and Judicial Offices Act 2022](#) provides a permissive power for scheme managers to pay compensation in respect of compensatable losses incurred by members because of the discrimination, or because of putting members in the same pension position they would have been in but for the discrimination.

Compensation – rules



The loss is attributable to the breach of the non-discrimination rule that arose from the application of an exception to Section 18(1) of the Public Service Pensions Act 2014 (i.e. the transitional protections which were found to be unlawfully discriminatory through the Sargeant judgment) [(23(4))]



The loss is attributable to the application of any provision of, or made under, Chapter 1 of the PSPJOA 2022 (i.e. the application of the remedy as required by the Act) or Scheme Regulations which implement the remedy set out by the act. [(23(5))]



A Part 4 tax loss (a specific tax loss where HMRC's statutory time limits do not allow for correction of the amount of tax paid). [(23(6))]



Compensation should **not** be paid where a member has already received compensation for the loss in question (e.g. pursuant to a court order), or a member has owed an amount to the scheme that has been reduced by an amount in respect of the compensatable loss.

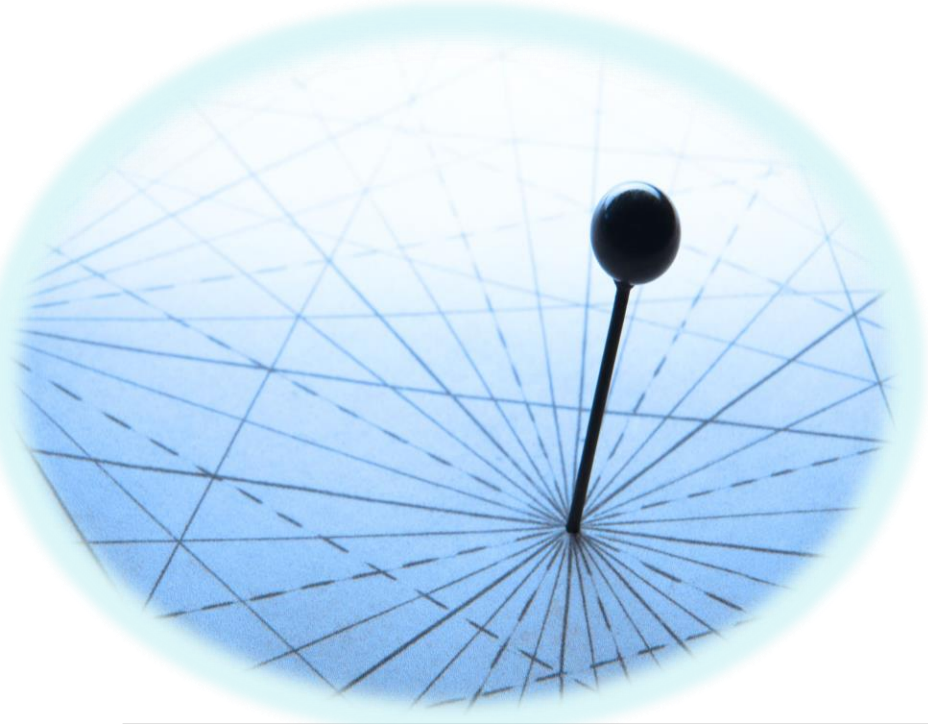


[The Public Service Pensions Exercise of Powers Compensation and Information Directions 2022.pdf](#)

HMT Directions

There are **five** relevant Directions for compensation, which are:

1. **Direction 8** - Sets out the power to pay compensation and sets out ten principles.
2. **Direction 9** - Describes a compensatable loss as being either a direct financial loss or a specified part 4 tax loss. The Directions refer to specific tax loss scenarios, but no specific scenarios of compensatable direct financial losses are provided.
3. **Direction 10** - Indirect compensation.
4. **Direction 11** – Indirect compensatable losses.
5. **Direction 18** – Sets out the process to apply for a compensation claim



Compensation guidance

Retrospective remedy - Compensation and Funding guidance



Compensation

Document

Compensation and Funding

[Compensation guidance for scheme managers](#)

[Compensation guidance for members](#)

[Compensation member claim form](#)

[Home Office Compensation Scheme Funding guidance](#)

Added Pensions Compensation

[Added Pension Compensation Scheme Manager and administrator guidance](#)

[Added Pension Compensation Template letter to member](#)

[Added Pension Compensation Bank form template to member](#)

“Matthews” and the 2023 options exercise



Who is Matthews?

Matthews & others v Kent & Medway Towns Fire Authority & others

- Application of the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 to retained duty system (RDS) employees
- PTWR in force from 1 July 2000 to implement EU PT workers directive
- Directive implementation deadline **7 April 2000**
- settlement for RDS ET claims not reached until 2014
- [SI 2014/445](#) implemented regulations with effect from 1 April 2014 to introduce 'special members' into the regulations of the FPS 2006

2014 options exercise

Took place between 2014 and 2015 to allow eligible individuals to join the FPS

- Employed between 1 July 2000 – 5 April 2006

FRAs had to identify these individuals and use reasonable endeavours to contact them

Eligible firefighters had to apply for a statement of service

Statement provided service and payment options available

Eligible firefighters had to make a positive election in order to join the scheme by 30 September 2015

What about O'Brien?

[O'Brien v Ministry of Justice](#) concerns fee paid judges in the JPS

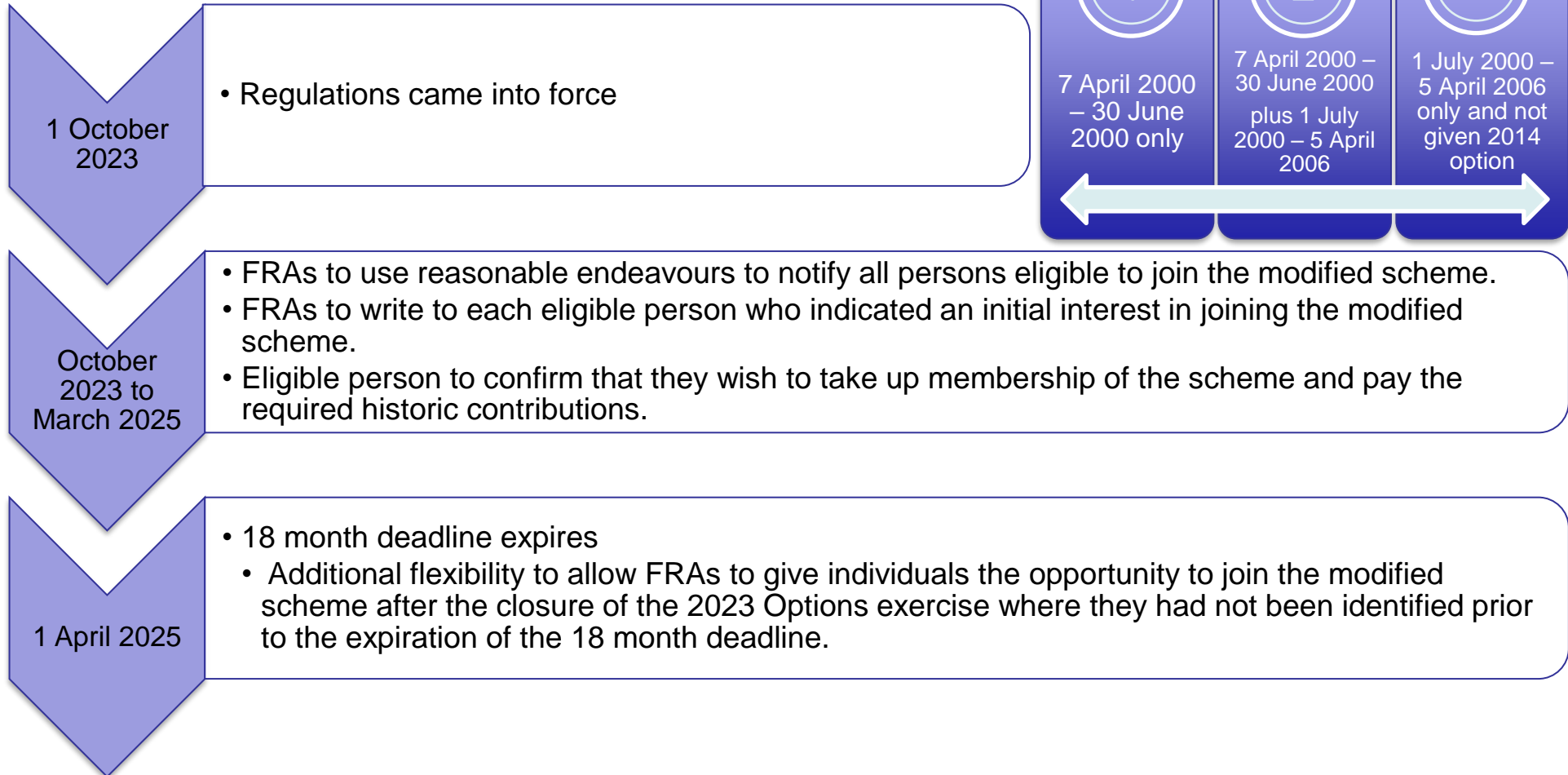
Held that remedy could extend back before the PT Workers Directive was required to be implemented (7 April 2000)

As a binding judgment, UK Government recognised the right applies to RDS claims

[MoU](#) was agreed by all parties on 9 March 2022.

Remedy will be provided by a second options exercise allowing in-scope individuals to purchase pension entitlement as a special member of the FPS 2006

Second options exercise - timeline





What should we be asking?

Readiness

- How have we prepared ourselves?
- Do we have a project implementation plan?
- Who are the people involved in the project?
- Have we needed to expand our resources/ create additional resources?
- What key risks have we identified?

Data

- Is all required data easily accessible and in a manageable format?
- Do we have any gaps in data? If so, what do these gaps look like?
- Will we be reliant on assumptions?
- Can we trace all in scope? What do reasonable endeavours look like?
- What are the expectations on sharing data with third parties? Do we have time limits?

Communications

- What type of communications are being shared centrally?
- Is there any action we are being asked to take?
- What communications have been shared with affected individuals?
- Is there any central communications we have been asked to share?
- Have we received any feedback from affected members on communications?

Progress

- Where are we with implementation?
- What challenges have we faced?
- Have our risks changed?
- Have we met all necessary deadlines?
- What feedback have we received?

Step by step – read all about it



[Second Options Exercise guidance and information](#)



Employer guide



FAQ



Priority order (suggested)



GAD calculator



Manual cases

Step by step

Preparation &
planning

Eligibility
who is in
scope

Data collection
pay & service
info

Processing

GAD calculator

Converting
membership

Timescales

GAD calculations

The Government Actuary's Department (GAD) **settlement calculator** and **user guide**, for the second options exercise.

[Special members of FPS 2006 - GAD Calculator](#)

Manual cases to be referred to GAD
([Manual cases update](#))

Step by step – guidance

Useful links

- [Special members of FPS 2006 \(fpsregs.org\)](http://fpsregs.org)
- [Special members of FPS 2006 - Technical query log \(fpsregs.org\)](http://fpsregs.org)
- [Special members of FPS 2006 - GAD Calculator \(fpsregs.org\)](http://fpsregs.org)

Compensation

What's to come in 2025 ...

- Working group
- Policy / framework development
- Process roll out



Claims

- We have asked all FRAs to be alert to the receipt of Employment Tribunal claims brought on behalf of retained firefighters and inform the LGA immediately on such receipt.

Contingent decisions

What is a contingent decision?

- A contingent decision is a decision taken by a member, relating to their membership of the firefighters' pension scheme, that would have been different had it not been for the discrimination identified by the courts

Categories identified

Opt-out

**Additional
Service**

Opt-out

Which scheme?

- Section 5 of PSPJOA allows for remedy period service to be reinstated but does not provide the power to reinstate any service pre/post remedy period.
- Scheme managers to use 'existing powers', if available, to allow for reinstatement for pre/post remedy period.

Existing powers

- FPS 1992: Once a member opts out, they cannot opt back in. If they want to re-join then they re-join FPS 2006.
- FPS 2015: [Scheme manager discretion](#).

Opt-out continued

Accepting the request

- Scheme managers must accept a request to opt in where the opt out occurred less than 6 months before 31 March 2015
- ‘Evidence’ is required for cases where the opt out occurred after 12 March 2012 but before 1 October 2014
- Opt-outs prior to 12 March 2012 are not covered by the PSPJOA

Contributions

- Member contributions: Full or periodic over 14 years
- Employer contributions: Valuation

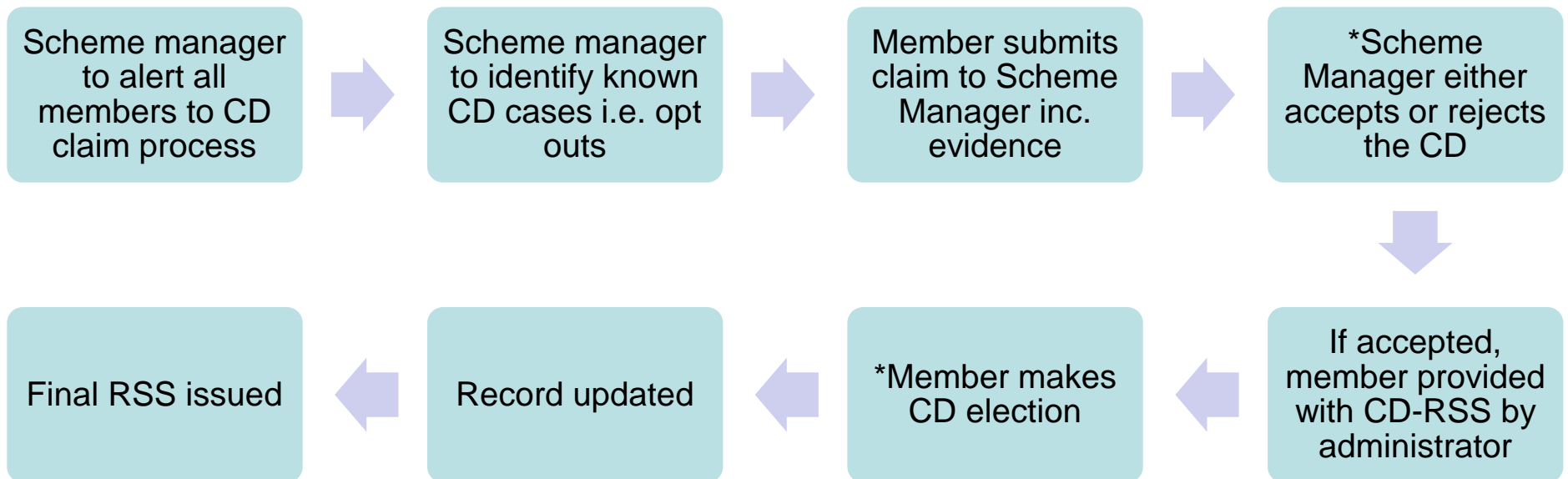
Scenarios – Based on original FPS 1992 member

Assessment criteria	Scenario 1	Scenario 2	Scenario 3
<ul style="list-style-type: none">• Date of opt out	<ul style="list-style-type: none">• 1 August 2014	<ul style="list-style-type: none">• 1 January 2015	<ul style="list-style-type: none">• 1 April 2015 (or any date up to 31 March 2022)
<ul style="list-style-type: none">• Evidence required?	<ul style="list-style-type: none">• Yes	<ul style="list-style-type: none">• No	<ul style="list-style-type: none">• No
<ul style="list-style-type: none">• Access to which scheme	<ul style="list-style-type: none">• FPS 2006	<ul style="list-style-type: none">• FPS 2006	<ul style="list-style-type: none">• FPS 2006

Added Pension

- Legacy schemes allow for members to purchase added service
- Member may argue that they would have done this if they had remained in their legacy scheme – Evidence required
- If a claim is accepted ordinary rules apply i.e. FPS 1992 members can only purchase additional service if they do not attain 30 years by NPA (age 55)

Contingent decision process



*It is recommended that these outcomes are reported to the LPB

Decision making process

- [SAB's open letter to HMT in May 2021](#) highlighted difficulty in consistent decision making:
 - 44 individual scheme managers
 - Interpretation and application
 - Funding position
 - Internal controls/ governance
 - IDRPs > TPO

Decision making

Consistency is paramount

Decisions should be auditable and transparent

Call for evidence should be reasonable

A statement from a member stating that they would have taken different action if not for the reform is acceptable

Types of evidence

Opted out within 6 months

Opt out form states reason for decision is due to the pension reforms

Investigated or requested added years or transfer in while in remedy period

Took out added pension contract under FPS 2015 in remedy period

Retirement Process

When can I retire?



Retirement process – what to consider

Retirement from FPS 2015

- Retirement Age 60
- Earliest retirement age 55 (subject to reductions)
- Career Average scheme
- Deferred pension age equal to State Pension Age (min 65)

Transitional members



Eligibility to retire comes from the rules of the final salary scheme they were in before they joined the 2015 scheme.



For example,



FPS 1992 the pension built up in that scheme can be taken at age 50 + 25yrs service or age 55.



FPS 2006 the pension built up in that scheme can be taken at age 60 (NRA)

Retirement process FPS 2015

Some things to consider – Who, what and how

Who

- Member
- Payroll
- Administrator

What

- Timescales
- Manage expectations

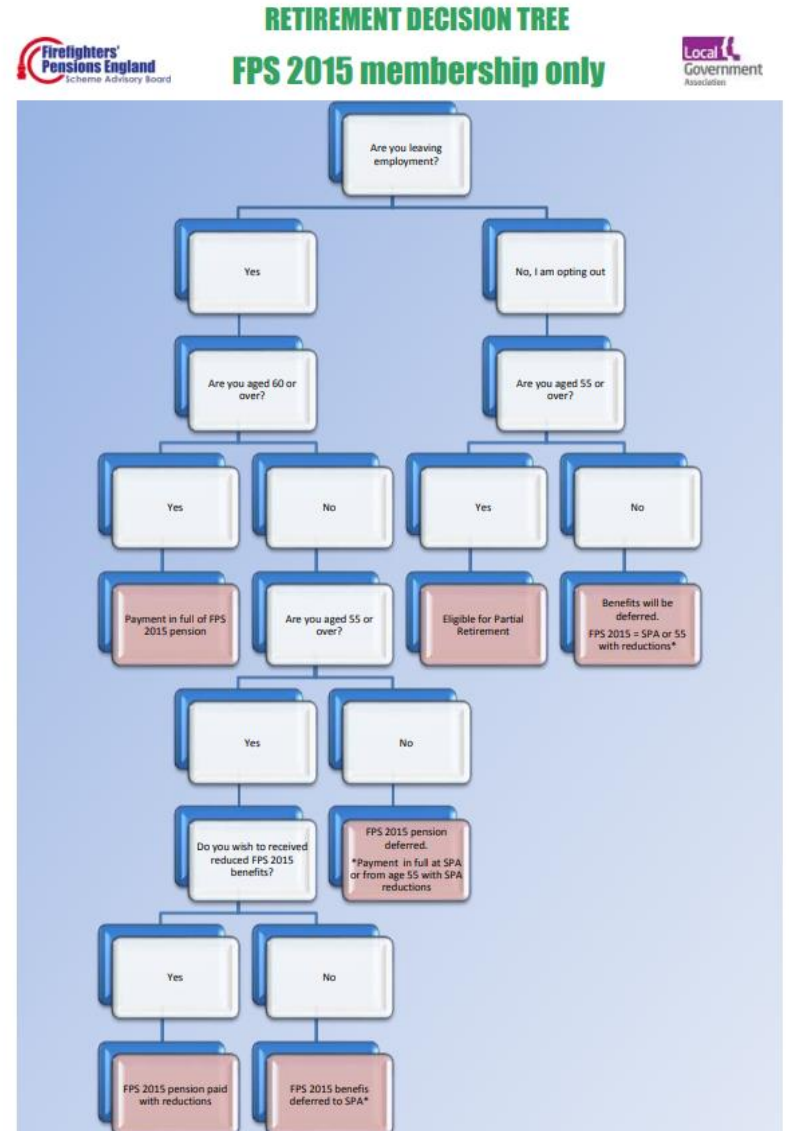
How

- Process in place
- Working in collaboration



Retirement process

- [Retirement from FPS 2015](#)
- [Guides and sample Documents](#)



Retirement – what else?

Ill health retirement

Re-engagement and Abatement

Pension protection age

Authority Initiated Early Retirement

Re-engagement and abatement

Abatement

- Abatement is the ability of the Authority to reduce the Member's pension if the Member is receiving a salary from a Fire Authority (or from local government) after retiring
- Fire and Rescue Authorities (FRAs) are statutorily obliged to consider the application of abatement when it occurs in accordance with the regulations of the Firefighters' Pension Schemes.



What is abatement?

Applies in FS schemes when member retires and remains employed or is re-employed

New salary + pension cannot exceed old salary

Abatement does not apply in FPS 2015

Each FRA to have policy on abatement

No prescribed guidance on application and calculation of abatement

What is abatement and what does this mean?

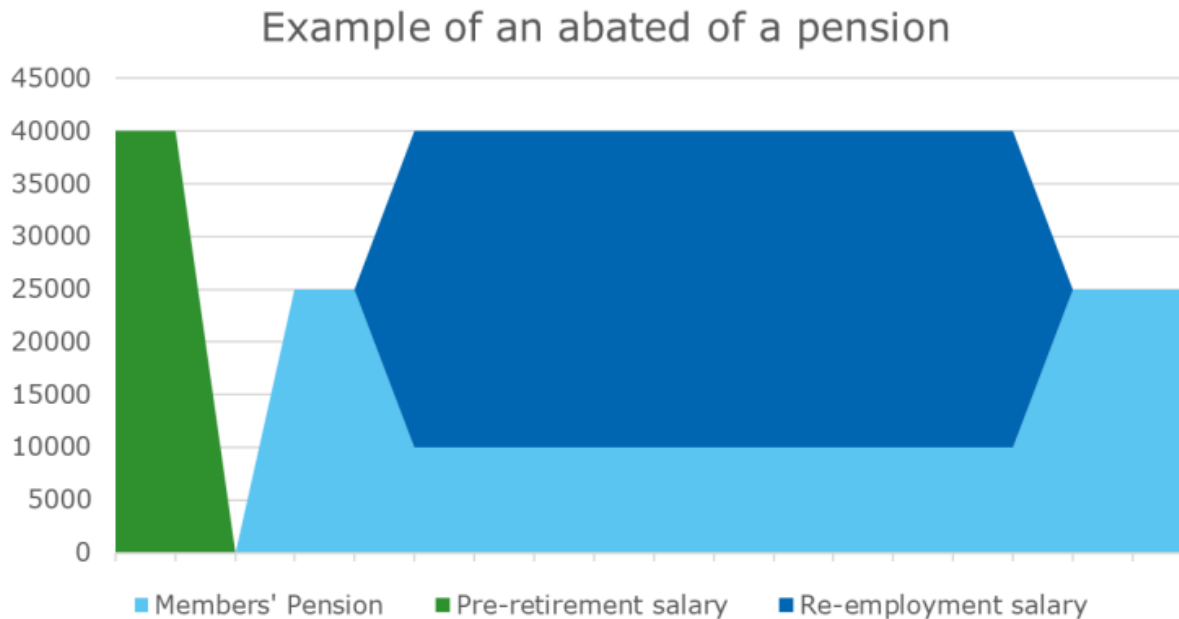
- Caps the total payment received from the Authority (i.e. pension + new salary) to maximum level of pay received in role as at date of retirement
- Abatement provisions contained in relevant Scheme's rules – 1992 and 2006 Scheme Regulations (not contained in 2015 Scheme)
- Authority has the discretion to reduce all or part of a pension where a Member is re-employed “in whatever capacity” by an Authority (including local government)

Abatement - FAQs

- What counts as re-employment?
- What pay figure to use?
- Should an injury award be included in the abatement calculations?
- How often should the abatement test be performed
- Does re-employment in a green book role or grey book non-operational role qualify as in-service abatement or interservice abatement?
- When might you choose not to abate?
- [Abatement guidance for FRAs](#)

Abatement – a worked example

Abatement – a worked example



Member's pre-retirement salary was £40,000 (this is the cap)

Member retires on £25,000 pension

Re-employed by Authority on £30,000 salary

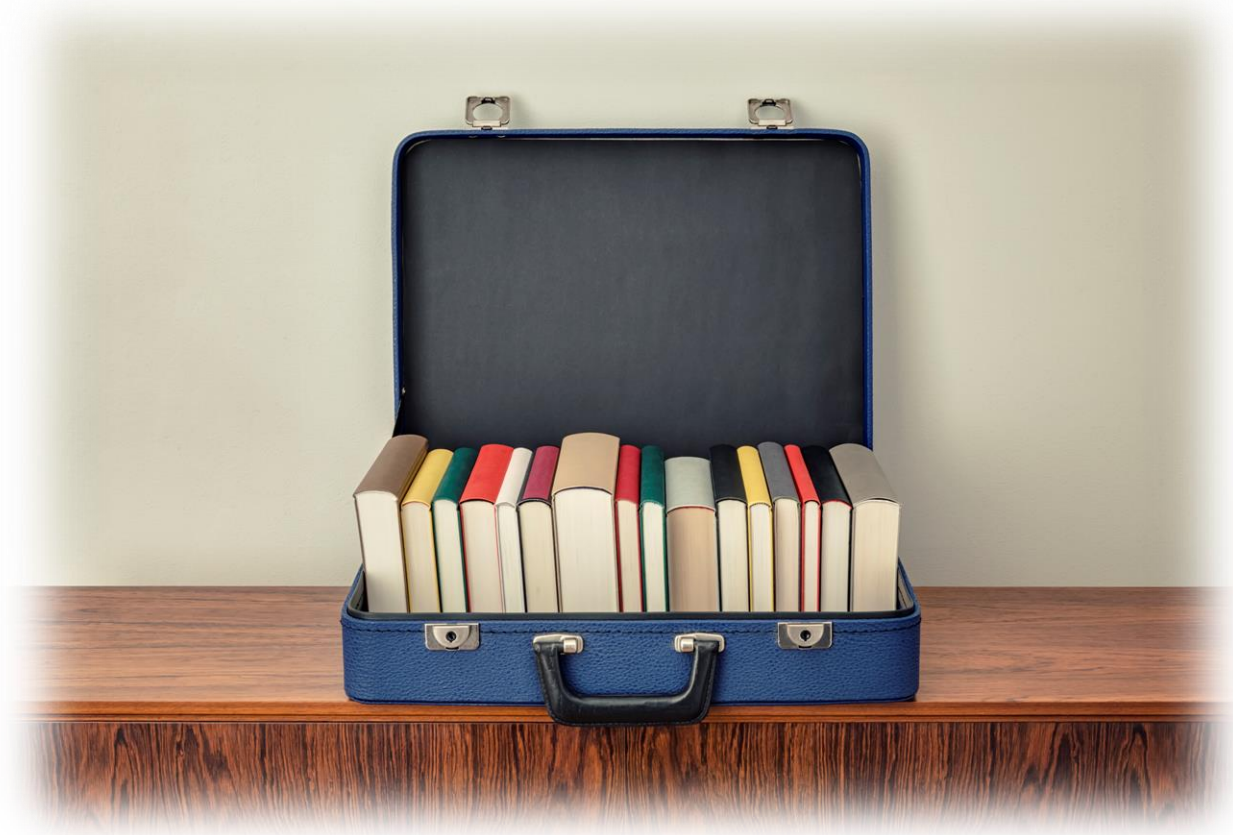
Member's pension reduced/abated to £10,000 (so Member does not exceed £40,000 cap)

Transitional 1992 member of 2015 scheme

- Re-employment of 2015 scheme member with transitional 1992 benefits.
- Retiring at age 50 in 2020 with payment of 1992 benefits only, with 2015 benefits being deferred until age 60.

Does abatement apply?

Case study



TPO determination PO-25374

FPS 1992. Benefits: overpayment (recovery of)

FRS sought to recover an overpayment of pension following decision to abate

Member claims FRS had a duty of care to alert him that pension would be abated

Partly upheld:

- No additional duty of care than to provide factual information
- FRS did not follow a “reasonable process”

The member's position

He was not aware of the position on abatement or other members who have been abated

His total earnings did not exceed his pre-retirement earnings

He has been caused financial distress and should not have to repay the overpayment

Issues raised:

- Did the FRS have a duty of care
- Was the FRS decision making procedure reasonable
- Is there a legal defence against recovery

The FRS position

Abatement is a government policy and is common in the FRS

Information on abatement was available and pensioners are expected to inform the Pensions Section

Duty of care argument is not accepted

Recovery of overpayment is not time-barred and FRS has obligation to recover overpaid amounts

TPO conclusions

Rule K4 allows FRS to abate pensions

Evidence and case law show that FRS did not act negligently as factual information was available

Evidence indicates that a blanket policy in respect of abatement was applied

- Merits of individual case were not considered
 - Member should have been invited to provide “exceptional factors”
-

Directions

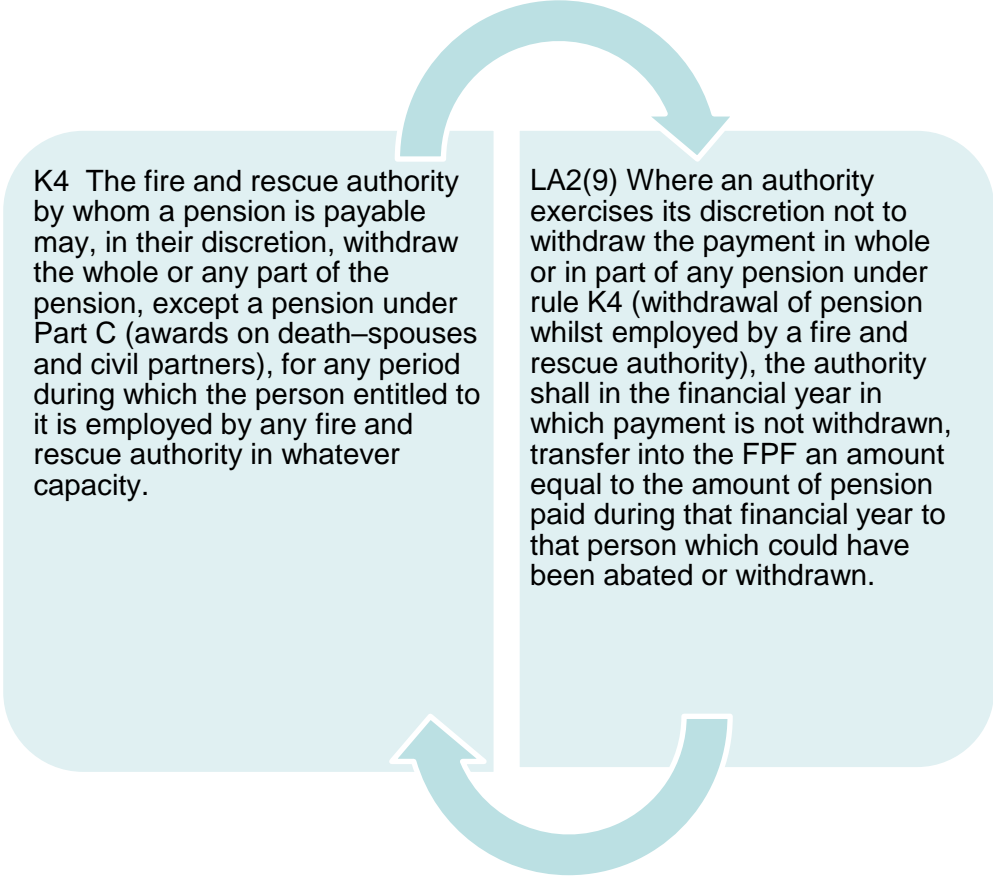
£500 payment for distress and inconvenience

Member to be invited to make representations against recovery of overpayment

FRS to review decision and make a new discretionary determination

If overpayment still to be recovered, payment plan should equal overpayment term at least

Regulations (SI 2013/1392)



K4 The fire and rescue authority by whom a pension is payable may, in their discretion, withdraw the whole or any part of the pension, except a pension under Part C (awards on death—spouses and civil partners), for any period during which the person entitled to it is employed by any fire and rescue authority in whatever capacity.

LA2(9) Where an authority exercises its discretion not to withdraw the payment in whole or in part of any pension under rule K4 (withdrawal of pension whilst employed by a fire and rescue authority), the authority shall in the financial year in which payment is not withdrawn, transfer into the FPF an amount equal to the amount of pension paid during that financial year to that person which could have been abated or withdrawn.

Abatement and the 2015 Remedy

Abatement will continue to apply in the legacy schemes (FPS 1992 and FPS 2006)

Abatement provisions are contained in scheme rules, so no specific provision made in PSPJO Bill

Transitional members may become liable to abatement or increased abatement when “roll-back” occurs

Should be flagged to members as part of DCU decision

Could constitute a contingent decision claim for those already re-employed

Abatement resources

[Abatement factsheet](#)

[Protected pension age factsheet](#)

Historic archived circulars:

- [FPSC 10/2009](#)
- [FPSC 08/2006](#)

[CLG commentary – Rule K4](#)

[FPS AGM – Workshop 2](#)

[Current draft abatement guidance](#)

Protected Pension Age

Pension protection age (PPA)

Normal minimum pension Age (NMPA) = 55 from 6 April 2010

FPS 1992 PPA = 50 with min 25 years' service

Can be lost on re-employment or concurrent employment

Tax charges apply:

- 55% PCLS
- 40% pension (up to age 55)

Retaining a PPA

If one of the following employment conditions is met:

- Break in employment of min 6 months
- Break in employment of 1 month and abatement may apply
- Break in employment of 1 month and re-employment is “materially different” e.g. grey to green book

Authority Initiated Early Retirement

Authority Initiated Early Retirement

What is AIER ?

The regulations give the FRA the ability to award a pension to a firefighter member who is over the age of 55 but under normal retirement age paid without the appropriate early retirement reductions



When - Only on the basis that would assist the economical, effective and efficient management of its functions having taken account of the costs likely to be incurred in the particular case



How - [AIER Factsheet](#)

What else?

BAU Here and now - future

What is the day job – the pension arena is very different now!



FRA's - Service needs

So many things to consider not only pensions...

- Service implications –
establishment numbers
recruitment campaigns
- Who can retire –
back filling posts
promotions
- When can they retire –
processing pensions
recruitment
re-engagement



Local Pension Boards

Role of the LPB



Local Pension Board

Introduced by the [Public Service Pension Act 2013](#) and FPS governance regulations [[Rule 4A to 4D](#)]... .. to assist the scheme manager to secure compliance with the regulations, any other legislation relating to the governance and administration of the scheme, and any requirements imposed by TPR in relation to the scheme.

The board also assists the scheme manager to ensure the effective and efficient governance and administration of the scheme.

LPB responsibilities

1

Assist Scheme
Manager

2

Notify Scheme
Managers of
Conflict of
Interest

3

Comply with
scheme rules

4

Keep Code of
Conduct

5

Comply with
TPR Code of
Practice

6

Report
breaches of law

7

Gain
knowledge and
understanding

LPB assistance



Compliance of duties under the regulations and relevant legislation



Effectiveness of processes for the appointment of advisors and suppliers



Effectiveness of communication



Identify improvement of customer service



Identifying patterns of complaints

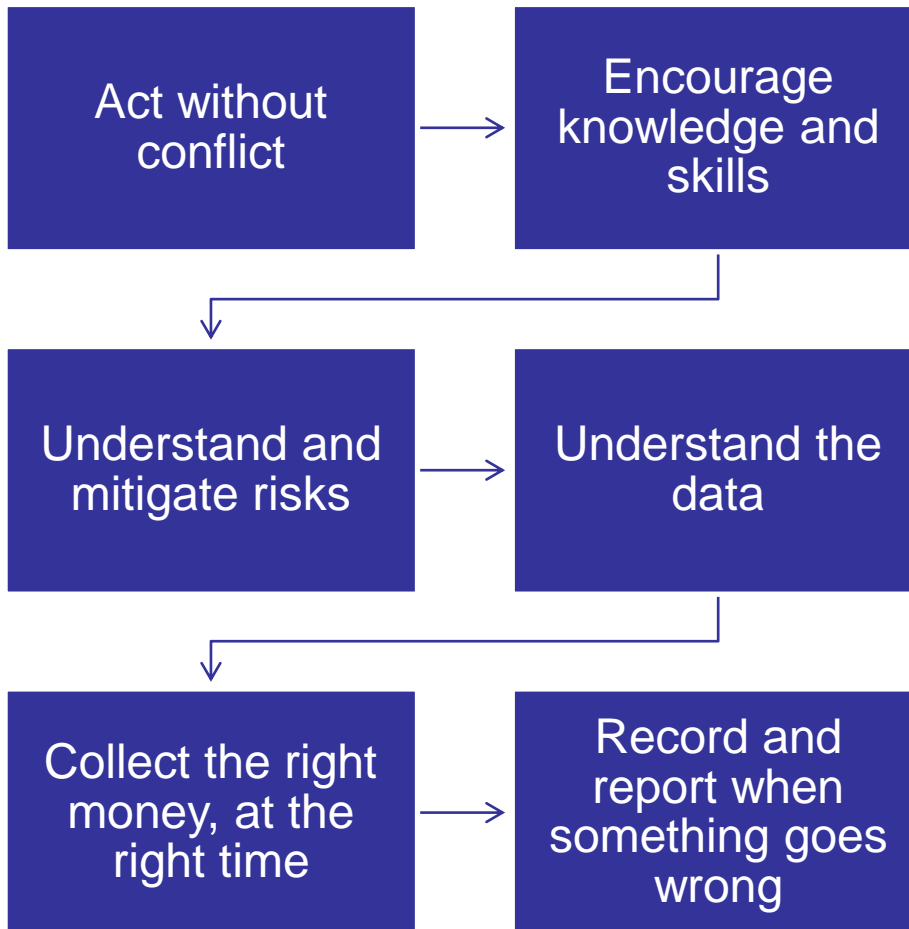


Reviewing the performance of administration



Reviewing the process for sharing data

Governance



- Assurance rather than reassurance
- **Reassurance:** when someone you trust tells you that all is well
- **Assurance:** when someone you trust tells you what's happening; shows you the evidence; encourages questions and constructive challenge; and allows you to judge for yourself if everything's fine

LPB expectations



Access to all information and resources needed to support the scheme manager.



Scheme manager to attend LPB meetings and advise members of any issues arising.



Board is adequately resourced in terms of members and length of office.



The LGA to provide appropriate advice, guidance, and training to assist the LPB in fulfilling their role.

Reference material

LGA framework and support services

- Forums and Groups
 - Technical group
 - Communications group
 - Regional groups
 - Admin
 - LPB Chair
 - FRA Drop in session
- Events
- Technical Support
- Coffee mornings

Resources

- www.fpsboard.org
- www.fpsregs.org
- www.fpsmember.org
- [Monthly bulletins](#)
- [Regulations](#)
- [GAD Guidance](#)
- [Age discrimination](#)
- [Second Options Exercise](#)

Firefighters' Pension Schemes Regulations and Guidance

- Welcome
- Age discrimination remedy ▼
- Special members of FPS 2006 ▼
- Regulations ▼
- Bulletins and Circulars ▼
- GAD Guidance ▼
- Administration Resources ▼
- Legal Landscape ▼
- Events ▼
- Contact Us
- Archive ▼



You are here: Home

Welcome

Welcome to the Firefighters' Pension Schemes Regulations and Guidance website.

The site has been developed to hold all resources relating to the administration of the Firefighters' Pension Schemes and provide Fire & Rescue Authorities and administrators with tools and guidance to provide an efficient and effective service to their members.



Details of events relevant to the Firefighters' Pension Schemes can be found on the [Events](#) page. A calendar of forthcoming diary dates is also included in our monthly [FPS bulletins](#) from January 2018 onwards.

For more information about governance of the schemes and the work of the Scheme Advisory Board, please visit our dedicated [Board website](#).

If you have any comments, feedback or suggestions regarding the site, please [contact us](#).

Latest news

Login Form

Remember Me

  Web Authentication

[Forgot your password?](#)

[Forgot your username?](#)

Firefighters' Pension Schemes Regulations and Guidance

- Welcome
- Age discrimination remedy ▼
- Special members of FPS 2006 ▼
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- Bulletins
- Firefighters' Pension Committee (FPC)
- FPSC circulars
- News archive 2022
- News archive 2021
- News archive 2020
- News archive 2019
- News archive 2018

Scheme regulations



- FPS 1992 Regulations
<http://www.fpsregs.org/index.php/regulations/fps-1992-regulations>
- FPS 2006 Regulations
<http://www.fpsregs.org/index.php/regulations/fps-2006-regulations>
- FPS 2015 Regulations
<http://www.fpsregs.org/index.php/regulations/fps-2015-regulations>
- Firefighters' Compensation Scheme
<http://www.fpsregs.org/index.php/regulations/firefighters-compensation-scheme>
- Age Discrimination Remedy Regulations
<https://www.fpsregs.org/index.php/regulations/age-discrimination-remedy-regulations>
- Special Members of the FPS 2006 Regulations
<https://www.fpsregs.org/index.php/regulations/special-members-of-fps-2006-regulations>

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- Special members of FPS 2006 ▼
- Regulations ▼
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- FPS 1992 Regulations
- FPS 2006 Regulations
- FPS 2015 Regulations
- Firefighters' Compensation Scheme
- Age Discrimination Remedy Regulations
- Special members of FPS 2006 Regulations
- Consolidated regulations
- Scheme valuations



The Firefighters' Pensions (England) SAB



You are here: [Home](#)

Welcome

Welcome to the website for the Firefighters' Pensions (England) Scheme Advisory Board.

The site holds information about the work of the Board and its three committees, as well as useful information and resources for Local Pension Boards.

If you have any comments about the site, please contact the Board secretariat at bluelight.pensions@local.gov.uk

Latest news

31 October 2024

[FPS Bulletin 86 - October 2024](#) was published on 31 October 2024.

This issue provides readers with important updates relating to Age discrimination remedy tax treatment for top up death benefits, immediate choice remediable service statement (RSS) rollout, immediate choice protected members, FPS 1992 contributions and the HMRC digital services, interest payments, contingent liabilities (authorised debentures), Employee Contribution review, Matthews RPSA redraft.

Login Form

The Login form is for Scheme Advisory Board members only.

<input type="text" value="Username"/>	
<input type="password" value="Password"/>	

Remember Me

 Web Authentication
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<input type="button" value="Log in"/>

[Forgot your password?](#)

LPB Resources



<https://www.fpsboard.org/index.php/local-pension-boards/resources> -

The Firefighters' Pensions (England) SAB

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Resources

Please see below a list of resources that have been developed to facilitate the effective running of Local Pension Boards.

[LPB meeting agenda template](#) (Word, 2 pages, 44kb)

[Guidance on the creation and operation of Local Pension Boards in England](#) (PDF, 73 pages, 659kb)

[Eversheds' UK pensions speedbrief - FPS Governance](#) (PDF, 3 pages, 125kb)

[Draft LPB Terms of Reference - updated June 2019](#) (Word, 7 pages, 28.5kb)

[Scheme manager delegation guidance](#) (PDF, 6 pages, 177kb)

[Breach assessment template](#) (Word, 4 pages, 42kb)

[Scheme year cycle](#) (PDF, 1 page, 69.5kb)



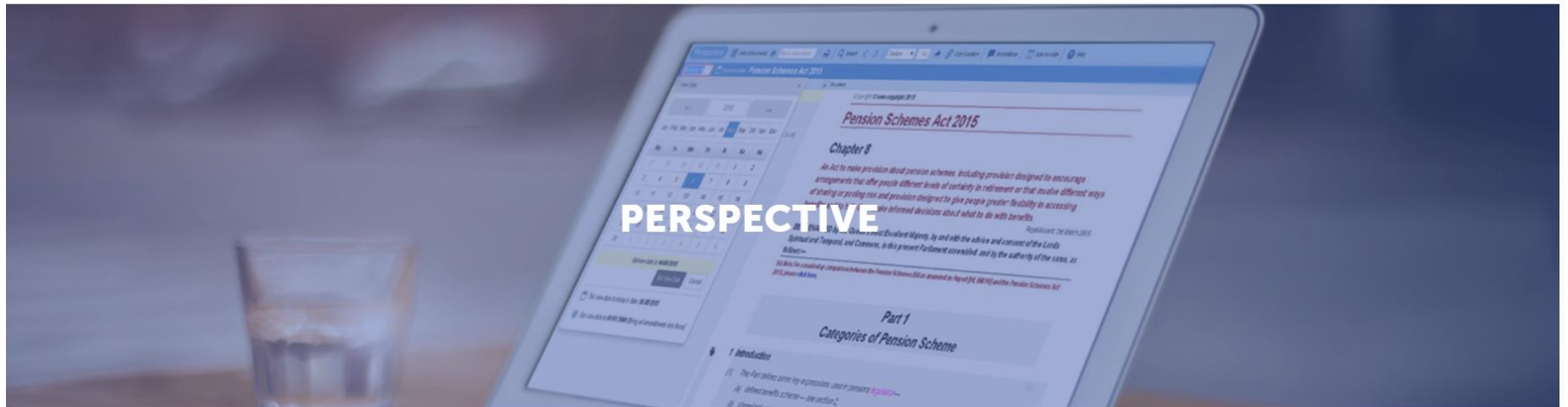
Useful Links

- [CLG Archive](#)
- [FPS Regulations and Guidance](#)
- [FPS Member website](#)
- [Firefighters' Pension Scheme Statistics](#)
- [HMRC Pensions Tax Manual](#)
- [Local Government Association](#)
- [LGA Pensions page](#)

Signposting to Information Perspective - Pendragon



HOME PERSPECTIVE NEW & RECENT CLIENT VIEWS TRAINING ABOUT



Pendragon developed Perspective with the help of key professionals from the pensions industry who helped us to understand how they work and what they need. Perspective is, therefore, the ultimate information service for the UK pensions industry designed and conceived by it.

Table of Documents

Acts and Bills

SIs, Drafts, Explanatory Memoranda

Other Regulatory Materials

HMRC, TPR, PPF

European Union Materials

Law Reports

The Pensions Ombudsman -

Determinations & Materials

Timeline

Spotlight on Pensions

Commentary

Statistics

Parliamentary Materials

Reports, Consultations, etc

Scheme Rules (NEST, Civil Service, etc)

Public Sector Schemes (E+W+S)

Public Sector Schemes (NI)

PensionSurveys

Perspective User Guides & Help

Recently Opened Documents

Ctrl-click to open document in a new tab

- [SI 2013/704 The Firefighters' Pension Scheme \(England\) \(Amendment\) Order 2013](#)
- [SI 2006/3432 The Firefighters' Pension Scheme \(England\) Order 2006 \[fire 06 \(e\)\]](#)
- [SI 2006/1811 The Firefighters' Compensation Scheme \(England\) Order 2006 \[fire comp \(e\)\]](#)
- [SI 2023/986 The Firefighters' Pension Schemes \(England\) \(Amendment\) Order 2023](#)
- [SI 2012/2988 The Firefighters' Pension Scheme \(England\) \(Amendment\) \(No 2\) Order 2012](#)
- [SI 2013/1393 The Firefighters' Pension Scheme \(England\) \(Amendment\) \(No 2\) Order 2013](#)
- [SI 1992/129 The Firemen's Pension Scheme Order 1992 \(E\) \[fire 92 \(e\)\]](#)

New and Recently Amended Documents

9 September 2024

- [A&O Shearman LLP: What's New This Week 9 September 2024 – \[Call for Evidence: Pensions Investment Review - TPR: Dashboards Compliance and Enforcement Policy - Reminder: Pensions Academy Online\]](#)

6 September 2024

The Pension Regulator (TPR)

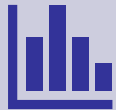


[For more information on TPR](#)

Pensions Dashboards Programme



All occupational pension schemes in scope will need to have connected to the pensions dashboards ecosystem by the legal connection deadline of **31 October 2026**



[Pensions Dashboards Programme](#)



**We want to hear your
feedback**

Disclaimer

- The information contained in these slides are the authors interpretation of the current regulations.
- Readers should take their own legal advice on the interpretation of any particular piece of legislation.
- No responsibility whatsoever will be assumed by LGA or their partners for any direct or consequential loss, financial or otherwise, damage or inconvenience, or any other obligation or liability incurred by readers relying on information contained in these slides.

Thank you for listening!

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www.fpsboard.org

www.fpsregs.org

www.fpsmember.org