**2015 Remedy - Ill-health retirement pension re-assessment consent request**

Dear [NAME],

We are writing to you because under the 2015 Remedy you will be required to make a choice of what benefits to receive. This letter requires you to take an action.

When you were first considered for ill-health retirement, you were assessed under the rules of the FPS 2015 as this was the scheme you were a member of at the point of ill-health retirement.

However, due to the changes in public sector pensions, we now need to review your original claim to see if you are eligible for benefits under the FPS 1992. You can find out more about the 2015 Remedy at [www.fpsmember.org/2015-remedy](http://www.fpsmember.org/2015-remedy).

The terms of your ill-health pension may not change, but because the FPS 2015 and the FPS 1992 have different rules for assessing ill-health eligibility, you may be entitled to different benefits under the FPS 1992 as an alternative.

The outcome of the review cannot be a negative one; you are already eligible for the benefits that you are currently receiving and this will not change. The only outcome possible from a review is that you become eligible for different ill-health benefits under the FPS 1992, which in some circumstances may provide a higher level of benefit. **Your pension benefits currently in payment under the FPS 2015 cannot be taken away or reduced. It will be your decision whether to accept any alternative benefits available under the FPS 1992 where it has been determined by a review that you are eligible.**

Under the terms of the [Public Service Pensions and Judicial Offices Act 2022](https://www.legislation.gov.uk/ukpga/2022/7/contents/enacted) (PSPJOA 2022) we must write to you within 18 months of 1 October 2023 to provide you with a choice of benefits in the FPS 1992 (legacy scheme) or the FPS 2015 (reformed scheme). Giving members a choice between scheme benefits is part of the government’s plan to remove age discrimination from public service pension schemes. It will start from October 2023 for all affected members.

So that we can present you with your correct options, we need to find out what level of benefits you are entitled to across both the FPS 1992 and the FPS 2015. Please complete the enclosed consent form and send it back to us as soon as possible. In some cases, we may need to contact you again to ask for further information.

We have included some extra information in the notes section which may answer some questions for you, but if you have any further questions, please contact us at [INSERT CONTACT INFORMATION]. You should also return your completed form to this address.

Yours sincerely,

**Additional notes**

**2015 Remedy background**

In April 2015, the government made changes to public service pension schemes. These changes didn’t apply to every member, and people who were closest to their normal pension age could stay in their existing scheme. The Court of Appeal later found that this discriminated against younger members who couldn’t stay in their existing scheme.

Following a public consultation, His Majesty’s Treasury (HMT) confirmed that the discrimination would be ended at 31 March 2022, by moving all members into the reformed schemes, and would retrospectively remove discrimination by offering members a choice between legacy or reformed benefits for the period between 1 April 2015 and 31 March 2022 (known as the remedy period).

On 1 April 2022, the [Public Service Pensions and Judicial Offices Act 2022](https://www.legislation.gov.uk/ukpga/2022/7/contents/enacted) (PSPJOA 2022) came into force, which brings into law how the government will remove the discrimination.

**Why we’re getting consent now**

The rules for how we administer the remedy and calculate payments for eligible members are not expected until summer 2023. We’re getting consent now so we can start the reviews as soon as these rules are available. When we write to you again to tell you the outcome of the review of your original claim, we’ll tell you what will happen next.

**Permission to review your case**

To give us permission to review your ill-health claim, please complete the enclosed form and send it back to us as soon as possible.

**What the re-assessment is based on**

The re-assessment will be based on your medical circumstances as at the original date of assessment and the information held at that time. It should be noted that while you are not required to provide any new medical evidence, in some cases we may need to re-request information or evidence that was available at the time of your original assessment, this is because the file we hold for you may have been deleted

**Who will have access to your personal information**

It is our responsibility to appoint an Independent Qualified Medical Practitioner (IQMP) to make sure your reassessment is considered fairly. This means that an expert medical professional will look at your claim and check it against the criteria for ill-health retirement under the scheme rules.

You have our assurance that both ourselves and the IQMP will always treat your details sensitively and securely. You’ll be sent a copy of the report from the IQMP.

**How we will use your information**

We will use the information provided only for the purpose of administering your Firefighters’ Pension Scheme membership and processing payment of your pension benefits. We may share your information to administer and pay your pension, enable us to prevent and detect fraud and mistakes, for debt collection purposes, or as required by law. For more information about who we share your information with and how long we keep your personal data and your rights, please visit our General Data Protection Regulation (GDPR) privacy notice [INSERT LINK TO WHERE GDPR PRIVACY NOTICE CAN BE FOUND].

**If we don’t hear from you**

Please complete the consent form by [DD/MM/YYYY].

If we don’t hear from you by this date, we won’t be in a position to review your ill-health entitlement. Instead, we will write to you separately within the 18-month period from 1 October 2023 and ask you to choose between the benefits which are already in payment and your standard entitlement under the FPS 1992.

**Consent for review of entitlement to ill health retirement benefits**

**Member statement**

My original entitlement to ill health retirement benefits was assessed under the rules of the FPS 2015, which I was a member of when the question of my ill-health retirement was first raised.

A ruling by the Court of Appeal means that I **may** be eligible for different pension benefits under the FPS 1992 as an alternative.

To see if I am eligible for pension benefits under the FPS 1992, I need to give my consent for my original case to be reassessed. I have been informed that this will be done by an Independent Qualified Medical Practitioner who will assess my original case against the rules of the FPS 1992.

I understand that my information will be dealt with sensitively and stored securely in accordance with GDPR requirements.

Signature………………………………………… Date……………………………….

**Please complete all sections - If you do not complete this declaration in full, your consent form will be returned to you, which could delay the review process.**

**About yourself.** Please write in CAPITAL LETTERS using BLACK INK

[INSERT UNIQUE IDENTIFIER]:

National Insurance number:

Full name:

Address:

Contact telephone number:

Date of birth:

Email address:

**2015 Remedy**

Consent for an ill-health retirement re-assessment under the FPS 1992. Please read the following and if you agree, please sign and date below and return this form to the address in the letter.

Your consent is required before an IQMP can carry out a re-assessment of your case and report as to whether you would have been eligible for a benefit under the FPS 1992.

Please note:

1. The previous IHR determination will continue to apply for the FPS 2015 and will not be revisited. The re-assessment will be based solely on the criteria of the FPS 1992.
2. The re-assessment will take account of the medical evidence available at the time of theoriginal assessment only.
3. The IQMP medical opinion will inform the options we can provide you with when the 2015 Remedy is being implemented.
4. Your benefits currently in payment, cannot be taken away, it will be your decision whether to accept any alternative benefits available under the FPS 1992.

**Your declaration and consent to a review of your application for ill health retirement benefits:**

* I have read the above information and consent to [INSERT NAME OF FRA] arranging a re-assessment of ill-health retirement under the FPS 1992.

* I understand that [INSERT NAME OF FRA] may be sent an IQMP report which will include minimal relevant medical information and note that I will be informed of the outcome in due course.
* I understand that if I do not consent to this re-assessment, this could impact on the options [INSERT NAME OF FRA] can offer under the 2015 Remedy, and I will only be offered my standard entitlement under the FPS 1992.

Signature………………………………………… Date……………………………….