



Firefighter Pension Scheme Data Sharing Guidance for Scheme Managers

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Introduction

1. This document is intended to be used as a guidance tool for scheme managers to provide clarity about the process for sharing data between Fire and Rescue Authorities (FRAs) where a member was employed by multiple FRAs during the remedy period (1 April 2015 to 31 March 2022)¹.
2. Where this is the case, each FRA will need to enter into a data sharing agreement before they share any data.
3. This document sets out the general position about the process for entering into a data sharing agreement and recommends timeframes for the previous FRA to provide the data required.
4. Scheme managers are strongly encouraged to follow this guidance to help ensure consistency both locally and nationally. If there is a departure from this national guidance in any form, the scheme manager will need to assess any implications of doing so and must satisfy both themselves and the Local Pension Board that an alternative approach is appropriate. Decisions and the reasons behind them should be well documented to ensure an adequate audit trail is available.

Legislation

5. Any Applicable Laws in force in the United Kingdom from time to time as relate to the Parties that relate to data protection, the Processing of Personal Data, privacy and/or electronic communications, including in the UK:
 - The [Data Protection Act 2018](#),
 - The UK GDPR (as defined in [section 3\(10\) \(as supplemented by section 205\(4\)\) of the Data Protection Act 2018](#)),
 - The [Privacy and Electronic Communications \(EC Directive\) Regulations 2003](#) and
 - [Regulation \(EU\) 2016/679 \(General Data Protection Regulation\)](#)

Timeframe

6. The process for an FRA to provide an eligible member with a Remediable Service Statement (RSS) commenced on 1 October 2023 and will end on 31 March 2025.
7. The scheme manager must ensure that the administrator has the relevant information to allow them to produce an RSS within this timeframe. This will include the FRA completing the [Age Discrimination remedy – GAD tax and contribution calculator](#).

¹ This applies to all membership types and not just leavers within the remedy period.

8. Information relating to which RSS is required for which cohort of member and an indicative timetable for sending an RSS to retired members is set out in the [RSS factsheet](#) within the [Age Discrimination remedy – remediable service statements](#) section of the [FPS regulations and guidance](#) website.
9. Failure to provide the required data to the requesting FRA within the recommended timeframes may result in a delay in payment of their retirement benefits, a complaint from the member and a breach of law.

Data

10. The data that is required from the previous FRA will include, information on salary, tax, contributions, added pension (where relevant) and any opt out periods (where relevant).
11. Full details on the specifics can be found in the 'McCloud tax and contributions calculator user guide and input and output specification', which is published on the [Age Discrimination remedy – GAD tax and contribution calculator](#) section of the FPS regulations and guidance website.
12. A data request specification has been provided to assist FRAs. This is based on the GAD calculator data input tab and is available in the [Age Discrimination remedy – GAD tax and contribution calculator](#) section of the FPS regulations and guidance website.
13. Financial data, collected through the data collection template, should continue to be shared through administrators, where a data sharing agreement is deemed as not necessary.

Process

14. The following proposed timeframes are suggestions only; however, scheme managers are strongly encouraged to follow them where possible.
15. Whilst it is logical that the administrator may initiate this process, with the current FRA, as they will have access to the relevant data, the scheme manager should ensure that they have a data sharing order in place and request the relevant data at the same time as putting this in place.

Step 1: Administrator/FRA to identify cases – by 14 February 2024

16. The administrator and/or FRA to identify all cases where an eligible member was employed by a multiple FRAs during the remedy period (1 April 2015 to 31 March 2022). It is expected this work will have already been done with regards to informing scheme managers of the different cohort numbers and/or administrators of the data collection exercise. Cases will need to be separated into Deferred Choice and Immediate Choice members.
17. If there are any cases where the member is a pensioner and the pension is already in payment, then the administrator will need to liaise with the scheme manager about

how and when to remedy these members, considering the cohort timetabling and when the remedy choices can be offered to the member. Although it should also be noted that if deemed necessary by the scheme manager, any case can be brought forward, and remedy offered earlier than perhaps is planned.

Step 2: FRA to request relevant data and commence instigating a data sharing agreement from the previous FRA(s) – by 29 February 2024

18. The FRA who is requesting the data from the previous FRA(s), will need to request this and instigate the process to put a data sharing agreement in place for each FRA that they need to obtain data from by **29 February 2024**.
19. The contact details for each FRA are available on the [member area](#) of the FPS regulations and guidance website.
20. Instigating completion of the data sharing agreement should commence at the same time as the data request is made.
21. The previous FRA should complete and return the data sharing agreement no later than **1 April 2024**. No data should be shared until the data sharing agreement is in place.

Step 3: Previous FRA to provide the relevant data to the requesting FRA – within 10 working days.

22. The previous FRA should provide the requested data in an agreed format, preferably by completing the data request specification, within **10 working days** of receipt of the request.
23. If there is any reason that the previous FRA is unable to meet this deadline, they should discuss this with the requesting FRA and agree a mutual alternative date.
24. The [firefighter pension contact](#) as listed on the FPS regulations and guidance website, should consider ensuring that if they are on leave that either their out of office is on, or that their inbox is monitored, to ensure that requests are not missed, or unduly delayed.

Step 4: FRA to complete the GAD calculator and provide to the administrator – within a mutually agreed timeframe

25. The FRA will need to complete the GAD calculator using a combination of information (previous and current FRA) where relevant if they were also employed by the current FRA in the remedy period.
26. Once this has been completed this will need to be sent to the administrator to allow them to produce the RSS.

27. If the FRA is unable to provide the information, it is important that this is discussed with the administrator to ensure that any deadline to provide the RSS is not missed.

Step 5: Administrator to review the information provided and produce the RSS

28. The administrator should sense check the information that is provided, to ensure it is what they are expecting to receive and raise any questions with the FRA within 10 working days.