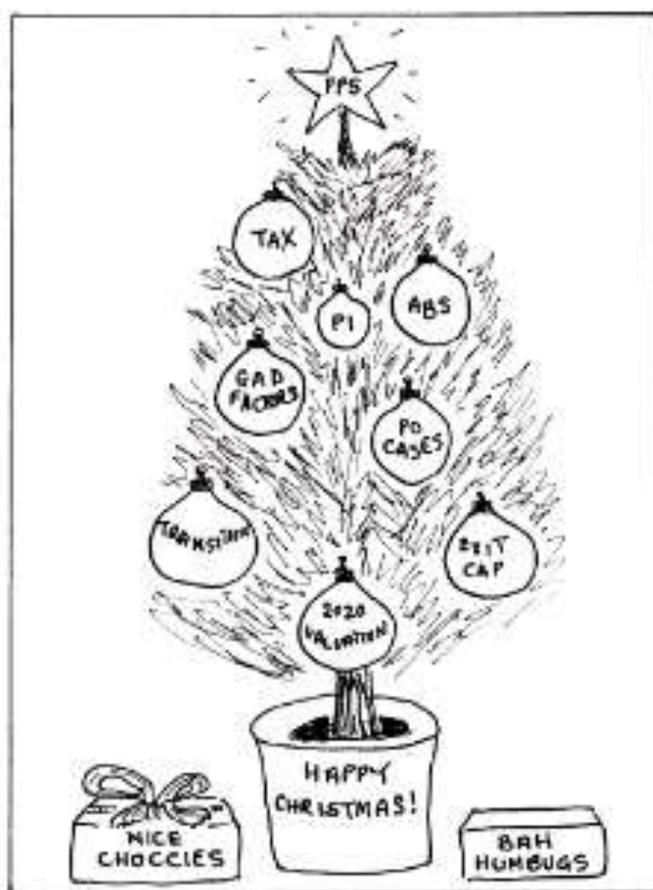


FPS Bulletin 27 – December 2019

Welcome to issue 27 of the Firefighters' Pensions Schemes bulletin.

If you are looking for information on a certain topic, issue and content indexes are held on the main [bulletin](#) page of the website and are updated following each new issue.

May we take this opportunity to wish you all a very merry Christmas and happy New Year. Thank you for your help and support during 2019.



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If you have any comments on the contents of this bulletin or suggested items for future issues, please contact [Claire Hey](#).

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Calendar of events

Please see below a calendar of upcoming events relevant to the Firefighters' Pension Schemes. Only those events which are hyperlinked are currently available to book. If you have any events you would like to be included in a future bulletin, please contact [Claire Hey](#).

SAB	9 January 2020 - amended
Firefighter Pensions Technical Community	31 January 2020
Fire Communications Working Group	4 February 2020
North East regional FPOG	12 February 2020 – amended
Midlands regional FPOG	18 February 2020
Eastern regional FPOG	25 February 2020
SAB LPB effectiveness committee	5 March 2020
LGA annual Fire conference and exhibition	10-11 March 2020
SAB	19 March 2020
SAB	11 June 2020
SAB	17 September 2020
Firefighters' Pensions AGM – save the date!	22-23 September 2020
SAB	10 December 2020

FPS

Update on transitional protections remedy (Sargeant)

As readers are no doubt aware, on 18 December 2019, the Employment Tribunal made an interim order on the firefighters' transitional protections claims. An employer's circular from the National Employers has been sent to FRAs informing of the detail which is available [here](#).

What the actual order does for claimants is to treat them as satisfying the age criteria regardless of their actual age as long as they meet the other criteria, which was to have been in the scheme at 31 March 2012 and 31 March 2015.

For example for claimants, [schedule 2, paragraph 12](#) should now read as automatically satisfying paragraph c regardless of their actual age

(2) This sub-paragraph applies if—

(a) P was an active member of the 1992 Scheme or an active member, or eligible to be an active member, of the NFPS on the scheme closing date;

(b)P was an active member of the 1992 Scheme or an active member, or eligible to be an active member, of the NFPS on 31st March 2012; and

(c)if P is an active-member of the 1992 Scheme, P would, unless P dies, reach normal pension age under the 1992 Scheme or if P is an active member or eligible to be an active member of the NFPS, normal pension age under the NFPS on or before the 1st April 2022

We understand that firefighters will be eager to understand what this means for them and no doubt administrators and FRAs will be receiving queries. Home Office have provided a factsheet ([Appendix 1](#)) that can be issued to members and we have provided some suggested text below in order to respond to those queries:

“We are aware of the interim declaration made by the Employment Tribunal that claimants represented in the Sargeant legal case are entitled to be treated as if they remained in the Firefighters Pension Scheme 1992 (FPS 1992). In order to comply with the Tribunal’s order FRAs will need further direction from Government on the practical steps to enable implementation and we await that direction, albeit the Home Office have since issued a factsheet.

In the meantime to enable us to prioritise urgent cases, if you believe you are a claimant and you have an immediate retirement event; i.e. you are going through or have gone through an ill-health retirement or you wish to retire from the scheme with immediate effect and meet the eligibility requirements of being over 50 with 25 years’ service (includes service in the 2015 Scheme) please contact [\[insert relevant contact details\]](#) with confirmation of your status as a claimant and details of your retirement claim.

The order does not specify treatment of non-claimants at this time, however Government have confirmed their intent that non-claimants in the same legal and factual position as claimants intends to extend the same treatment to all members of the public service pension schemes, including the Firefighters’ scheme, (whether claimants or not) who are in the same legal and factual position as the claimants. If you are a non-claimant with a similar immediate retirement event to claimants, please contact us. “

However, there are some steps that FRAs can take in the meantime to identify members with relevant service, whether claimants or non-claimants so that once proposals are finalised they are in a position to act.

- Current Ill-health cases with the IQMP
 - Ask the IQMP to assess the applicant under both the 1992 and 2015 scheme terms.¹
- Retrospective Ill-Health applications since 1 April 2015
 - Identify these into one of the below categories
 1. Assessed for IQMP under 2015 scheme terms and did not meet tier 1, therefore no ill-health pension is in payment.
 - The authority may want to consider whether it is appropriate to request an IQMP assessment under the 1992 terms, if the employer had not already asked the IQMP to assess under both schemes.

¹ Ill-Health certificates are available here - <http://www.fpsregs.org/index.php/member-area/ill-health-and-injury>

2. Assessed for IQMP under 2015 terms and met tier 1 requirements but not tier 2, therefore lower tier currently in payment only
 - The authority may want to consider whether it is appropriate to request an IQMP higher tier assessment on ability to perform regular employment under the 1992 terms, if the employer had not already asked the IQMP to assess under both schemes
 3. Assessed for IQMP under 2015 terms and awarded higher tier
 - A further IQMP assessment will not be necessary, however in some cases the enhancement paid for higher tier in the 2015 scheme will enhance the overall value of the pension being paid (meaning the pension paid under the 2015 terms is more than then pension that would be paid under the 1992 terms), however a lump sum paid under the 1992 scheme would be higher than that paid under the 2015 scheme. The authority may consider it appropriate to ask their administrator to provide a calculation of the benefits that might be provided under the 1992 terms for comparison purposes.
- Identify members that may have had or be eligible for immediate retirement², ie those members who are age 50 with over 25 years of service.
 - Identify members who may under the current scheme rules taper into the 2015 scheme from January 2020

Updates will be provided by email and via the monthly bulletins as new information or direction is received.

Firefighters' Pension Schemes (England) - Factor Guidance Notes

HM Treasury reduced the SCAPE discount rate from 2.8% to 2.4%pa above CPI from 1 April 2019. As a result of the change, the Government Actuary's Department (GAD) undertook a [factor review](#) for the Firefighters' Pension Schemes. The revised factors were provided by email to FRAs, during 2018 -2019. GAD has now produced guidance notes and example calculations to reflect the revised factors. These are provided below.

- [FPS 1992 and FPS 2006 CPD APB - factors and guidance](#)
- [FPS 2015 Age additions and assumed age additions - factors and guidance](#)
- [FPS 2015 Club Transfer guidance](#) (supplement to the Club Memorandum)
- [FPS 2006 Early retirement - factors and guidance](#)
- [FPS 2015 Early payment reductions - factors and guidance](#)
- [FPS 2006 Purchase of increased benefits - factors and guidance](#)
- [FPS 2015 Purchase of Additional Pension - factors and guidance](#)
- [FPS 1992 Tax charge debits - factors and guidance](#)
- [FPS 2006 Tax charge debits - factors and guidance](#)
- [FPS 2015 AA charges: scheme pays offsets - factors and guidance](#)
- [FPS 2015 LTA pension debit - factors and guidance](#)

All factor tables and guidance notes can be found on our website at <http://fpsregs.org/index.php/gad-guidance>.

² <http://www.fpsregs.org/images/admin/RetirementFPS2015v1.pdf>

Please note: **In line with best practice and in order to make sure that factors are being used as intended and the instructions are fit for purpose, we suggest that some example calculations are sent to GAD for review.**

We have received a number of queries regarding the guidance, which have been forwarded to the Home Office for review. Please submit any comments to bluelight.pensions@local.gov.uk.

December query log

The current [log of queries and responses](#) is available on the FPS Regulations and Guidance website. The queries have been anonymised and divided into topics. The log will be updated on a monthly basis in line with the bulletin release dates.

Queries from earlier months have been grey-shaded to differentiate from new items added in November.

FPS (England) SAB Updates

A end of year message from the Chair

“Dear Friends & Colleagues,

Christmas is traditionally a Family Time and it is my pleasure to send to all of you within what I fondly refer to as my Fire Pensions Family my personal 'Festive Best Wishes' for Christmas, the New Year and 2020.

It doesn't feel like it is 12 months ago that I sat down to write last year's Festive Message to you all...and yet, here we are again, frantically getting ready for the "Big Day", and the closure of another busy year.

Christmas is generally a time for reflection and when I look back over the year, we have seen so much happening within the Fire Pensions domain, much of which has involved the majority of you reading this message in one way or another...”

Read more from Malcolm Eastwood, chair of the Firefighters' Pensions (England) Scheme Advisory Board at [Appendix 2](#).

ABS 2019 survey – reminder of action required

Many thanks to colleagues who have been able to submit a response to this year's survey of the ABS process, developed in collaboration with the SAB Local Pension Board effectiveness committee. We encourage those who have not yet responded to take the opportunity to do so, so that the research report fully reflects the national picture.

Taking into account feedback and learning from previous years, we have revised the question sets and have developed separate surveys for the FRA and administrator to complete. We welcome one reply from each FRA, and for administrators with multiple FRA clients, a completed survey per authority.

To ease the burden on those administrators, a third, shorter version of the survey has been provided, with the intention that they will complete a full survey for the first FRA and the reduced version for each subsequent submission.

FRA (employer) survey https://www.surveymonkey.co.uk/r/ABS_2019_SURVEY_FRA

Administrator survey for single, or first of multiple FRAs

https://www.surveymonkey.co.uk/r/ABS_2019_SURVEY_ADMIN

Administrator survey for subsequent multiple FRAs

https://www.surveymonkey.co.uk/r/ABS_2019_SURVEY_ADMIN_PLUS

An Excel version of the question set can be provided on request, and we can also export submissions on an individual basis following the closing date and provide FRAs with their own data for discussion at Local Pension Board meetings if required.

Please note that the closing date has been brought forward to **6 January 2020**, as our paid Survey Monkey plan expires on this date. If you require any further information or clarification on the surveys, please contact claire.hey@local.gov.uk.

TPR data requirements – 2019 scheme return: update

In [FPS Bulletin 25 – October 2019](#) we included updated guidance for completing The Pension Regulator (TPR) scheme return, with some new scheme specific items added and an expanded section on testing data for accuracy.

<http://fpsregs.org/images/admin/TPR-data-scoring-2019-clean.pdf>

<http://fpsregs.org/images/admin/Data-score-weighting.xlsx>

It appears that some confusion has arisen regarding the status of the document which we had initially classified as informal guidance, and therefore some parties had not recognised that this would form the basis of a standard, fire-specific, extract. We have now changed the category of the document from “information” to “advice” and would like to make clear that we consider this a final standard version for suppliers and authorities to take account of.

TPR have noted that, in their opinion, the role of the SAB to advise scheme managers and pension boards carries sufficient weight for a supplier to pay attention to it.

Other News and Updates

Pension Schemes Bill reinstated

Following the general election on 12 December 2019, the Queen’s Speech setting out the government’s policies³ has confirmed that the Pension Schemes Bill has been reintroduced to:

- “Support pension saving in the 21st century, putting protection of people’s pensions at its heart.
- Create a legislative framework for the introduction of pensions dashboards to allow people to access their information from most pensions schemes in one place online for the first time.”

3

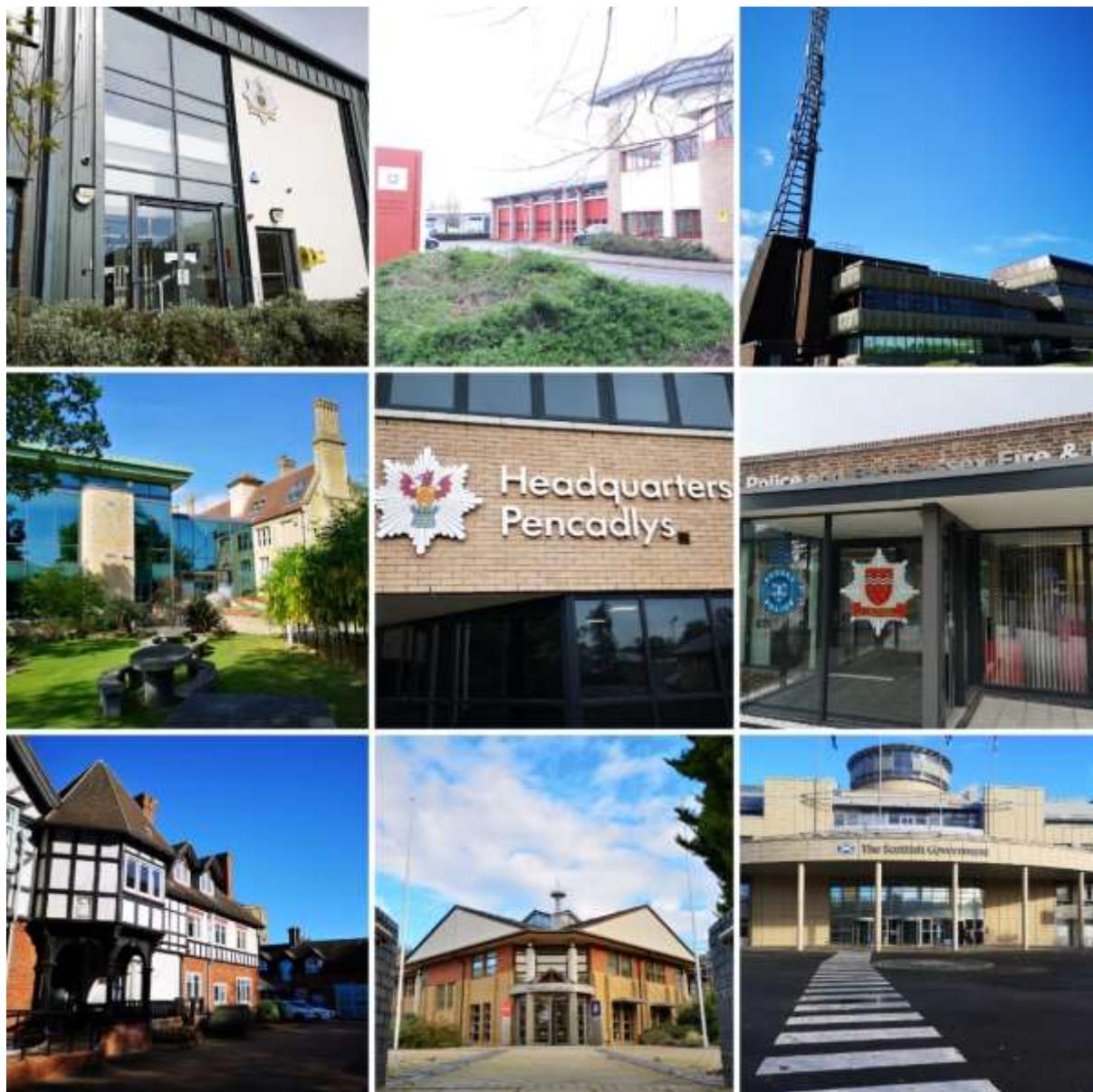
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/853886/Queen_s_Speech_December_2019_-_background_briefing_notes.pdf [Page 56]

The first reading of the Bill took place on 15 October 2019 and the second reading of the Bill was scheduled to take place on 30 October 2019. However, this was delayed due to the election.

Training and Events

2019 facts and figures

We've been out on the road again in 2019, attending meetings and providing training to FRAs and LPBs; including 16 regional Fire Pension Officer group meetings and 22 local or regional training sessions for boards and scheme managers. Some of the many HQs we've visited this year are pictured below. See if you can spot yours!



In addition to our regional engagements, we've held a six national training events at the LGA offices in London, including several joint sessions with colleagues from the Police scheme, the annual two-day AGM and a wrap-up session for LPB members.

Information about our national events can be found on our [Events](#) page.

Back at base (and beyond), we have facilitated four meetings of the SAB, six SAB committee meetings, three communications group and three technical group meetings. In addition, we are regular visitors to the devolved SAB meetings to provide an overview of issues arising in England, and represent FPS interests at sector specific forums.

We look forward to offering an exciting and varied programme of events in 2020 based on the outcomes of our [training survey⁴](#), and as ever, are happy to tailor bespoke sessions for local and regional groups. For information, please contact us at bluelight.pensions@local.gov.uk.

Useful links

- [The Firefighters' Pensions \(England\) Scheme Advisory Board](#)
- [FPS Regulations and Guidance](#)
- [Khub Firefighters Pensions Discussion Forum](#)
- [FPS1992 guidance and commentary](#)
- [The Pensions Regulator Public Service Schemes](#)
- [The Pensions Ombudsman](#)
- [HMRC Pensions Tax Manual](#)
- [LGA pensions website](#)

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⁴ <http://www.fpsboard.org/images/PDF/Surveys/Training2019.pdf>

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