



FPS Bulletin 33 – May 2020

Welcome to issue 33 of the Firefighters' Pensions Schemes bulletin.

We hope that readers remain safe and well.

The Coronavirus pandemic continues to raise queries and concerns for scheme employers and members. Our dedicated [COVID-19 webpage](#) is being updated frequently, so please check in on a regular basis.

All meetings, training and travelling remain suspended for the foreseeable future but the Bluelight team are available at home by mobile, email or video (MS Teams or Skype for Business).

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.

If you have any comments on this bulletin or suggested items for future issues, please email claire.hey@local.gov.uk.

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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 email claire.hey@local.gov.uk

Table 1: Calendar of events

Event	Date
FPS coffee and catch up	Every second Tuesday – next event 2 June 2020
Local Pension Board wrap-up training	10 June 2020
Virtual SAB	11 June 2020
Virtual South West & Wales FPOG	17 June 2020
Local Pension Board wrap-up training	8 July 2020
South East regional FPOG	27 July 2020 (TBC)
SAB	17 September 2020
SAB	10 December 2020

Actions arising

Readers are asked to note the following actions arising from the bulletin:

[NIC refunds for FPS 2006 special members](#) – scheme manager to ensure that form APSS155b has been completed and returned to HMRC.

[COVID-19 governance survey](#) – scheme manager and/ or Local Pension Board chair to complete online survey by 30 June 2020.

[LPB wrap-up training 2020](#) – book places for pension board members wishing to attend.

FPS

Age discrimination update

We are conscious that it has now been six months since the tribunal determination in the Sargeant case for age discrimination and as yet we have been unable to provide further information on what to expect.

The position at the moment remains as per [FPS Bulletin 28 - January 2020](#) that all entitlements including immediate ones should remain under the existing rules for the time being.

We understand that this position will no doubt be disappointing and frustrating to members. In order to reassure them it may help to confirm that the Government accepted the Courts' findings in the Sargeant and McCloud legal cases and are committed to treating claimants and non-claimants in the same manner. However, the discussions on remedy are ongoing and the guidance required for processing immediate cases is still not available. The need for this information to be made available as soon as possible is frequently highlighted to the Home Office and HM Treasury.

We understand from [written statement HCWS187](#) that initial proposals are to return members to their former final salary scheme for the 'remedy period', but to offer a choice to the member, including those who were deemed protected in the final salary scheme, to receive benefits based on the current Career Average Revalued Earnings (CARE) scheme if it is better to do so. At this stage it is not clear when the end of the 'remedy period' will be, however, it is not expected to be before 2022, as the current working assumption is that it will take three years to bring in these proposals.

As yet we do not know when the member might make the choice. We understand that this could be either:

1. At the end of the remedy period, this will be the same time right across public sector, or,
2. At the members retirement age.

We appreciate that those who are retiring in the more immediate future may want more certainty over their benefits. The Scheme Advisory Board (SAB) [requested data on immediate events](#) from each Fire and Rescue Authority (FRA) in order to highlight the number of immediate cases that cannot be progressed because of a lack of guidance. Unfortunately, only 28 of the 45 English FRAs responded to this request, despite an extension to 16 March 2020.

The information we did receive was used in a [paper to the SAB](#) and subsequently supplied to government to highlight the number of immediate cases faced and the necessity for guidance to be supplied. We are continuing to actively push for that guidance as soon as possible.

Our understanding is that if firefighters retire before remedy has been applied to the schemes, they will remain eligible for their position to be remedied retrospectively and benefits recalculated if necessary. The [Sargeant factsheet](#) released by the Home Office stated that individuals will keep benefits they have accrued regardless of changes needed to remove discrimination.

In the meantime, it is important that FRAs ensure they are ready to remedy the benefits once this guidance is available and we want to take the opportunity to remind you of our guidance on ill-health cases in [FPS Bulletin 28 - January 2020](#) to ensure that you have an IQMP decision under both schemes if necessary.

Protected Pension Age - HMT extension

As previously confirmed in the [written statement HCWS196](#), the protected pension age tax rules were temporarily relaxed for the period 1 March to 1 June 2020 for those returning to work as a result of COVID-19. We understand that a further extension on this relaxation has been sought, but there has been no further update on this at present. We will provide an update as soon as it is available.

Claims for refunds of NICs - FPS 2006 special members - reminder

In [FPS Bulletin 29 – February 2020](#) we advised that HMRC had recently written to all FRAs to request completion of form APSS155b in order to backdate their FPS 2006 scheme contracting-out certificate to 6 April 2000.

This was to allow HMRC to correct contracted-out status and process the refund of National Insurance Contributions (NICs) for individuals who elected to become special members of the scheme. Additionally, in some cases, HMRC informed FRAs that they did not currently have a valid contracting out certificate for FPS 2006 and this would first need to be applied for and then backdated.

HMRC have since advised that they have only received a small proportion of completed forms from Authorities. Therefore, if you are aware that your FRA has not returned form APSS155b, please arrange for this to be done at the earliest opportunity.

Any queries regarding the form can be sent to ipdtechnicalteam.nationalinsurance@hmrc.gov.uk

Website and resources update

As we are all getting used to a new way of working, more virtually and with less time spent “on the road”, we have taken the opportunity to develop some additional web-based resources and update some of our existing material.

New additions to the [Firefighters’ Pension Schemes Regulations and Guidance](#) website include:

[Related legislation](#). This page collates legislation that has general or consequential impact on the FPS, such as relevant Acts and Automatic Enrolment legislation.

[GAD factor table and guidance note cover sheet](#). This PDF document provides a summary of the most recent factors and guidance notes provided by the Government Actuary’s Department (GAD).

HM Treasury reduced the SCAPE discount rate from 2.8% to 2.4%pa above CPI from 29 October 2018. As a result of the change, GAD undertook a [factor review](#) for the Firefighters' Pension Schemes. The revised factors were provided by email to FRAs, during 2018-19, with a [consolidated workbook of factors](#) in October 2019.

[Events](#). Details of events facilitated by the LGA Bluelight pensions team can be found in this section, which has been moved from the [SAB website](#). It includes booking for any forthcoming events and presentations of past events.

The following pages have been added to the member-restricted section of the Regulations and Guidance site. If you require log-in details for this area, please email bluelight.pensions@local.gov.uk.

[Firefighter pay scales](#). This page contains firefighter pay scales dating back to 1977. These documents have been provided to assist practitioners who may need to access historic pay settlement information.

[Videos and webinar recordings](#). This page has been created to host training and informational videos created by the LGA Bluelight team, as well as webinar recordings. A further password may be required to view the videos.

IDRP guidance

Following on from our article in [FPS Bulletin 30 – March 2020](#), we are pleased to let you know that the SAB have approved the updated [informal IDRP guidance](#) which has now been published to our [factsheets](#) page.

Readers may also be interested in the [outcomes of the recent IDRP data collection](#), which were presented to the Board in May.

May 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 May.

FPS England SAB updates

COVID-19 FPS governance survey

Thank you to those that took the time to complete our COVID-19 and the FPS administration resilience survey – we had a great response and your input has helped us raise the important issues with the Government and the Pensions Regulator, and tailor the support and guidance we provide.

We would now like to hear from you on how the current situation is impacting the governance of the Firefighters' pension schemes. Please complete the [COVID-19 FPS governance survey](#) – it should take around 10 minutes. We are happy to accept multiple responses per FRA; ideally we would like to hear from the scheme manager and/ or Local Pension Board chair.

As our distribution lists do not yet extend to delegated scheme managers, please forward this request as appropriate.

The survey will remain open until 30 June 2020.

Local Pension Board Knowledge Hub forum

We would like to let readers know that all resources held in the above forum have been moved to either www.fpsboard.org - the dedicated website of the Firefighters' Pensions (England) Scheme Advisory Board, or www.fpsregs.org - the FPS regulations and guidance site.

This forum has now been closed and all group members have been informed by email.

Our other KHub group [The Firefighters Pensions Discussion Forum](#) will remain open as an archive resource.

Please contact bluelight.pensions@local.gov.uk if you have any questions.

SAB policies

The following policies have recently been uploaded to the SAB website:

- [Code of conduct](#)
- [Conflict of interest](#)
- [Knowledge and understanding](#)

Other News and Updates

LGA LGPS pensions team

We are very pleased to welcome a new pensions adviser to the LGPS pensions team. Steven Moseley joined the team from LPP on 27 April 2020. Steven will be the lead contact for LGPS Scotland but will also be working on LGPS England and Wales.

Events

FPS coffee mornings

We hope everyone is well and continuing to stay safe at this time. As social distancing measures are likely to stay in place for some time and it is likely we won't see each other in person for a while we have started running an online coffee morning every second Tuesday at 11am to allow a catch up between colleagues and the LGA Bluelight team.

We have held two successful sessions to date, with the next event scheduled to take place on 2 June 2020.

The sessions last up to an hour and have so far been facilitated by Zoom. As some organisations do not allow access to Zoom, the next session will be available in Microsoft Teams.

If you would like to join us, please email bluelight.pensions@local.gov.uk and we will forward the meeting link and any password needed.

Please note that sessions should not be recorded. These sessions are informal and should not be construed as legal advice.



Brew and a Chat

- Come and join us every second Tuesday at 11am for a chance to catch up with colleagues starting 5 May

Invitation only: Please email bluelight.pensions@local.gov.uk to be sent your zoom link and password.



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 shared in these sessions.

Annual Local Pension Board wrap-up training 2020

We are once again running our popular annual Local Pension Board (LPB) wrap-up session, for board members who are either new to the board or those wanting an opportunity to refresh themselves on the principles of governance for the Firefighters' Pension Schemes. [Details of our previous wrap-up sessions can be found here.](#)

We are delighted to welcome Nick Gannon from TPR who will be joining us for a session on last year's TPR governance and administration survey results; you may wish to read the [six key processes factsheet](#) to refresh yourselves on the processes that TPR monitors.

We are running this session via Zoom across two dates: 10 June and 8 July, from 11:00 until 13:30, please [click to view the full agenda.](#)

If you would like to participate please click the relevant link below:

[Request a place on the LPB wrap-up training 10 June 2020](#)

[Request a place on the LPB wrap-up training 8 July 2020](#)

HMRC

HMRC newsletters/bulletins

HMRC have published pension schemes newsletter 120 containing important updates and guidance on pension schemes. The following issues are covered:

[Pension schemes newsletter 120 – 27 May 2020](#)

- temporary changes to pension processes as a result of coronavirus (COVID-19)
- relief at source and the suspension of the process for applying for a National Insurance number
- submitting the APSS107 – Registered pension schemes annual statistical return without a signature
- contacting HMRC's Pension Schemes Services
- relief at source - annual return of information for 2019 to 2020
- relief at source - small changes to the APSS107 – Registered pension schemes annual statistical return

Contracting-out reconciliation update

On 28 May 2020 HMRC published [Countdown bulletin 53](#) to inform administrators that they plan to issue all final data cuts by the end of July 2020.

Administrators are advised to check the GMP amounts provided against their records and use the online GMP checker where the amounts cannot be reconciled.

[Click here to return to Contents](#)

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](#)

Contact details

Clair Alcock (Senior Pension Adviser)

Telephone: 020 7664 3189

Email: clair.alcock@local.gov.uk

Kevin Courtney (NPCC Pensions Adviser)

Telephone: 020 7664 3202

Email: kevin.courtney@local.gov.uk

Claire Hey (Firefighters' Pension Adviser)

Telephone: 020 7664 3205

Email: claire.hey@local.gov.uk

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