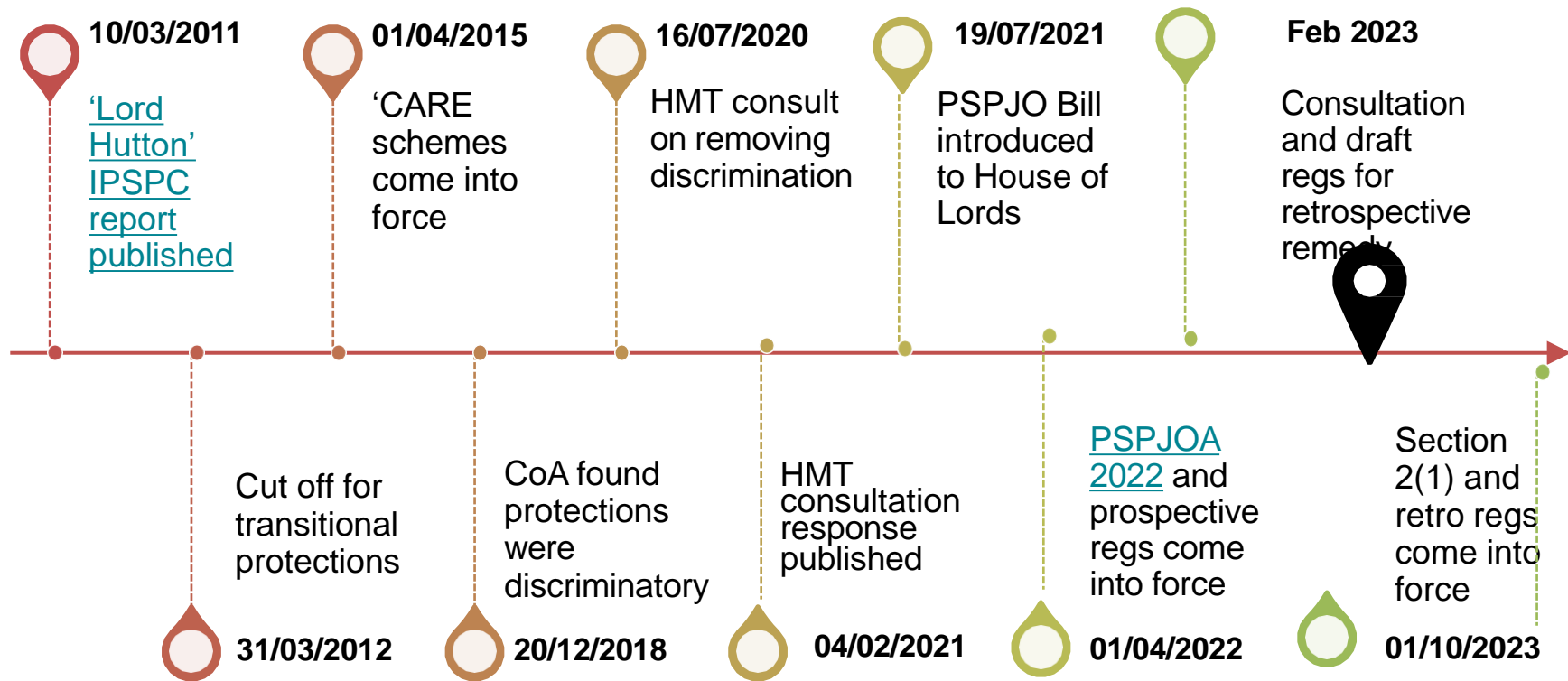


LGA Update

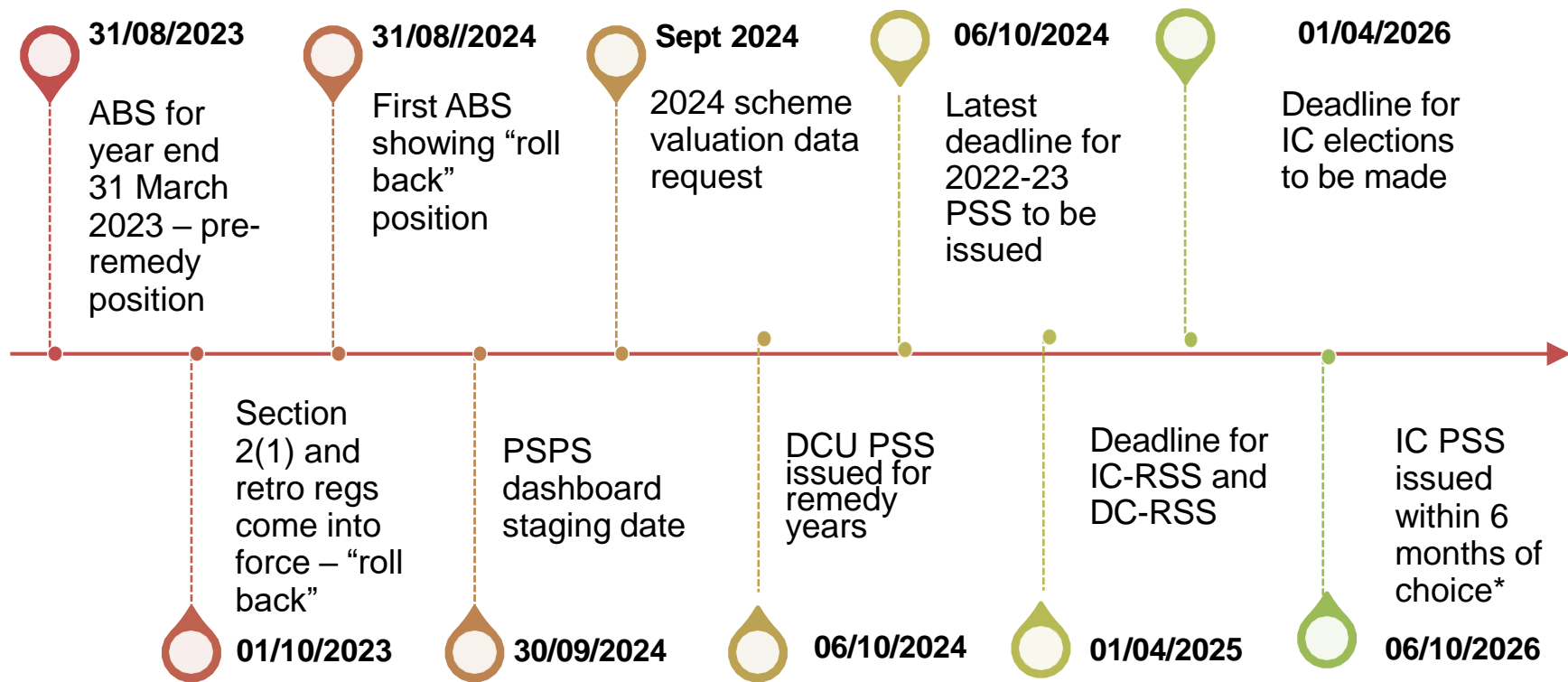


Retrospective remedy

Sargeant timeline



Statutory dates



* Or end of the election period (the rectification deadline)

Legislation

Primary

- [Public Service Pensions and Judicial Offices Act 2022](#)
- [Finance Act 2022](#)
- [The Public Service Pensions \(Exercise of Powers, Compensation and Information\) Directions 2022](#)

Secondary

- [The Police and Firefighters' Pension Schemes \(Amendment\) Regulations 2022](#)
- [The Public Service Pension Schemes \(Rectification of Unlawful Discrimination\) \(Tax\) Regulations 2023](#)

Awaiting consultation response

- [The Firefighters' Pensions \(Remediable Service\) Regulations 2023](#)
- [The Public Service Pension Schemes \(Rectification of Unlawful Discrimination\) \(Tax\) \(No 2\) Regulations 2023](#)

1 October 2023* – BAU v Sargeant

- New retirements/ deaths from 1 Oct 2023 (DC)
- DC-RSS
- Paid under scheme rules in force

BAU

- IC for pensioners/ representatives
- IHR reassessments
- Contributions and tax adjusted
- IC-RSS
- ABS-RSS for active/ deferred
- Contingent decisions
- Rectify ID cases

Remediable

* 2 October 2023

Eligibility

To be eligible a member must have “remediable service” [[Section 1](#)]:

- Service during the remedy period
- Pensionable under a legacy or reformed scheme
- A member or eligible to be a member on or before 31 March 2012
- No break in service greater than five years

If a member meets these conditions for one employment, they automatically meet them for any multiple employments

Eligibility actions

Have you identified all eligible members (including opt outs)?

February 2023 71% of FRAs had identified eligible members

Have you cross checked FRA to admin records?

February 2023 50% had cross referenced records.

Issue communications to inform members if they are Out of scope (now in scope) (still out of scope).

February 2023 64% had issued in and out of scope letters

Contingent decisions – opt outs

The consultation suggests: Claims for opt outs during remedy period and 6 pay periods prior automatically accepted

Optant outs before that need to provide evidence that decision was due to reforms

Claim can be made by “beneficiary”

Cases of opt out before 12 March 2012 will be refused

Have you been able to identify these cases?

Contingent decisions – others

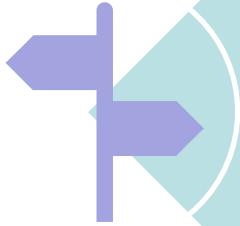
Voluntary contributions

- Scheme manager discretion to allow retrospective AY contract, if eligible during remedy period
- Regulation 28

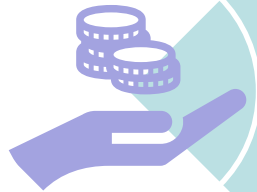
Transfers

- Allows member to revisit transfer decision during remedy period
- Window for new decision
- Reversal will require agreement from sending/ receiving scheme

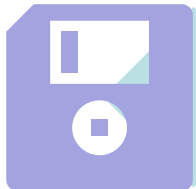
Data



All **eligible members** are to be offered a choice to receive benefits in either the legacy scheme or the reformed scheme for the remedy period



To offer that choice, all members must have a full final salary and CARE record for the period



Administrators will need additional data from FRAs to build those records e.g. an unprotected member who transitioned to FPS 2015 from FPS 1992 on 1 April 2015 and remains in employment will need a final salary record creating for the full seven years

What data is needed #1

Pay

- Final salary pay
- CARE pay
- Pay that is pensionable under FS definitions that is not pensionable under CARE
- Include any temporary promotion not pensionable in FPS 2015

Contributions

- Legacy scheme
- Reformed scheme
- Contribution holidays

What data is needed #2

Service

- Final Salary service record will need re-building
 - Changes to hours
 - Industrial action
 - Maternity leave
 - Paternity leave
 - Parental leave
 - Authorised absence
- For retained this will be actual pay and full time equivalent pay to establish service records
- CETVs

Benefit entitlements

- Two pension entitlement
- Additional Pension Benefits (APBs)
 - Temporary Promotion in FPS 2015 would be treated as APB in Final salary if appropriate discretion is in place
 - CPD payments in FPS 2015 will need to be treated as APB in final salary scheme
- Pension debits
 - Divorce
 - Scheme pays
- Added Years/ Pension

Data collection tools

The following products were created in collaboration with the Fire Communications Working Group and software suppliers

- [Remedy data collection guidance](#)
 - Document outlining the types of data to be collected with FAQs and recommendations
- [Remedy data collection template](#)
 - Spreadsheet in agreed format which can be used to import and export from the pensions admin system
- [Remedy data collection template notes for completion](#)
 - Instructions on completing the template

Data collection quiz results

Are you aware of the data collection tools for remedy?

February 2023 78% of FRAs were aware of the data collection tools

Has your administrator provided a deadline for providing data?

February 2023 57% had been provided with a deadline.

Have you started collecting data?

February 2023 86% had started to collect data

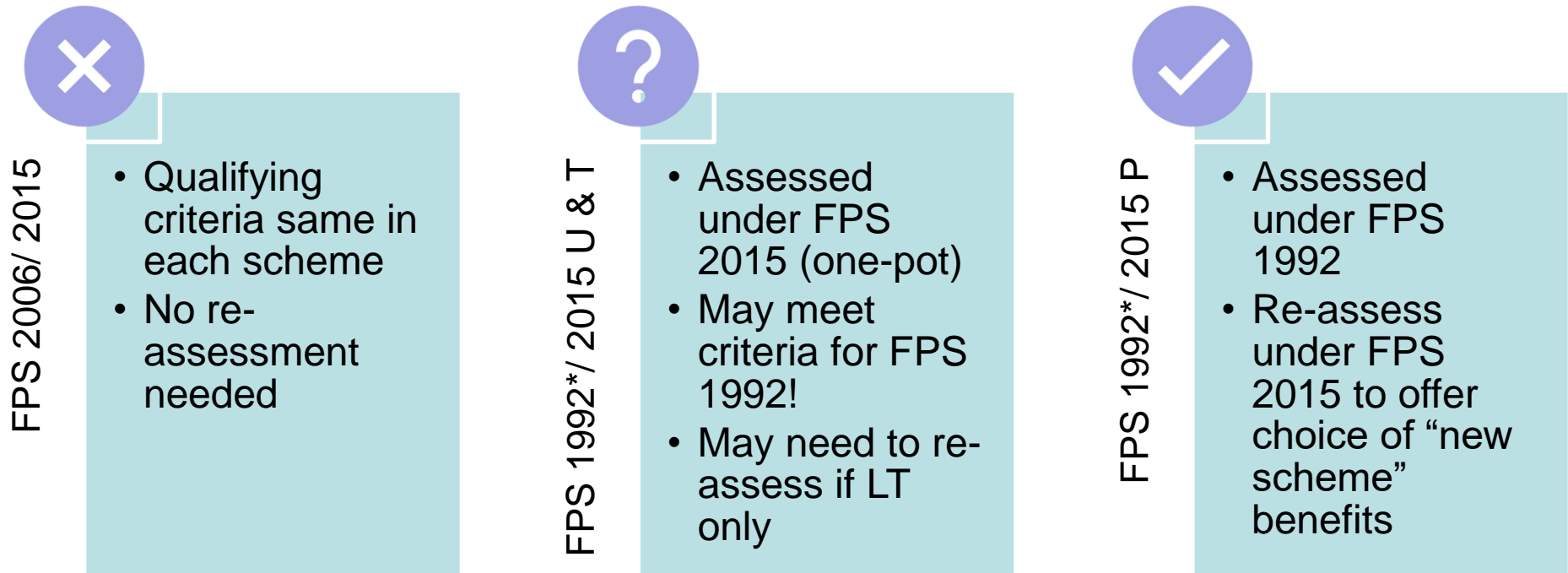
Ill-health retirement

From 1 October 2023, all members with eligible service for the remedy period will be placed in their relevant legacy schemes for their remedy period service and will be given this choice at retirement (DCU) or immediately (IC)

IC members (pensioner members or beneficiaries of deceased members) who retired on ill-health may need their case to be re-assessed

From January 2020, FRAs were advised to obtain certificates for both final salary and CARE schemes from the IQMP when referring a member for IHR and to look at cases since 2015 ([Bulletin 28 – January 2020](#))

Retrospective assessments



In summary: FPS 1992 sets a lower qualifying bar (for both lower and higher tier IHR) than that set by FPS 2015. FPS 2006 Scheme an equivalent qualifying bar (for both lower and higher tier IHR)

* Also FPS 2006 special

Ill-health actions



Identify members retired on IHR (or dismissed on capability) during remedy period



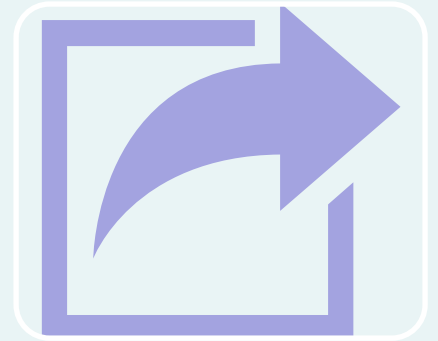
Collate information, inform member

- Template consent letters provided with [Bulletin 65 - January 2023](#)



Request IQMP re-assessment **before 1 October 2023**

- Template IQMP referral letters provided in [Bulletin 69-May 2023](#)



Provide re-assessment outcome to administrator

- Template outcome letters in development

Ill health quiz results

Have you identified all members who retired on health grounds/were dismissed on capability grounds during the remedy period?

February 2023 86% of FRAs had identified all ill health cases.

Have you identified those members who will need a reassessment?

February 2023 57% had identified those who need a reassessment.

From those members, how many will need reassessment?

Answers ranged from 0 to 15 members.



Remedy timetabling (RSS)

Scheme regulations must make provision to provide an RSS to eligible members notifying them of the available benefits in respect of their remediable service (legacy and reformed)

Statutory 18-month deadline for schemes to provide RSSs after the retrospective remedy comes into force on 1 October 2023 (1 April 2025)

From 2023, active members with remediable service must be provided annually with an 'Annual Benefit Statement RSS' (an "ABS-RSS") either alongside or within the existing ABS

[Treasury directions](#) set out further requirements on content and format



Four types of RSS*

IC-RSS

- Pensioners retired between 1 April 2015 and 1 Oct 2023 (not ID)
- Deceased between 1 April 2015 and 1 Oct 2023 (includes active, deferred, pensioner)

ABS-RSS

- From 1 Oct 2023, active members provided annually with or included on ABS
- From 1 Oct 2023, deferred members must receive an ABS-RSS, then 'on demand'

DC-RSS

- Active and deferred members at DCU date (after 1 Oct 2023)
- Active and deferred members who die after 1 Oct 2023 – beneficiary to make DCU election

R-RSS

- Members making a contingent decision claim under Sect. 5 (opted out service)
- 18 months from point claim is successful
- May be in addition to another type of RSS

* Plus TV-RSS (transfers during remedy period)

Order of processing (IC)

Recent retirements first

Have more remediable service

Therefore more pension is based on new scheme service

At greater financial detriment?

Agreed preferred method

Oldest retirements first

Have less remediable service

Less pension based on new scheme/ more on legacy

Have been waiting longer

Likely to have more interest applied

All IC members receive RSS by 1 April 2025 and within deadline



IC cohort timetabling

October 2023 to March 2024 (Priority)

- Ill-health retirements (including re-assessments)
- Death in service beneficiaries

October 2023 to May 2024

- Ill-health retirement beneficiaries
- Unprotected and taper protected beneficiaries

October 2023 to November 2024 (Largest cohort)

- Unprotected and taper protected pensioners

January 2024 to July 2024

- Contingent decision (opt out)



IC cohort timetabling contd.

May 2024 to January 2025

- Protected FPS 2006 pensioners*
 - *N.B: May be more likely to elect for new scheme

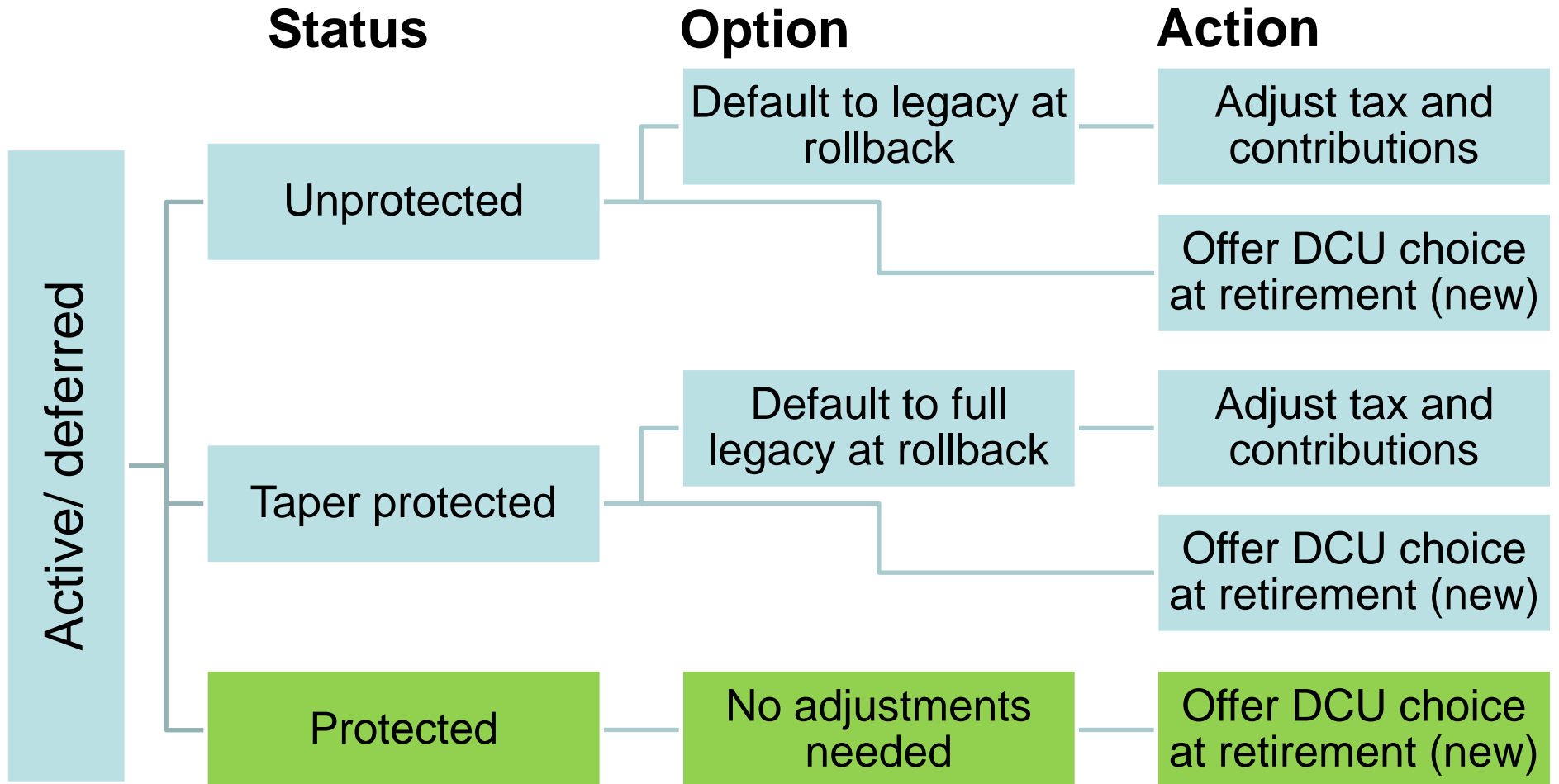
August 2024 to March 2025

- Protected beneficiaries (FPS 1992* and FPS 2006)
 - *N.B: FPS 2015 may provide better family benefits

October 2024 to March 2025 (less likely to elect for new scheme)

- Protected FPS 1992 pensioners

DC status options





DC cohort timetabling

October 2023 to October 2024

- Active unprotected and taper protected members
- Deferred unprotected and taper protected members

April 2024 to July 2024

- Contingent decision (opt out)

September 2024 to March 2025

- Protected active and deferred members



Timetabling actions

Establish numbers of members in each cohort.

14% of FRAs had established the number of members in each cohort.

Consider timetabling recommendation

Different FRAs will have different numbers in each cohort

Discuss requirements with administrator to understand BAU processes, SLA, disclosure deadlines, and.....ability to meet deadlines

Be aware of any restrictions on what the software can perform and consider the resource that will be needed accordingly if manual calculations are needed.

GAD contribution calculator



- GAD calculator in development for contributions – will include adjustments for tax relief and interest
- Working groups in process of being set up to test calculator data inputs
- Data input descriptions will be provided
- Further details once working groups are in place.

Retrospective remedy member communications

Member communications

FPS member website contains [high level timeline](#) to refer members to.

Remedy videos for members have been procured and scripts being developed

RSS being developed jointly with NPCC colleagues to ensure consistency.

Remedy warm up letters have been drafted for review by Communications Working Group:

- A letter for each timetabling cohort to advise on estimated timeline for receiving their RSS
- To assist with member expectations

“Matthews” and the 2023 options exercise



Next steps

Identify individuals in scope for Matthews and divide into three cohorts. Find out what steps were taken for the 2014 options exercise. The Matthews [pre-work factsheet](#) can help with questions.

Identify those also in scope for McCloud and consider prioritisation.

Use reasonable endeavours to contact individuals accordingly, e.g. check contact details are up to date.

Communications: Issue warm up, in-scope letters for those in-scope
Use the Matthews poster to spread the word!

Next steps

GAD are developing the calculator including a benefits calculator. [Coffee morning slides](#) are available to check you have the required data input fields. Guidance will be provided. Volunteer FRAs will test the calculator.

LGA are updating the communications used from the first options exercise for approval by communications group.

Matthews Technical Working Group continue to consider the technical issues on Matthews, for example trivial commutation, added years contracts, provision of process maps to help FRAs and now includes software representation and SAB governance oversight.

Save the date

Firefighters' AGM 19-20 September 2023

18 Smith Square, London



Any questions



Data-related resources

- [TPR record keeping guidance](#)
- [LGA data measuring guidance](#) and [weighting template](#)
- [PASA data guidance](#)
- [LGA remedy data collection guidance](#), [data template](#), and [notes for completion](#)
- [TPR 6 key processes factsheet](#)
- [Template FPS administration strategy](#)

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Thank you for listening!

elena.johnson@local.gov.uk

tara.atkins@local.gov.uk

BluelightPensions@local.gov.uk