

FIREFIGHTERS' PENSION COMMITTEE

NOTE OF THE 17th MEETING OF THE FIREFIGHTERS' PENSION COMMITTEE HELD ON 20th SEPTEMBER AT ELAND HOUSE, BRESSENDEN PLACE, LONDON

(A list of the attendees are attached in Annex A)

1. Introduction

1.1 The Chairman welcomed everyone to the meeting. He introduced Claire Cooper who was representing the LGA on behalf of Fred Walker and Richard Charman who was representing APFO on behalf of Chris Large.

2. Minutes of the 16th FPC meeting

2.1 The minutes of the 16th FPC meeting were agreed.

3. Matters arising from the 16th FPC meeting - FPC(06)22

3.1 Derek Chadbon referred to paragraph 3.5 of the minutes of the last meeting. He asked the Chairman whether he was confident that FRAs would be ready for the options exercise. The Chairman responded by saying that, on the basis of the audit of preparedness which the Department had carried out, he was reasonably confident that FRAs would manage.

3.2 Mr Chadbon continued by saying that he got the impression that FRAs were ill-prepared for implementing the transitional arrangements for retained firefighters and suggested that consideration should be given to having a staggered introduction of the options exercise.

3.3 The Chairman said that it was his preference that the options exercise be introduced nationwide at the same time as having a staggered timescale would be difficult to manage and would only increase the number of queries which would be raised by firefighters who had not yet received information. He would be holding a series of workshops throughout England, Scotland and Wales which would deal with issues relating to the transitional arrangements. He assured members that that DCLG would be available during the 3 month option exercise period to provide support for FRAs and would deal with questions from individual firefighters as much as possible.

3.4 The Chairman also informed the Committee that DCLG had launched a discussion forum on the internet and that the Firefighters' Pension Team would use its facilities to give HR and pension administrators access to discuss issues and exchange information. He said that all contributions would be monitored before being published on the site and that his team would contribute to discussions in order to respond

to recurring themes and to encourage debate. It was the Chairman's intention to use the discussion forum to provide support during the options exercise.

- 3.5 Ivan Walker made reference to the ongoing employment tribunal and asked whether, if retained firefighters were given access to the FPS as an outcome of the claim, those employed prior to 6 April 2006 who had joined the NFPS would be given an option to transfer any service accrued into the FPS. The Chairman confirmed that this would be the case.
- 3.6 Derek Chadbon highlighted the fact that if retained firefighters were successful in their bid for access to the FPS and if the employment tribunal gives their decision retrospective effect to 2000, the calculation of pensionable pay would be a problem. There was a wide variation in the earnings of retained firefighters and those on higher earnings would not want their pensions based on an 'average earnings'. The Chairman agreed that there would have to be a fair solution.
- 3.7 The Chairman referred to paragraph 3.9 of the minutes. He said that he had not received any responses from members. He emphasised how helpful a Q&A briefing would be to support the options exercise. He repeated his invitation for members to submit questions that they thought would most likely be raised by firefighters.

ACTION: Members to submit questions for the Q&A briefing by 13th October.

- 3.8 Derek Chadbon said that he was concerned about retained firefighters who die prior to the launch of the options exercise and when their awards under the NFPS would be paid. The Chairman responded by referring to committee paper FPC(06)24 - *Transitional Arrangements* and confirmed that once the NFPS order comes into effect, FRAs would have one month to pay any outstanding awards.
- 3.9 The Chairman also confirmed that retained firefighters who were in service prior to 6 April 2006 and who die before the options exercise, their widows/nominated partners would have the option of accessing NFPS benefits.
- 3.10 Mr Chadbon also advised the Chairman that it was his understanding that FRAs had not issued the '*Nomination of Dependent Partner for Survivors Pension*' to retained and volunteer firefighters. He suggested that DCLG issue a new pensions circular to FRAs advising them to send nomination forms to retained and volunteer as well as regular firefighters. The Chairman said that he was under the impression that all firefighters had received a copy of the nomination form. He agreed to issue a new circular.

ACTION: DCLG to issue pension circular advising FRAs to send nomination forms to all regular, retained and volunteer firefighters

- 3.11 Ivan Walker said that the FBU were currently receiving questions from firefighters who were asking about the cost of buying back service to 6 April 2006 in the NFPS. He suggested that it would be useful if DCLG compiled some worked examples.
- 3.12 The Chairman agreed to provide worked examples to show the costs of buying back service to 6 April 2006 closer to the time of the options exercise.

ACTION: DCLG to provide worked examples for firefighters wanting to buy back service to 6 April 2006 prior to the options exercise

- 3.13 Mr Walker referred to paragraph 5.2 of the minutes. He said that there were FRAs that were still not taking the IQMP's opinion as binding. He suggested that DCLG should reissue guidance. The Chairman said that this had been made clear to FRAs on a number of occasions but he would keep the need for further advice under review.[Note: the most recent reference to this was in paragraph 2.12 of FPSC 10/2006.]
- 3.14 Derek Chadbon made reference to Group Personal Pensions (GPPs) that some FRAs had set up on behalf of their retained members. He asked the Chairman for an indication of what conversion rates would be offered for these pensions if they were to be transferred into the NFPS. The Chairman said that he had set up a meeting for the 2 October that would hopefully deal with issues relating to GPPs.

4. NFPS – Draft Order – FPC(06)21

- 4.1 The Chairman introduced paper FPC(06)21 'New Firefighters' Pension Scheme - Draft Order [version dated 25 August 2006]. He advised members that this version had now been published on the DCLG website. He said his team have submitted further comments to the lawyer dealing with the drafting and that he hoped to have a revised version by next week. Material changes would be highlighted.

- 4.2 Members were invited to comment.

ACTION: Members to submit comments on paper FPC(06)21 by 30th September.

5. Transitional Arrangements – FPC(06)24

- 5.1 The Chairman introduced paper FPC(06)24 which set out the provisions that would need to be included in the NFPS and amendments which may be needed to the FPS to ensure smooth transition to the new scheme.
- 5.2 Ivan Walker asked if members transferring from the FPS to the NFPS would be restricted by a cap on pensionable service. The Chairman

said that his team were currently in discussions with GAD regarding this issue and would hopefully have something for the next meeting. He said that GAD would be providing DCLG with revised factors for transfers between FPS and NFPS.

5.3 Mr Walker expressed concern that GAD was revising the factors. Ian Hayton said that it would be a matter of waiting to see what justifications GAD had for any changes.

5.4 The Chairman invited comments on paper FPC(06)24.

ACTION: Members to submit any comments on paper FPC(06)24 by 30th September

6. FPS 1992 and FCS – Consequential and other amendments – FPC(06)23

6.1 The Chairman introduced paper FPC(06)23 which set out the amendments required to the FPS and FCS as a consequence of the NFPS Order. He said that there were no points of principle to note.

6.2 Members were invited to comment.

ACTION: Members to submit any comments on paper FPC(06)23 by 30th September 2006

7. Any Other Business

7.1 Ivan Walker raised the issue of compensation for death or permanent incapacity while on duty that is now included in the Firefighters' Compensation Scheme and asked why the provision did not reflect the 6th Edition of the Grey Book. The Chairman said that Ministers had agreed to replicate the provisions of the 5th Edition and had done so. As far as he was aware, there was no provision on this matter in the 6th Edition. Mr Walker agreed to check and report back.

8. Dates of Future Meetings

18 October 2006
21 November 2006
21 December 2006
17 January 2007
14 February 2007
21 March 2007

**DCLG
October 2006**

17th Meeting of the Firefighters' Pension Committee

Attendees

Martin Hill(Chairman)	DCLG
Andy Boorman	DCLG
Jean Archer	DCLG
Anthony Mooney (Secretary)	DCLG
Nitin Bhayani	DCLG
Claire Cooper	LGA
Jim Preston	SPPA
Bertie Kennedy	DHSSPSNI
Jason Pollard	Welsh Assembly
Terry McGonigal	NIFS
Ivan Walker	FBU(Thompson's Solicitors)
Derek Chadbon	RFU
David Hosking	RFU
Richard Charman	APFO
Ian Hayton	CFOA
Glyn Morgan	FOA

Apologies

Fred Walker	LGA
Ray Jennings	LGA
Matt Wrack	FBU
Andy Dark	FBU
Paul Woolstenholmes	FBU
Tam Mitchell	FBU
Dr Will Davies	ALAMA
Chris Large	APFO
Maggie Smith	DCLG
Eunice Heaney	Consultant