

FPS Bulletin 9 – June 2018

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

Looking for information on a certain topic? As we continue to cover more topics, don't forget to visit the issue and content indexes which have recently been added to the main bulletin page of the website and are updated following each new issue.

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](#).

Firefighter Pensions Technical Community	2 July 2018
LPB Effectiveness Committee	5 July 2018
Aquila Heywood CLASS AGM, Holiday Inn - Manchester City Centre	11-12 July 2018
Firefighters' Pensions AGM	17-18 September 2018
SAB	4 October 2018
Civica Fire & Police Technical meeting	11 October 2018
SAB	5 December 2018

FPS

Annual Benefit Statements (ABS)

Further to consultation with the Fire Communications Working Group (FCWG), we were pleased to issue the final Plain English edited Annual Benefit Statement and explanatory notes earlier this month. The statement and supporting documents are available as Appendices [1 \[Word version\]](#), [2 \[PDF version\]](#), [3 \[Crystal Mark 22141\]](#), and [4 \[Crystal Mark conditions of use\]](#).

These and other resources relating to [Annual Benefit Statements](#) are available in the member area of the FPS Regulations and Guidance site. Please email bluelight.pensions@local.gov.uk if you do not have a relevant log-in.

Using the statement

The main changes for the 2018 statement are the removal of the annual allowance carry forward field at section 7 and the addition of two optional paragraphs for FRAs/ administrators to use as appropriate to comply with new data protection requirements. The example calculations within the annexes have been updated to current year, and will be updated every two years subsequently. A tracked version of the statement is available on request.

We appreciate that different administrators may wish to use different formats, so do not expect everyone to issue in this format, however, we hope that an approved version will help to achieve some consistency in the statements and the explanations of awards to Firefighters.

The text marked in red should be considered by each authority as to whether the statement applies, or whether they wish to add an instruction on how to contact them. It is particularly important to note how you have treated partnership status at the date of the statement and whether you have assumed married or civil partnered, or used the partnership status on the records as this may affect the death benefits quoted in the statement. Please also remember that how the survivor's pension is calculated will depend on which pension scheme the member is in at the date of death, and whether they die in service or after retirement, see annex F.

The document has been edited by Plain English and awarded a crystal mark. The crystal mark can only be used by those wishing to use the document in its entirety with no additional text changes other than those marked in red; adapting the formatting to put on the internet or booklet form is fine. If you wish to consider a crystal mark for your own adapted document, please email bluelight.pensions@local.gov.uk - any costs associated with this would have to be borne by the individual authority.

2015 scheme transition members – Estimates to age 60

All members who qualify for taper-protection have a legal right to transfer to the 2015 scheme and will have benefits in section 5 estimated to Normal Pension Age (60), whether or not they have moved into the 2015 scheme at the statement date. Annex C clarifies the options for early withdrawal of the 2015 benefits for 1992 taper-protected or unprotected members

Important note regarding using the Crystal Mark

Please note the conditions of use as attached mean that you can only use the Crystal Mark on the approved document. Anyone wishing to adapt the standard notes template is free to do so, but **must not** use the Crystal Mark.

Guidance on [issuing Annual Benefit Statements](#) and a [checklist](#) can be found on the Pension Regulator's [website](#).

Continual Professional Development (CPD)

As per the [email](#) sent to Fire practitioners and Fire Authorities on 3 July 2015, the position on CPD pensionability has not changed following the 2015 regulations [\[17\(1d\)\]](#)

Regulation [17(1d)] provides for CPD payments to be pensionable on the determination of the employer. FRAs are reminded of the NJC collective agreement [NJC circular 03/07 appendix A](#). This circular informed FRAs of the agreement reached within the NJC for Local Authority Fire and Rescue Services on the introduction of the national Continual Professional Development Scheme, and confirmed payments in relation to that Scheme were pensionable (paragraph 19).

“19. A Continual Professional Development payment will be treated as basic pay for all pay-related purposes i.e. maternity leave, annual leave, pensionability, sickness.”

The position in respect of pensionability followed discussion with DCLG at the time and applied regardless of which pension scheme an employee was currently a member of, including the LGPS. Subsequent to that agreement DCLG amended the FPS and NFPS to reflect the introduction of CPD payments and their pensionable status.

The position in respect of determination has not changed with the 2015 scheme. The rationale as identified in discussion with DCLG in 2015 was to allow for a different position within the regulations, to avoid further amendment of the regulations should the employer position alter in the future. However, this does not fundamentally alter the current status of the collective agreement.

FRAs and Local Pension Boards (LPBs) in their capacity of assisting the scheme manager will therefore wish to remain mindful of the terms of the collective agreement which already sets out a collective employer determination on this matter.

[Internal Dispute Resolution Procedure \(IDRP\)](#)

The Scheme Advisory Board at their meeting on 20 June 2018 ([paper 3](#)), considered whether they wished to revise the guidance [[FPSC 1/2009](#)] issued in 2009 about operating a two stage IDR process.

The board decided that they did not want to change the requirement for a two stage process, however the board would consider providing further guidance and support to Fire Authorities with regards to IDR processes, possibly including training on best practice.

The current position remains that the process as laid out in FPSC 1/2009 should be followed.

[New way of submitting queries to the Bluelight team](#)

The team has recently discussed introducing a pension query form for practitioners to submit queries. Now that the websites are up and running, and the monthly bulletins being produced, we think this is an ideal time to introduce a more structured approach to both asking and answering queries. We have therefore established the new process outlined below, which has been signed off by the chair of the Firefighter Pensions Technical Community.

A form has been developed which asks for information in the following areas:

1. Details of your query
2. Area of uncertainty / challenge
3. Proposed solution
4. Research undertaken: Relevant legislation, HMRC guidance, relevant websites, historical background (circulars or technical meeting minutes), legal advice [Include links]
5. Indication of amounts (£) involved
6. Timescales involved
7. Other supporting evidence

The form can be viewed at [Appendix 5](#). Notes to assist you in completing the form are available at [Appendix 6](#).

Receiving queries in this way will allow us to build up a picture of frequently asked questions and ensure greater consistency in our responses. We will be able to build up a knowledge bank of resources and be able to more easily identify common areas of uncertainty, where dedicated training or workshops could be offered.

It will allow us to have greater visibility on our timescale for responses in order to improve the level of service we can provide to practitioners, and will also help form a business case for requesting further support and advice from the Home Office or other bodies such as HMRC. We do not envisage it being any more onerous than the information we would expect to be provided with in order to answer a technical query.

The form and notes for completion are available [here](#) to download and the form should be submitted to bluelight.pensions@local.gov.uk once completed with all relevant information. Your query will be acknowledged upon receipt and we will aim to reply to your query within 28 days. If we cannot reply with a full response within 28 days, we will let you know and tell you when you can expect to receive a full reply from us.

We appreciate that it will take some time for this new way of working to become embedded, however, we will return any queries that are not submitted using the form, from 1 August 2018. If you have any feedback regarding the process, please [email us](#). Your continued cooperation and support is appreciated.

FPS 2015 ill-health charge

We would like to take this opportunity to remind FRAs that the Home Office confirms that the level of the ill-health charge under [regulation 118](#) of The Firefighters' Pension Scheme (England) Regulations 2014 continues to be set at that which operates in the 1992 and 2006 schemes. This means that it is set at the level of four times and two times final salary for higher-tier and lower-tier ill-health cases respectively.

Detailed [Guidance for Fire and Rescue Authorities on new financial arrangements for firefighter pensions with effect from April 2006](#) was issued by DCLG in August 2006.

Scheme reconciliation update - action required!

An email was recently sent to all chairs of LPBs requesting an update on the status of the scheme (GMP) reconciliation exercise as HM Treasury have asked us to report on the progress of the Firefighters' Pension Schemes with regard to meeting the deadline for contracted-out reconciliation by the end of this year.

We requested a return email confirming the status of this project for the FRA based on the Red/ Amber/ Green RAG rating; red being unlikely to complete and green being able to complete, and also providing us with any concerns over completing this exercise in time. To date we have received only 11 out of 44 expected replies.

In the past we have informed HMT that we were unable to provide numbers and could only provide an indication of progress using the rating system above. However, given the proximity of the deadline, we feel it may now be useful to know the exact position.

We therefore request that all boards obtain the information as requested in the HMT template below and email bluelight.pensions@local.gov.uk with the details. A reminder will be issued by email to LPB chairs in July.

Scheme	Records completed	Records remaining	Number of stalemate cases

[Website resource update](#)

The following pages have recently been added to the FPS Regulations and Guidance website:

[Annual update SIs](#)

[The Pensions Regulator](#)

We are always happy to receive your feedback on the websites and particularly welcome proposals for additional content. Please contact [Claire Hey](#) with any comments or suggestions.

[New factsheet available](#)

The following factsheet has been developed by the LGA Bluelight team in collaboration with the FCWG and the Scheme Advisory Board (SAB) to be provided to members and is available from the FPS Regulations and Guidance website:

[Topping up your State Pension](#)

HMRC

[Launch of Manage and Register Pension Schemes service](#)

On 4 June, HMRC launched the first phase of their new Manage and Register Pension Schemes service. This service will eventually replace Pension Schemes Online for the management and registration of all UK registered pension schemes.

A second release of phase one is planned for later in 2018. This will introduce new features for users of the new service. The rollout of Manage and Register Pension Schemes to existing users of Pension Schemes Online is due to take place in 2019 and 2020 as part of phase two.

[HMRC newsletters/bulletins](#)

HMRC published [Manage and Register Pension Schemes service newsletter - June 2018](#) to update stakeholders on the new service to manage and register pension schemes.

Authorities can subscribe to receive email alerts about pension content on GOV.UK by following the steps below:

- Go to <https://www.gov.uk/topic/business-tax/pension-scheme-administration/email-signup>
- Click on create subscription
- Enter your details and follow the steps online

[Contracting-out reconciliation update](#)

The following bulletin containing importance guidance and information about the end of contracting-out and the scheme reconciliation process was published by HMRC in May. There have been no subsequent updates as yet.

[Countdown bulletin 34](#)

GDPR privacy notice

HMRC have informed us that the following [privacy notice](#) has been issued via GOV.UK, describing how HMRC collect and use personal information in accordance with data protection law including the General Data Protection Regulation (GDPR) and the Data Protection Act (DPA) 2018.

Training

Annual Local Pension Board wrap-up training

Twenty delegates from across the FPS governance community attended the annual LPB wrap-up training event held at 18 Smith Square on 19 June 2018.

Attendees received a whistle-stop tour of the background to the Firefighters' Pension Schemes and the Pensions Regulator attended the session to provide an overview of the 2017 Governance and Administration survey results. Malcolm Eastwood, chair of the SAB, gave an update on the Board's work and, following a light lunch, the afternoon continued with Clair Alcock highlighting the roles and responsibilities of those involved in governance and outlining resources available to assist. The session concluded with a look at current and future issues affecting the schemes.

The full presentation slide deck from the event is available [here](#).



The content of the course will be reviewed on an annual basis and we plan to continue to offer wrap-up training yearly, for new members to boards or those requiring a refresher session.

If you wish to enquire about full board training at your own venue, please contact the team at bluelight.pensions@local.gov.uk. Each board is entitled to a free training session under the Scheme Advisory Board levy. Administrator training can also be arranged on request. Examples of previous sessions are held [here](#).

Legislation

SI	Reference Title
2018/696	The Police, Fire and Crime Commissioner for Staffordshire (Fire and Rescue Authority) Order 2018

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](#)

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