



McCloud Consultation



SURREY
COUNTY COUNCIL

Public Service Pensions: Firefighters' Pensions (Amendment) Regulations 2023

McCloud / Sargeant remedy: phase two (retrospective)

Government consultation 2023

Consultation ends 23 May 2023



McCloud Consultation

The McCloud consultation which can be found [here](#) requests for parties interested to complete 10 questions to aid with the Home Office's preparations of implementing the legislation in October 2023.

Surrey Fire and Rescue Service (SFRS) will respond via email to the Home Office and SFRS' feedback can be found on the following slides.



Consultation Question 1

- 1. In and out of scope:** Do the proposed amendments to scheme regulations clearly define which members of the firefighters' pension schemes meet the criteria to be eligible for the remedy?

If no, please explain why.

Response - yes



Consultation Question 2

2. **DCU timing of Remediable Service Statement (RSS):** Do the policy proposals about the timing of when a scheme member can request an RSS in anticipation of retirement strike the right balance between a suitable period to make a decision, proximity to retirement date and any administrative considerations?

If no, please explain why.

Response: No. Members will need to request a Deferred Choice forecast between six and twelve months before their intended retirement date, these timescales may be challenging for members.



Consultation Question 2 (continued)



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- 2. DCU timing of RSS:** Do the policy proposals about the timing of when a scheme member can request an RSS in anticipation of retirement strike the right balance between a suitable period to make a decision, proximity to retirement date and any administrative considerations?

Response: The Service have opted for 'no' as some firefighters may wish to retire using their contractual obligations of one month and the proposed draft regulations does not appear take this into account.



Consultation Question 2 (continued)

2. **DCU timing of RSS:** Do the policy proposals about the timing of when a scheme member can request an RSS in anticipation of retirement strike the right balance between a suitable period to make a decision, proximity to retirement date and any administrative considerations?

Response: Consideration also needs to be given how Firefighters will not have an accurate value of their retirement benefits if they need to provide 12 month's notice. Current projections are based on a member's position excluding the McCloud remedy. Therefore, it may be challenging for a firefighter to decide if they would like to retire without knowing what their pension income will be.



Consultation Question 3

- 3. Ill-health Retirement:** Do you think the proposed arrangements for members that qualify for ill-health retirement during the remedy period (1 April 2015 – 31 March 2022) may cause any adverse impacts?

If no, please explain why.

Response: Yes



Consultation Question 4

4. **Added pension:** Do you think the policy proposals in relation to scheme members with added pension puts all eligible members in the same position?

If no, please explain why.

Response: Yes. Added Pension (AP) is only available in the 2015 scheme and providing a refund/return of contributions (plus interest) seems to be a sensible option for all affected members.



Consultation Question 5

- 5. Transfers:** Do you think that the policy proposals that transfers that came into the 2015 reformed pension scheme will be held in the 2015 reformed pension scheme until the point of decision achieves the policy intention of preserving transfer rights?

If no, please explain why.

Response: Yes.



Consultation Question 6

6. **Bereavement:** Do the proposed amendments to scheme regulations achieve the policy intention of ensuring that the resulting 'member representative' can make an immediate choice or deferred choice in relation to the remedy period service of a deceased member?

If no, please explain why.

Response: Yes



Consultation Question 7

7. **Contingent decisions:** Do you think that the proposals with regards to contingent decisions give members opportunities to revisit pension benefit decisions taken during the remedy period?

If no, please explain why.

Response: Yes. Responsibility is with the pension scheme to alert members. However, members will need to make a claim from 12 months of receiving the RSS.



Consultation Question 8

8. Are there any other areas which you think should be addressed in these regulations in order to ensure that all eligible members receive a choice of pension benefits at their point of retirement, for the period for which the discrimination existed (1 April 2015 - 31 March 2022) on 1 October 2023?

If yes, please explain why.

Response: No



Consultation Question 9

9. Are there any additional points not covered in this consultation paper that need to be considered as part of the proposed amendments to scheme regulations?

If yes, please explain why.

Response: Yes. Surrey Fire and Rescue Service have provided separate questions to the Home Office.



Consultation Question 10

10. Do any of the proposed amendments unlawfully discriminate against a particular protected characteristic, fail to advance equality of opportunity between those who share a protected characteristic and those who do not, or fail to foster good relations between people who share a protected characteristic and those who do not?

If yes, please explain why.

Response: No

