

## FPS Bulletin 65 – January 2023

Welcome to issue 65 of the Firefighters’ Pensions Schemes bulletin. We wish all of our readers a belated Happy New Year.

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, suggested items for future issues, or a job you would like to advertise, please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@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 [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk).

Table 1: Calendar of events

Event	Date
<a href="#">FPS coffee morning</a>	14 and 28 February 2023
FPS Technical Working Group	17 February 2023
FPS Communications Working Group	14 March 2023
North East regional group	15 March 2023
SAB	23 March 2023
SAB	8 June 2023
SAB	14 September 2023
SAB	14 December 2023

## Actions arising

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

[Template member consent letters](#): FRAs to identify affected members of the pension scheme who may need to be sent for an ill-health reassessment and arrange for the appropriate member consent letter to be sent to them.

[SAB levy 2022-23 – Request for Purchase Order numbers](#): FRAs to provide a valid purchase order number, stating the number of employees eligible to join one of the Firefighters' Pension Schemes as of 1 April 2022, using the form provided with the SAB 2022-23 levy letter.

## FPS

### Ill-health reassessment factsheet updated

In [FPS Bulletin 63 – November 2022](#), we published an [ill-health reassessment factsheet](#) to help FRAs determine which individuals require a reassessment of their ill-health determination as a result of remedy implementation. This has recently been updated to include FPS 2006 special members. We sought clarity from the Home Office to confirm that special members should be treated in line with FPS 1992 members due to them being assessed against a normal pension age of 55.

### Template member consent letters available

Letters for scenarios one and two, seven, and nine as referred to in the [ill-health reassessment factsheet](#) have now been added to the [Retrospective remedy webpage](#).

**ACTION for FRAs: Identify affected members of the pension scheme who may need to be sent for an ill-health reassessment and arrange for the appropriate member consent letter to be sent to them.**

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## Potential Industrial Action

In [FPS Bulletin 61 - September 2022](#), we provided information about how strike action affects a member's pension benefits, how the amount that the member needs to repay is calculated, and the importance of continuing to record service breaks. Please refer to the information given in that bulletin to help resolve any queries that you have regarding industrial action. The LGA is planning to provide sample communications for FRAs if industrial action goes ahead, and members wish to repay the missing period of service.

## Technical query log

The [current log of queries and responses](#) can be accessed by practitioners in the member-restricted area of the FPS Regulations and Guidance website. The queries have been anonymised and divided into topics. The log is updated monthly in line with the bulletin release dates.

Queries have been answered this month in the following categories: compensation scheme (page 50).

## FPS England SAB updates

### Barnett Waddingham Case Study on FPS Remedy 2015 – Your Questions Answered Member Communications

In [FPS bulletin 54 - February 2022](#), we advised that following the Scheme Advisory Board (SAB) [meeting of 30 September 2021](#) an action was taken to commission a suite of illustrative member scenarios to provide members with a better understanding of the implications of the McCloud/ Sargeant remedy on their benefits. This included a selection of members' personas across the schemes, with benefits illustrated at a range of key retirement milestones.

Barnett Waddingham was appointed to deliver this work following a successful procurement exercise and as part of the project, warm-up communications were produced to answer some key concerns or recurring questions that members have about the changes which took place on 1 April 2022 and beyond.

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The [FPS 2015 Remedy 'fact checker'](#) was developed by Barnett Waddingham, in collaboration with the SAB the Board secretariat, and the Scheme Management & Administration committee.

The document text was added as a new page to the [FPS Member 2015 Remedy section](#), with the PDF available as a download.

Barnett Waddingham has since produced a case study about working with the scheme to provide this information for members on the remedy changes and this can be read at [Appendix 1](#).

### **SAB levy 2022-23 – Reminder for Purchase Order numbers**

In [FPS bulletin 63- November 2022](#), we confirmed that the SAB budget for 2022-23 had been approved by the minister.

The total levy for the 2022-23 year will be £6.27 per firefighter, which is calculated at £4.39 for the SAB and £1.88 for employers. A letter was sent by email to Chief Fire Officers and HR Directors on 21 November 2022 advising them of this.

Devolved FRAs have also been sent levy requests regarding the employer advice service provided to them by the LGA.

Please can we politely remind FRAs, if they have not done so already, to provide a valid purchase order number, stating the number of employees eligible to join one of the Firefighters' Pension Schemes as of 1 April 2022, using the form provided with the letter in order that an invoice can be sent accordingly.

**ACTION: FRAs to provide a valid purchase order number, stating the number of employees eligible to join one of the Firefighters' Pension Schemes as of 1 April 2022, using the form provided with the SAB 2022-23 levy letter.**

## **SAB remedy engagement sessions**

As reported in [FPS Bulletin 57 – May 2022](#), the SAB has been invited by the Home Office to take part in a series of joint engagement sessions with the Police SAB to consider scheme specific versions of the Provision Definition Documents (PDDs) which define the provisions of the [Public Service Pensions and Judicial Offices Act \(PSPJOA\) 2022](#) for each area of the 2015 Remedy.

One session is taking place per month between June 2022 and February 2023, with two topics discussed at each meeting. These discussions will help to inform the drafting of secondary legislation, ahead of formal consultation. Formal consultation is now expected to commence during February 2023.

The most recent session considered Annual Allowance and bereavement. Material from some sessions has been added to a new page called '[age discrimination remedy – Provision Definition Documents](#)' in the member restricted area of the FPS Regulations and Guidance area for the benefit of practitioners.

Any actions arising from the feedback from the Fire and Police SABs will be taken forward and responded to by the Home Office.

## **Other News and Updates**

### **PDP publishes consumer protection video**

The Pensions Dashboards Programme (PDP) has recently published [an explainer video on consumer protection](#).

The video explains what protections will be in place to ensure dashboards are safe and secure.

Please see [the consumer protection page of PDP's website](#) for more information on this topic.

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### **Automatic Enrolment trigger remains the same**

On 26 January 2023, Department for Work and Pensions (DWP) published its [review of the automatic enrolment thresholds for 2023/24](#).

The Pensions Act 2008 requires DWP to annually review various thresholds relevant for automatic enrolment rules. As is relevant for the FPS, the earnings trigger remains at £10,000 for 2023/24.

### **Dominic Harris starts as Pensions Ombudsman**

On 16 January 2023, Dominic Harris started as the Pensions Ombudsman.

Dominic's term of office is five years.

Dominic has recently sent an introductory message to TPO's contact list:

"The New Year has brought with it a "New Ombudsman", and so I thought I would take this opportunity to introduce myself and say how excited I am to be joining TPO.

This is an organisation that is so important in ensuring that pension scheme members and their dependants have access to support and justice, for free, in what can often be complex and stressful disputes. It really does level the playing field. I have looked on from the other side of the fence at the work

TPO does – and am proud to be a part of it over the next few years. Clearly, Anthony Arter has done a sterling job over his tenure, and I am looking forward to building on his great work.

I look forward to understanding better how TPO works and some of the challenges we face. It is so important that we continue to work collaboratively to improve dispute resolution across the industry. I hope I will be able to meet many of you over the coming months."

You can find out more about Dominic on the ['who we are' page of TPO's website](#).

Please email [stakeholder@pensions-ombudsman.org.uk](mailto:stakeholder@pensions-ombudsman.org.uk) if you would like to join TPO's contact list.

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## **[Public sector unions granted judicial review over McCloud cost remedy](#)**

In [FPS bulletin 62 – October 2022](#) we confirmed that public sector unions had been granted a judicial review in relation to the McCloud/ Sargeant remedy costs in the cost control mechanism. We can now confirm that the dates for the hearing are from 30 January to 3 February 2023.

## **HMRC**

### **[LGA and SAB responses to the consultation on the Public Services Pension Scheme \(rectification of unlawful discrimination\) \(Tax\) Regulations 2023](#)**

In [FPS bulletin 63-November 2022](#), we advised that HMRC had published a [technical consultation on a draft statutory instrument](#), which ensures the pensions tax framework will apply as intended to pension scheme administrators and members affected by the public service pensions remedy. The consultation closed on 6 January 2023.

The consultation sought views from pension scheme administrators on the draft regulations. The regulations set out changes to how the pensions tax rules will apply to pension scheme administrators and members of public service pension schemes as a result of the public service pensions remedy.

The regulations will make changes to how pensions tax legislation operates in certain circumstances, including changes to how schemes will need to report and pay extra tax charges or reclaim overpaid tax and ensure that schemes can pay pension benefits as authorised payments.

This legislation is intended to take effect from 6 April 2023, but some provisions will have a retrospective effect.

We are pleased to share both the LGA and SAB responses to the consultation on the Public Services Pension Scheme (rectification of unlawful discrimination) (Tax) Regulations 2023 as follows:

[LGA response to the consultation on the Public Services Pension Scheme \(rectification of unlawful discrimination\) \(Tax\) regulations 2023](#)

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[SAB response to the consultation on the Public Services Pension Scheme \(rectification of unlawful discrimination\) \(Tax\) regulations 2023](#)

## Events

### FPS coffee mornings

Our MS Teams coffee mornings are continuing every second Tuesday. The informal sessions lasting up to an hour allow practitioners to catch up with colleagues and hear a brief update on FPS issues from the LGA Bluelight team.

We are pleased to include the presentations from recent sessions below:

[5 January 2023 – Remedy timetabling](#)

[26 January 2023 – HMT Remedy Directions](#)

If you do not already receive the meeting invitations and would like to join us, please email [bluelightpensions@local.gov.uk](mailto:bluelightpensions@local.gov.uk). Please note that attendance at the coffee mornings is generally restricted to FPS practitioners and managers.

## Useful links

- [The Firefighters' Pensions \(England\) Scheme Advisory Board](#)
- [FPS Regulations and Guidance](#)
- [FPS Member](#)
- [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](#)
- [LGPS Regulations and Guidance](#)
- [LGPC Bulletins](#)
- [LGPS member site](#)

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- [Scottish Public Pensions Agency - Firefighters](#)
- [Welsh Government Fire circulars](#)

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