



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.

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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.

Table 1: Calendar of events

Event	Date
FPS coffee morning	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.

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.

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.

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 if you would like to join TPO's contact list.

[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. 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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While every attempt is made to ensure the accuracy of the bulletin, it would be helpful if readers could bring any perceived errors or omissions to the attention of the Bluelight team by emailing bluelightpensions@local.gov.uk.

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Event	Date
FPS coffee morning	14 and 21 March 2023
FPS Communications Working Group	14 March 2023
North East regional group	15 March 2023
South East regional group	15 March 2023
Midlands regional group	22 March 2023
SAB	23 March 2023
Data conference	17 May 2023
SAB	8 June 2023
SAB	14 September 2023
FPS AGM	19 and 20 September 2023
SAB	14 December 2023

Actions arising

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

[Data collection for the 2015 remedy](#): FRAs to ensure that the data collection template is completed and sent to administrators so that administrators and FRAs are prepared for the implementation of remedy from 1 October 2023.

[Pension scheme migration](#): Migrate to the Managing Pension Schemes service as soon as possible.

[The Bereavement benefits remedial order 2022](#): FRAs and administrators to share this information in communications with pensioners.

FPS

New webpage on the FPS Member website

We are pleased to let you know that a new page relating to the 2015 Remedy is now available for members on the FPS Member website. The new page provides information on:

- [Whether members may be affected by remedy](#)
- [What members can expect if they have already retired](#)
- [What members can expect if they plan to retire before October 2023](#)
- [What active and deferred members can expect](#)

These pages provide a useful timeline for those affected, with the aim of helping to manage their expectations and provide useful information for them.

Data collection for the 2015 Remedy

In the [FPS Bulletin 44- April 2021](#), we advised that remedy data collection tools had been created with the assistance of software suppliers and the Fire Communications Working Group to help FRAs compile the relevant data needed to prepare for the 2015 Remedy. To credit members with their original legacy scheme membership for

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the remedy period, administrators will need additional data from FRAs to rebuild the final salary record. For example, 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 from 1 April 2015 to 31 March 2022. The data collection template and notes are as follows:

[FPS remedy data collection template](#)

[FPS remedy data collection notes for completion](#)

[Age discrimination remedy data collection - Guidance for administrators and FRAs – version 2 clean](#)

Additionally, we have previously provided an [age discrimination payroll overview workshop](#), which may also be useful to FRAs when trying to understand the payroll requirements for age discrimination remedy.

FRAs should have already started work with their administrators to identify all eligible members and consider any processes or additional resources that need to be put in place to identify the data required in good time for 1 October 2023 when the Police and Firefighters' Pension Schemes (Amendment) Regulations 2023 come into force.

ACTION: FRAs to ensure that the data collection template is completed and sent to administrators so that administrators and FRAs are prepared for the implementation of remedy from 1 October 2023.

FPS Contribution Bandings for 2023-24

The [contributions banding factsheet](#) which confirms the contribution rates that apply for 2023-24 as set out in the scheme regulations is now available and confirms that there are no changes to the relevant rates for 2023-24.

Matthews pre-work factsheet for FRAs

In [FPS Bulletin 55 – March 2022](#), we confirmed that a second retained firefighters' options exercise would take place. The regulations to implement the second options exercise in England are currently being drafted by the Home Office and will be consulted on before they are laid before Parliament. The Home Office has a

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maximum period of 18 months to draft, consult, and introduce the necessary secondary legislation.

FRAAs will be expected to start the second options exercise as soon as possible after the legislation comes into force. The exercise will run for a maximum period of 18 months.

Ahead of the legislation coming into force, FRAAs are advised to take steps to identify retained firefighters who were employed between the relevant dates. With thanks to Claire Neale and the Matthews Technical Working Group, a [Matthews pre-work for FRAAs factsheet](#) is now available which is designed to help FRAAs to identify the work which should be done before the Matthews legislation comes into force.

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: pension sharing, page 109, survivor's pensions, page 127 and transfers, page 133.

FPS England SAB updates

SAB meeting 23 January 2023

The Scheme Advisory Board (SAB) last met on 23 January 2023 and discussed the following areas:

- Temporary in the context of the FPS
- Retrospective correction of pensionable pay
- PDD engagement sessions to date
- Remedy timetabling
- Commutation in the FPS 1992 Scotland
- HMRC tax consultation

Additionally, the SAB was pleased to invite Angela Bell and Lucy Stone from The Pension Regulator to the meeting to give an update on pension dashboards. Angela and Lucy [provided a comprehensive presentation](#) which included:

- Pensions dashboards - current challenges and opportunities
- How pensions dashboards will work
- Consultations and regulations
- Preparing for pensions dashboards
- Commonly asked questions
- Compliance and enforcement policy

Other News and Updates

Appointment to the Bluelight team

Following a successful recruitment campaign, we are delighted to announce that Tara Atkins has been appointed to the Bluelight Team in the role of Firefighters' Pensions Adviser (Communications) and will join the LGA on 20 March 2023.

Tara has over 23 years' public service pension experience, including the LGPS, Police, Teachers, NHS, and Firefighters' Pension Schemes. Tara commenced Local Government employment in July 1999 at West Sussex County Council, where she commenced in the Pensions Administration Team, working her way up to Team Leader until she moved into the County Council's Subject Matter Expert Role in 2012, when the Administration Team were outsourced to a third party.

Tara's role at the LGA is to provide support to FRAs and FPS practitioners and she will lead the development of national FPS communications.

DWP appoints new chair of MaPS

[The Department for Work and Pensions \(DWP\) has appointed Sara Weller CBE](#) as the new permanent Chair of the Money and Pensions Service (MaPS).

Since September 2022 Sara served as a non-executive board member. Sarah will formally take up the role of permanent Chair on 29 March 2023.

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DWP appoints Mary Starks to lead review of TPR

The [review of the Pensions Regulator](#) (TPR) will examine how it is performing its role and where it can improve, providing greater efficiency and value to taxpayers. The report into the review is due to be delivered in May 2023.

Pensions dashboards newsletter

Earlier this month, the Pensions Dashboards Programme (PDP) published its [February 2023 newsletter](#).

The newsletter contains articles on:

- new connection hub, providing useful resources and information to prepare for connection to the ecosystem
- pensions dashboards myth busting video, demystifying some of the topics around dashboards
- understanding the dashboards available point and how it is different from connecting to dashboards
- inviting PDP to an event such as a regional pension office meeting
- following PDP on Twitter and LinkedIn and signing up for newsletters

The Bereavement Benefits (Remedial) Order 2022

On 15 December 2022, the Department for Work and Pensions [re-laid the above order and published their response to last year's consultation](#).

The Order extends eligibility for Widowed Parent's Allowance (WPA) and the higher rate of Bereavement Support Payment (BSP). Eligibility now includes surviving cohabiting partners with dependent children, who were not in a legal union with the deceased on the date of death. It has retrospective effect back to the 30 August 2018.

Prior to the changes, only those who had been married to, or in a civil partnership with, their deceased partner would be eligible for WPA or BSP.

Currently:

- WPA is up to £126.35 per week
- BSP is a one-off amount of up to £3,500 and 18 monthly payments of up to £350.

Eligible beneficiaries can claim back to 30 August 2018. The monetary value is clearly significant to those eligible.

ACTION: FRAs and administrators to share this information in communications with pensioners.

Tax rules for 2015 remedy laid

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

Following that consultation, on 6 February 2023, the [Public Service Pension Schemes \(Rectification of Unlawful Discrimination\) \(Tax\) Regulations 2023](#) were laid. They apply to relevant public service pension schemes in England, Wales and Scotland and come into force on 6 April 2023, but some provisions will have retrospective effect.

The regulations set out changes to how the pensions tax rules will apply to pension scheme administrators and members of public service pension schemes because of the 2015 remedy. The regulations 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.

Public Service Pension Indexation and Revaluation 2023

On 20 February 2023, HM Treasury (HMT) issued [written statement HCWS566](#) confirming the Public Service Pension Indexation and Revaluation for 2023.

Public service pensions will be increased in line with the annual increase in the Consumer Prices Index up to September 2022. The statement confirms that the increase from 10 April 2023 is 10.1 per cent except for those public service pensions which have been in payment for less than a year, which will receive a pro-rata increase. The Pensions Increase (Review) Order is expected to be laid during March 2023; however, [the pensions increase multiplier tables](#) are available now.

The statement also confirms that the FPS 2015 will use the figure of 7 per cent for the earnings element of revaluation for active members to be applied at one second after midnight on 31 March 2023.

HMRC

[Pension schemes newsletter 146 and 147](#)

On 31 January 2023, HMRC published [pension schemes newsletter 146](#). It contains articles on relief at source, pension flexibility statistics, migrating to the Managing Pension Schemes service, accounting for tax (AFT) returns, and pension scheme transfers

ACTION for FRAs: Migrate to the Managing Pension Schemes service as soon as possible.

On 28 February 2023, HMRC published [pension schemes newsletter 147](#). It contains articles on relief at source, public service pensions remedy, and AFT returns.

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:

[14 February 2023 – Remedy pre-work special](#)

[Click here to return to Contents](#)

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

LGA/ National Police Chiefs' Council data conference – London – 17 May 2023 (save the date)

The LGA and NPCC are excited to announce that they will be holding a joint data conference on 17 May 2023 at 18 Smith Square, London. The conference will concentrate on understanding and controlling data and will include panel sessions and a data planning workshop. Example themes which will be explored are:

- Successful project implementation
- Engaging members
- Cost of the scheme
- Owning the narrative

The full programme and booking link will be available shortly.

FPS AGM – London – 19 to 20 September 2023 (save the date)

The Fire Pensions Annual Conference will take place from 19 to 20 September this year. The two-day programme will allow delegates to network with fellow colleagues and hear the latest news on the Firefighters' Pension Scheme from the scheme's key stakeholders.

The full programme and booking link will be available in due course.

Legislation

SI	Reference title
SI 2023/113	<u>Public Service Pension Schemes (Rectification of Unlawful Discrimination) (Tax) Regulations 2023</u>
SI 2023/134	<u>The Bereavement Benefits (Remedial) Order 2023</u>

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

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Information

“Matthews” second options exercise pre-work for FRAs

Purpose

This factsheet has been prepared to help FRAs who are collating data on the Matthews second options exercise.

Before the Matthews remedy legislation is in force and the implementation period begins, there are several things that FRAs can do now and are encouraged to do between now and October 2023. This is because there are some interactions between the McCloud remedy and the Matthews remedy. It is vital to identify the different cohorts for Matthews so that you can liaise with your pension scheme administrators.

You may also wish to discuss the project with your administrator if you have not already to make sure that expectations are clear on both sides, for example, which party will be responsible for which elements of the project.

Identification of cohorts that are in scope

If you have not yet identified your list of “in scope” records for the Matthews remedy, then this should be a priority.

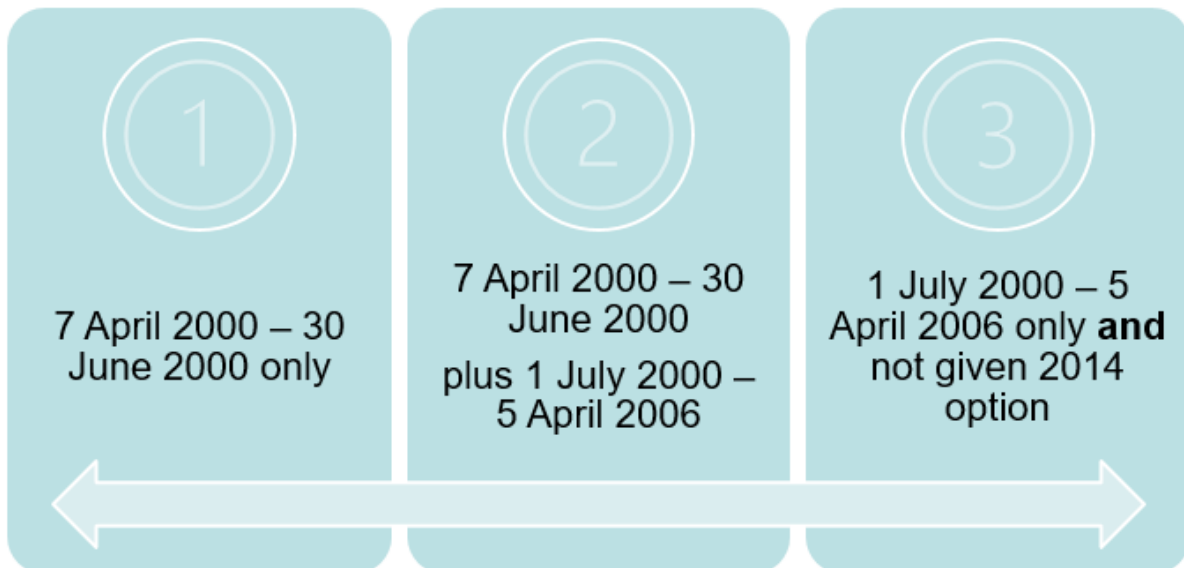
The list of records should contain the latest known address or email address for the retained firefighters as communications will need to be sent to these individuals. [Warm up communications](#) can be sent in advance of October 2023, which will not only identify where you no longer hold a current address but also help to start the engagement with this group of individuals.

A spreadsheet containing a list of individuals, their contact details, the date that any letter was sent and how this was sent, i.e., 2nd class post, recorded delivery, email, should be created.

- You should maintain this list to take account of any returned mail and any changes in contact details.

- You should also keep a master copy of the letter so that the documents can be used to prove that contact was made, the type of contact, and where and how the letter was sent.
- This list and master letters should be maintained/ retained by the FRA indefinitely.

Cohorts



- Cohort 1: Retained firefighters who left employment between 7 April 2000 and 30 June 2000 (inclusive).
- Cohort 2a: Retained firefighters who elected to purchase service from 1 July 2000 under the first options exercise, but employment commenced prior to 1 July 2000
- Cohort 2b: Retained firefighters who did not elect to purchase service from 1 July 2000 under the first options exercise, but employment commenced prior to 1 July 2000. The service purchase end date will be the earliest of:
 - a) date joined FPS 2006 as a standard member or FPS 2015 in this employment,
 - b) the date of leaving employment, or
 - c) 31 March 2022.
- Cohort 3: Retained firefighters who were first employed on or after 1 July 2000 and did not have the opportunity to elect to purchase service under the first options exercise. The service purchase end date will be the earliest of:

- a) the date they joined FPS 2006 as a standard member or FPS 2015 in this employment,
- b) the date of leaving employment, or
- c) 31 March 2022.

For retained firefighters in cohorts 2a, 2b, and 3 further analysis work will then be required to see if they may also be subject to the McCloud remedy.

Cohort 2a

These members have already purchased/ are purchasing their backdated membership. For this group you will need to identify:

- The options that they chose and were applied during the first options exercise:
 - Whether or not they joined FPS 2006 scheme as a standard member in this employment and the dates applicable.
 - For those that did join FPS 2006 scheme as a standard member, if they elected to convert standard to special service, special to standard service, or if they did not elect for any conversion.
- Whether there will be any potential impact from the McCloud remedy:
 - If membership ceased on or before 31 March 2015 then there is no impact.
 - If there is membership between 1 April 2015 and 31 March 2022 then there will be an impact.

In addition, you will also need to identify any special members who initially elected to purchase their service under the first options exercise, but who ceased their payments prior to the completion of the 10-year periodical payments, for example, they changed their mind or they left prior to retirement and were not given the opportunity to continue with their payments. For any of these members, you will need to identify details of what they purchased as they will need to be given the option to purchase all of their service again, less what has been paid so far.

Cohort 2b

These members did not purchase anything previously so now they need to be given the option for all of their service. For this group you will need to identify:

- Whether or not they joined FPS 2006 scheme as a standard member or FPS 2015 in this employment and the dates applicable.
- Whether there will be any potential impact from the McCloud remedy:
 - If membership ceased on or before 31 March 2015 then there is no impact.

- If there is membership between 1 April 2015 and 31 March 2022 then there will be an impact.

Cohort 3

These individuals did not purchase anything previously so now they need to be given the option for all of their service. For this group you will need to identify:

- Whether or not they joined FPS 2006 scheme as a standard member or FPS 2015 in this employment and the dates applicable.
- Whether there will be any potential impact from the McCloud remedy:
 - If membership ceased on or before 31 March 2015 then there is no impact.
 - If there is membership between 1 April 2015 and 31 March 2022 then there will be an impact.

For cohorts 2a, 2b and 3 you need to identify if there is an interaction with the McCloud remedy as the pension administration teams will need to know to pause these cases until the Matthews remedy options have been provided.

As there are only 18 months to implement both remedies, it will be vitally important that these cases are identified and dealt with as soon as possible after 1 October 2023 so that the McCloud remedy options can still be provided in good time.

Pay data

You will need to identify how far back your pay records go and if you have any gaps, and whether you have no pay history, partial pay history or full pay history for each period of employment. Where you do have partial or full pay history, you will need specific pay data for each scheme year (1 April to 31 March):

- Actual pay for each scheme year of employment
- Whole Time Equivalent average reference pay for each scheme year of employment

Where you have pay data that was collected for the first options exercise this should be retained and **must** be used for the relevant periods from 1 July 2000.

FRAs may not have pay data going back to the start date of employment. Where pay data is held (in whatever format) this **must** be used, so you should use best endeavours to find all relevant pay data.

Where FRAs have gaps in pay data it may be possible to use some standard assumptions and more details of this will be communicated in due course. These assumptions must only be used for periods of service before 1 July 2000.

To assist FRAs with establishing reference pay for each year, [Firefighters annual rates of pay](#) back to 1977 can be found on the FPS regulations website in the member restricted area.

If you do not have access to the restricted area, please email bluelight.pensions@local.gov.uk.

Please note that access is only provided to FRA practitioners and pension scheme administrators.



FPS Bulletin 67 – March 2023

Welcome to issue 67 of the Firefighters' Pensions Schemes bulletin.

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.

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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.

Table 1: Calendar of events

Event	Date
FPS coffee morning	11 April 2023
Matthews Technical Working Group	11 April 2023
FPS Communications Working Group	14 April 2023
Data conference	17 May 2023
SAB	8 June 2023
SAB	14 September 2023
FPS AGM	19-20 September 2023
SAB	14 December 2023

Actions arising

[Consultation on the Firefighters' Pension Scheme \(Remediable Service\) Regulations](#)

[2023](#): All interested parties are encouraged to respond to the consultation by the deadline of 23 May 2023.

[Top up grant 2023 – Collection of pensions accounting data](#): FRAs to start preparing their pensions income/expenditure data in order to submit their returns by the Home Office deadline.

[Spring budget 2023](#): FRAs and administrators to share this information with the relevant parties within their organisation.

[DWP announces delays to dashboard connection deadlines](#): FRAs and administrators to make sure that relevant parties within their organisation are aware of the announcement and TPR's actions.

FPS

[Consultation on the Firefighters' Pension Schemes \(Remediable Service\) Regulations 2023](#)

On 28 February 2023, the Home Office published [a consultation on the Firefighters' Pension Schemes \(Remediable Service\) Regulations 2023](#). These regulations concentrate on the retrospective elements of the 2015 Remedy that are required to fully deliver the remedy. This includes establishing the deferred choice underpin (DCU) and the changes needed to offer pensioners and beneficiaries of deceased scheme members an immediate choice between legacy or reformed scheme benefits.

The LGA will respond to the consultation and share our response before the consultation closes on 23 May 2023.

ACTION: All interested parties are encouraged to respond to the consultation by 23 May 2023.

Top up grant 2023 – Collection of pensions accounting data

On 2 March 2023, the Home Office sent an email to Claim Certifiers and Administrators to advise that FRAs should now be working towards submitting audited 2021/22 and unaudited 2022/23 pensions income/expenditure data as part of this year's top up grant claim. This year's pension accounting data will need to be submitted on the DELTA online data collection system. Notification will be sent via DELTA when the forms go live in the first week of April.

The Home Office has indicated that it will undertake additional internal checks on any financial data submitted. The additional internal checks involve an in-depth and formal check on the audited and unaudited pension income/expenditure data submitted by FRAs.

As part of this additional check, it will be requesting that all FRAs provide the following information:

- Electronic copies of the trial balances from their audited accounts where the pensions income/expenditure data was extracted; and
- Any post balance sheet adjustment events (showing audit adjustments).

The deadline for completing the returns will be mid-May. This should allow sufficient time for the claims to be scrutinised and approved.

It is important to note that the Department will only be able to make Top Up grant payments on any claims that it can validate as being correct and, as such, failure to provide the requested information, or the submission of incomplete information, will delay any grant payments due in July. It is therefore critical that the accounting data submitted on each FRA's claim form reconciles with trial balances that are submitted as supporting evidence.

The Home Office will be writing to FRAs to formally commission this data in April. However, it is essential that FRAs start making preparations now in order to be able to extract the correct data from their accounts and collate the supporting evidence for their claims.

ACTION: FRAs to start preparing their pensions income/expenditure data in order to submit their returns by the Home Office deadline.

FPS annual update 2023

We confirmed in [FPS Bulletin 66 – February 2023](#) that FPS contribution rates remained unchanged for 2023-24.

All relevant thresholds and rate changes for 2023 are available in the [FPS annual update 2023](#).

All relevant legislation can be viewed on our website under annual update Statutory Instruments.

Website downtime

Please be aware that both the FPS Regulations and Guidance and the FPS Board websites will be unavailable on the morning of 19 April 2023 for an upgrade. As the existing page design template is no longer available in the new version of the website's content management system, users will notice that both sites have a new look following the upgrade.

Downtime will commence at five o'clock in the morning and it is anticipated that this will last for a few hours.

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: survivor benefits, page 130 and two-pensions, page 141.

FPS England SAB updates

SAB meeting 23 March 2023

The Scheme Advisory Board (SAB) last met on 23 March 2023 and the meeting covered following areas:

- GAD update on the Matthews remedy
- Home Office retrospective remedy consultation
- First Actuarial Spring budget update for the SAB
- GAD update on the 2020 valuation

You can use the links below to find out about the latest updates on the work of the SAB and its committees:

- [SAB membership](#)
- [SAB meeting and agenda papers](#)
- [Committee meetings and agenda papers](#)

Other News and Updates

Farewell from Claire Hey

As readers may know, I am leaving the LGA on 23 April 2023 to take up a role with Heywood Pension Technologies.

It has been a pleasure and a privilege to work with so many committed stakeholders across the Fire sector during my six years with the LGA, and I feel humbled by the support and friendship extended to me during that time.

Following an extremely competitive recruitment process, I am delighted to announce that Claire Johnson has been appointed to the senior adviser role on a permanent basis. And that, as Claire is currently on maternity leave, Elena Johnson has been promoted on a temporary basis to lead the team.

This month I was also delighted to welcome Tara Atkins to the team to lead on

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communications – as reported in [FPS Bulletin 66](#).

I wish the team all the best for the future and know that they will provide exceptional support and guidance to the sector as we progress through the various challenges ahead.

Judgment on cost cap mechanism

In [FPS bulletin 59 – July 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. The review took place from 31 January 2023 to 3 February 2023.

On 10 March 2023, [the High Court ruled](#) that HM Treasury’s decision to include the McCloud/ Sargeant remedy in the cost cap mechanism was not unlawful. The judge ruled in favour of HM Treasury on all grounds. The judge also refused permission to appeal, but the FBU and other parties are able to apply for permission to appeal directly to the Court of Appeal.

DWP supports expansion of auto enrolment

On 3 March 2023, [the Department for Work and Pensions \(DWP\) confirmed](#) it will support the private members bill expanding Auto Enrolment. [The Pensions \(Extension of Automatic Enrolment\) \(No.2\) Bill 2023](#) proposes to give the government powers to make regulations which:

- abolish the Lower Earnings Limit for contributions – currently £6,250, and
- reduce the age of auto enrolment for eligible jobholders – down from 22 to 18.

The government has not given a timetable for when the changes may take effect.

DWP announces delays to dashboard connection deadlines

On 2 March 2023, the government confirmed its intention to legislate to amend schemes’ connection deadlines. This follows a [written ministerial statement](#) issued by DWP announcing the delays. Delays are necessary to give the Pensions Dashboards Programme (PDP) the time it needs to meet the challenges in developing the digital architecture. DWP will provide an update on dashboards to Parliament before Summer 2023 recess.

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It is not clear if connection deadlines for public service pension schemes will change.

Following the announcement, The Pensions Regulator (TPR):

- will write to those schemes affected by the announcement to confirm when new deadlines are set – [example communication](#)
- has [published updated guidance and checklist](#), to help schemes focus on what they should be doing now to prepare for their dashboard duties
- will produce a ‘content toolkit’ with key messages for administering authorities to copy / paste / edit / include as appropriate in their communications
- held a free webinar on 30 March 2023 about ‘getting to grips with your data’

ACTION: FRAs and administrators to make sure that relevant parties within their organisation are aware of the announcement and TPR’s actions

Spring budget 2023

On 15 March 2023, the Chancellor of the Exchequer delivered his [Spring Budget 2023](#). See [HMRC’s newsletter 148](#) and [Policy paper](#) for more information.

The [Finance \(No.2\) Bill 2022/23](#) was published on 23 March 2023. With effect from 6 April 2023, the Bill proposes to enact some of the changes announced at the Spring budget. This includes:

- increasing the annual allowance from £40,000 to £60,000
- increasing the money purchase annual allowance from £4,000 to £10,000
- increasing the adjusted income level for the tapered annual allowance from £240,000 to £260,000
- increasing the minimum tapered annual allowance from £4,000 to £10,000
- abolishing lifetime allowance (LTA) charges arising in relation to benefit crystallisation events occurring on or after 6 April 2023

- allowing members to accrue new pension benefits, join new arrangements or transfer, without losing enhanced protection or fixed protection where the protection was applied for before 15 March 2023
- changing the taxation of the LTA excess lump sum, so that it is taxed as pension income (taxable at marginal rate rather than 55 per cent)
- notwithstanding the LTA charge being abolished, ensuring that payments of (or any part of) serious ill-health lump sums, defined benefit lump sum death benefits or an uncrystallised funds lump sum death benefits that would have incurred an LTA charge remain taxable payments, with the excess taxed as pension income (taxable at marginal rate rather than 55 per cent).

Legislation will be introduced in a future Finance Bill to remove the lifetime allowance from pensions tax legislation.

The SAB's actuarial adviser, [First Actuarial has produced a bulletin](#) which also covers these changes.

ACTION: FRAs and administrators to share the above with the relevant parties within your organisation.

PDP issues March newsletter

In March 2023, PDP [published their March newsletter](#). The newsletter contains articles on:

- DWPs written ministerial statement on pensions dashboards connection times
- FAQs on connection deadlines and revised timeline
- pensions dashboards myth busting videos
- signing up for a new FAQ newsletter
- new PDP website homepage.

[GAD publishes blog on pensions dashboards data matching](#)

GAD has published [a blog on the role of data matching](#) for pensions dashboards success. The blog looks at the questions administrators need to ask when deciding what data to use. It also emphasises the need for regular data quality reporting and cleansing. In the blog, GAD Pensions Consultant Taylor Brightwell-Smith noted the particular challenge public service pension schemes face with their data and said:

“Public service pension schemes have an added challenge that many other defined benefit schemes do not. They remain open to new members. This means that the data position will never be static. It will continue to ebb and flow. This poses a challenge to schemes when considering their future interactions with pensions dashboards. They will need to take stock of their data when considering the logic of their matching criteria. No one-size fits all.”

The blog continued:

“That's the reasoning behind matching criteria not being prescribed in legislation. Schemes need to understand their own data challenges and cleanse as far as possible. This will lay the foundation for robust matching criteria to return results to dashboards quickly and accurately.”

Taylor Brightwell-Smith is due to be a panel member during the [Fire and Police Data Conference](#) on 17 May 2023.

[Police remedy consultation launched](#)

On 28 February 2023, [the Home Office published a consultation](#) to enact the second phase of the McCloud remedy for the Police Pension Scheme.

The consultation closes on 23 May 2023.

[The Pension Regulator publishes blog](#)

On 21 March 2023, Charles Counsell, the Chief Executive of TPR published [a blog](#) which covers delivering the best possible outcome for savers and the steps TPR is taking to become a data-led, digitally enabled organisation.

SCAPE Discount Rate methodology consultation response

In [FPS Bulletin 46 – June 2021](#), we indicated that a public [consultation on the discount rate \(the “SCAPE rate”\) methodology](#) had been launched. The Superannuation Contributions Adjusted for Past Experience (SCAPE) discount rate is a discount rate used in the valuation of unfunded public service pension schemes to set employer contribution rates.

The consultation sought views on the appropriate methodology for setting the discount rate used in scheme valuations. The consultation closed on 19 August 2021.

On 30 March 2023, the UK Government [announced](#) the publication of its [response to the June 2021 consultation](#) on the methodology used to set the SCAPE discount rate and has concluded that the existing methodology best meets the balance of the Government’s objectives for the SCAPE discount rate, and therefore does not intend to modify the methodology.

The SCAPE discount rate to be used as part of the ongoing 2020 valuations will therefore be based on the expected long-term Gross Domestic Product growth figures, published by the Office for Budget Responsibility in July 2022. Based on these figures, the new SCAPE discount rate is CPI+1.7% p.a.

Administrators will recognise that usually where the SCAPE rate changes, CETV calculations are suspended until the factors can be amended in line with the new SCAPE rate. We understand that HMT will shortly suspend the [technical note](#) used for the SCAPE rate in calculating CETVs and we will notify you when this happens

HMRC

Pension schemes newsletter 148

On 16 March 2023, HMRC published [pension schemes newsletter 148](#). It contains articles on the Spring Budget 2023, net pay arrangements for low earners, accounting for tax returns and event reporting.

The newsletter also confirms where unfunded public service pension schemes

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operate final salary and CARE scheme as different arrangements, they will be treated as one arrangement when calculating the annual allowance.

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:

[14 March 2023 – Pensions dashboard preparations](#) (TPR)

[21 March 2023- Home Office retrospective remedy consultation](#)

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

Fire and Police pensions data conference - 17 May 2023

We are pleased to invite readers to a data conference being held at 18 Smith Square, London on Wednesday 17 May 2023, from 10.00 to 15:30. This conference is being held jointly with the National Police Chiefs' Council (NPCC).

With McCloud remedy and pensions dashboards fast approaching, the conference will explore the following themes:

- successful project implementation
- member engagement
- costing the schemes
- owning the narrative

We have put together an agenda of industry speakers to reflect on why data is so

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important for the Firefighters and Police Pension Schemes and how technology can help us to get it right.

The event is aimed at Fire and Rescue Authorities and Police Authorities including scheme managers and Local Pension Board representatives, pension practitioners and administrators, along with software providers and industry professionals.

[Book your place now!](#)

Training and events - 2022/23 facts and figures

Between April 2022 and March 2023, we have delivered 20 local or regional training sessions for Local Pension Boards (LPBs) and scheme managers as follows:

Local Pension Board Training: Avon, Bedfordshire, Cheshire, Cumbria, Devon and Somerset, Durham and Darlington, East Sussex, Gloucestershire, Greater Manchester, Hampshire and IOW, Hertfordshire, Kent, Mid and West Wales, Northern Ireland, South Yorkshire, Staffordshire, West Midlands.

Scheme manager training: London Fire Commissioner, West Midlands, and West Sussex.

We have provided administrator updates to Hampshire County Council, WYPF, and XPS, as well as Scheme Advisory Board training for the SABs in England, Wales, and Northern Ireland.

Four meetings of the English SAB have taken place with eight additional SAB collaboration sessions on remedy with NPCC and the Home Office. We have attended 15 regional Fire Pension Officer Group meetings and have facilitated three communications group and three technical group meetings.

We were also pleased to hold our first in-person two-day AGM since the pandemic. Information about our events can be found on our [Events page](#).

Finally, we have been regular virtual visitors to the devolved SAB meetings to provide an overview of issues arising in England and continue to represent FPS interests at sector specific forums including HMT led meetings.

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Legislation

SI	Reference title
SI 2023/338	The Pensions Increase (Review) Order 2023
SI 2023/279	The LGPS (Amendment) Regulations 2023
SI 2023/270	The Guaranteed Minimum Pensions Increase Order 2023
SI 2023/252	The Public Service Pensions Revaluation Order 2023

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

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