



FPS Bulletin 49 – September 2021

Welcome to issue 49 of the Firefighters' Pensions Schemes bulletin. We hope that readers remain safe and well.

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 or suggested items for future issues, please email claire.hey@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 claire.hey@local.gov.uk

Table 1: Calendar of events

Event	Date
FPS coffee morning	12 and 26 October 2021
South West and Wales regional group	5 October 2021
Aon Pensions Dashboards webinar	6 October 2021
Fire Finance Network conference	13-14 October 2021
Midlands regional group	21 October 2021
North East regional group	18 November 2021
SAB	9 December 2021

FPS

Two pension award case study

Certain unique elements of the Firefighters' Pension Schemes continue to cause administrative complexities; entitlement to two pensions being one example that requires good communication and collaboration between an FRA and their administrator.

One FRA has shared their experiences in this [two pension award case study](#), taking readers on a journey from an initial query, identification and resolution of an issue, breach recording, and review of internal processes.

This detailed case study has been shared as an example of best practice and to raise awareness of two pension entitlements. It is a strong example of partnership working between an FRA, their administrator, and a representative body, and also demonstrates thorough consideration of the Pension Regulator's breach processes.

We welcome case studies on any examples of good practice that FRAs would like to share. Please email bluelight.pensions@local.gov.uk with submissions for future issues.

LGA vacancy - Firefighters' Pensions Adviser - Employers

We are looking for someone to join us at the LGA to provide high-quality support to FRAs and FPS practitioners as a [Firefighters' Pensions Adviser – Employers](#) on a home or office-based contract.

The ideal candidate will have knowledge and experience of the FPS and excellent communication skills to support scheme stakeholders through a number of upcoming legislative developments that will require clear and comprehensive information and will bring with them significant administrative and communication challenges.

The closing date for applications has been extended to 11 October 2021 and interviews will now take place in the week commencing 25 October 2021.

Please contact claire.hey@local.gov.uk with any questions about the role.

Technical query log

The current [log of queries and responses](#) is available on 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: abatement (page 11), deferred benefits (page 58), pension sharing (page 92), and survivors pension (page 105).

Please bear with us if you experience a delay in response to your technical query. As you can imagine, much of our resource is currently focused on remedy-related issues.

FPS England SAB updates

SAB LPB effectiveness committee vacancy

We have a vacancy on the [Local Pension Board \(LPB\) effectiveness committee](#) for an FRA LPB representative. The LPB effectiveness committee considers how local pension boards and scheme managers can be supported centrally and has been particularly active in designing board surveys and developing draft guidance for joint LPB applications.

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This is a great opportunity for an LPB member to get more involved with governance at a national level and represent the views of the sector.

The required commitment is usually three to four meetings per year and these are currently being held virtually. If you are interested in sitting on the committee or would like more information, please email bluelight.pensions@local.gov.uk.

Other News and Updates

Public Service Pensions and Judicial Offices Bill receives Second Reading

The Bill received its [Second Reading in the House of Lords](#) on 7 September 2021 and will now move to the Committee Stage (first sitting on 11 October 2021).

James Younger, Viscount Younger of Leckie, confirmed at the Second Reading that the Government:

- is aiming for the Bill to receive Royal Assent in early 2022
- will be depositing policy statements in the House Library in the coming weeks
- expects that some technical amendments will be required during the Bill's passage through Parliament.

The Bill was introduced to Parliament on 19 July 2021.

Government suspends earnings part of 'the triple lock'

The government announced on 7 September 2021 that it will be introducing legislation to [suspend the earnings part of the triple lock for one year](#).

As a result, basic and new State Pensions will increase in April 2022 by the higher of 2.5 per cent or inflation. This will also apply to those receiving the standard minimum guarantee in Pension Credit and widows' and widowers' benefits in Industrial Death Benefit.

The earnings part of the triple-lock was estimated to be above 8 per cent due to "unprecedented fluctuations to earnings caused by the COVID-19 pandemic".

Auto-enrolment news

On 21 September 2021, the Minister for Pensions and Financial Inclusion, Guy Opperman, confirmed in an [answer to a Parliamentary written question](#) that the Government is still committed to implementing the recommendations from the [2017 Automatic Enrolment review](#) in the mid-2020s.

In other news, Mel Charles, Director of Automatic Enrolment at the Pensions Regulator (TPR), published [a blog on automatic enrolment duties](#) on 26 August 2021. Mel reminds employers that, despite the effects from the pandemic, they must not neglect these duties.

[PLSA publishes 'An Employer's Guide to Talking About Workplace Pensions'](#)

On 15 September 2021, the Pensions and Lifetime Savings Association (PLSA) published '[An Employer's Guide to Talking About Workplace Pensions](#)'.

The guide provides background on what employers (and pension schemes) can and cannot say with the intention of helping them navigate the advice / guidance boundary.

We reported in [FPS Bulletin 45](#) that TPR had produced similar [guidance on providing support to employees on financial matters](#) without being subject to Financial Conduct Authority regulation.

[HM Treasury responds to Committee's report on public service pensions](#)

On 2 September 2021, [HM Treasury \(HMT\) responded to the report on public service pensions](#) from the House of Commons Committee of Public Accounts. The Committee published the report on 11 June 2021 and made six conclusions alongside recommendations for each one.

HMT agrees with five of the recommendations and sets out how it will progress these. It has already announced most of the actions (such as [consulting on the SCAPE discount rate methodology](#)). Additionally, HMT will:

- commission other government departments for analysis of the latest participation data for each public service scheme
- work with departments to standardise data collection on participation rates, including whether it could be broken down by member characteristics
- ask departments to update it on measures they are taking to improve participation among specific groups
- write to the Committee with an update in six months on the work to implement the McCloud judgment and to resolve the issues with the cost control mechanism
- write to the Committee by the end of 2021 with an assessment of how it is meeting the objectives of the 2014 / 15 pension reforms.

HMT disagrees with the Committee's conclusion that it has done little to identify and manage the stark differences in average pensions between genders and other groups. It argues that such differences are a function of past differences in earnings rather than in differences in pension provision itself.

HMRC

HMRC newsletters/bulletins

On 30 September 2021, HMRC published [Pension schemes newsletter 133](#) containing important updates and guidance for schemes. Articles include:

- relief at source — annual return of information and notification of residency status reports
- pension scheme migration
- reporting multiple small pots payments using Real Time Information (RTI)
- updates to the HMRC Pensions Tax Manual

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.

The next session is due to take place on 12 October 2021.

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

[31 August 2021 – One-pot ill-health and death recap](#)

[14 September 2021 – Remedy project management update](#)

[28 September 2021 – Scheme valuations and cost control overview](#) (First Actuarial)

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

Legislation

SI	Reference title
2021/1047	The Pensions Regulator (Employer Resources Test) Regulations 2021

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](#)
- [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 bluelight.pensions@local.gov.uk.



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Table 1: Calendar of events

Event	Date
FPS coffee morning	9 and 23 November 2021
Eastern regional group	2 November 2021
SAB SMA committee	4 November 2021
North West regional group	10 November 2021
North East regional group	18 November 2021
Eversheds Sutherland pensions conference	1 December 2021
Eastern regional group	7 December 2021
SAB	9 December 2021

FPS

Immediate Detriment Framework

On 8 October 2021, the [FBU and LGA published a joint statement](#) to announce the agreement of a [Memorandum of Understanding and Framework](#) for managing immediate detriment cases arising from the McCloud/ Sargeant age discrimination judgment.

We have prepared guidance to assist FRAs in adoption of the Immediate Detriment Framework. The guidance is available on the [age discrimination page](#) of the FPS Regulations and Guidance website and will be kept under review. Log-in details are required to access the page and can be provided to practitioners and administrators only.

FPS Member website resources added

A new section has been added to the FPS member website, www.fpsmember.org, titled [2015 Remedy](#). This section provides a background to the McCloud/ Sargeant age discrimination ruling and a series of frequently asked questions. More information will be added over the coming months.

Fire and Rescue workforce and pensions statistics published

The Home Office published [workforce and pensions statistics](#) for Fire and Rescue Services (England) on 21 October 2021. The pension scheme statistics, covering April 2020 to March 2021, reflect data returns on income, expenditure and membership submitted by all FRAs in England.

Some key results:

- Firefighters' Pension Scheme expenditure in 2020-21 was around £902 million.
- 84 per cent of expenditure was "recurring outgoing payments" and 15 per cent was "commutation payments". "Transfers" and "miscellaneous expenditure" totalled less than 1 per cent
- Firefighters' Pension Scheme income in 2020-21 was around £393 million.
- Employer contributions rose by 1 per cent to £262 million.
- In 2020-21, 67 per cent of income was "employer contributions", 30 per cent was "employee contributions" and the remaining three per cent comprised transfers, miscellaneous income, and ill-health charges.
- The Firefighters' Pension Scheme deficit in 2020-21 was around £509 million; a two per cent decrease compared with the previous year (£521 million).
- On 31 March 2021, the total number of pensioner members was 44,961. Of these, 90 per cent were members of FPS 1992.

Consultation on FPS Wales

On 25 October 2021, the Welsh Government launched a consultation on amendments to firefighters' pension schemes in Wales.

The consultation relates to proposed amendments to the Firefighters' Pension Scheme (Wales) Regulations 2015 which will require all current members of the firefighters' pension schemes dating from 1992 and 2007 to join the 2015 Scheme on 1 April next year.

The consultation closes on 20 December 2021 and is available at the following link:

[Amendments to firefighters' pension schemes in Wales 2021 | GOV.WALES](#)

Technical query log

The current [log of queries and responses](#) is available on 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.

No new queries have been added this month.

Please bear with us if you experience a delay in response to your technical query. As you can imagine, much of our resource is currently focused on remedy-related issues.

FPS England SAB updates

SAB LPB effectiveness committee vacancy

We have a vacancy on the [Local Pension Board \(LPB\) effectiveness committee](#) for an FRA LPB representative. The LPB effectiveness committee considers how local pension boards and scheme managers can be supported centrally and has been particularly active in designing board surveys and developing draft guidance for joint LPB applications.

This is a great opportunity for an LPB member to get more involved with governance at a national level and represent the views of the sector.

The required commitment is usually three to four meetings per year, and these are currently being held virtually. If you are interested in sitting on the committee or would like more information, please email bluelight.pensions@local.gov.uk.

Other News and Updates

HMT consultation response: cost control mechanism

On 4 October 2021, HM Treasury (HMT) published its response to the cost control mechanism (CCM) consultation. The [full response to the CCM consultation](#) is available online.

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In summary, the government is proceeding with its three proposed options for reform:

- **Reformed scheme only design so the mechanism considers only past and future service in the reformed schemes.**

This measure is intended to ensure the right balance of risk between the member and the Exchequer, and to improve the stability of the mechanism.

- **Widen cost corridor from two per cent to three per cent of pensionable pay.**

The government expects a widened cost corridor of three per cent to balance effective cost control with stability. While the government acknowledged the Scheme Advisory Board's (SAB's) comments on scheme specific corridors, this was felt to be overly complex and more difficult for members to understand.

- **Economic check**

An economic check will be introduced so that any future breaches will only be implemented, and benefits amended, if the breach would still have happened taking long-term economic assumptions into account. The check will be linked to the Office of Budget Responsibility's independent measure of long-term GDP growth.

The government is aiming to implement all three reforms for the 2020 scheme valuations. The reformed scheme only design and economic check will be introduced through primary legislation. The widened cost corridor will be provided for in scheme regulations (secondary legislation).

HMT's response to the [consultation on the discount rate methodology](#) is expected soon.

The Public Service Pensions (Valuations and Employer Cost Cap) (Amendment) Directions 2021

On 7 October 2021, HMT published the [Public Service Pensions \(Valuation and Employer Cost Cap\) \(Amendment\) Directions 2021](#).

In February 2019, HMT paused the cost cap element of the 2016 valuations. This was due to the uncertainty regarding the cost following the McCloud and Sargeant litigation. There is now sufficient certainty regarding the costs and this direction allows schemes to conclude their 2016 valuations.

In a written statement made in February 2021 [[HCWS757](#)], the government said that early estimates indicated that some schemes could breach the cost ceiling when the valuations were finalised. However, the government decided that any impact on member benefits would be waived, as the mechanism may not have been working as intended.

The government also confirmed that any changes to employer contribution rates resulting from the 2020 valuations will be delayed to April 2024.

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September 2021 CPI rate announced

On 20 October 2021, the Office for National Statistics announced [the Consumer Prices Index \(CPI\) rate of inflation for September 2021 as 3.1%](#).

Section 59 of the Social Security Pensions Act 1975 (as amended) provides for public service pensions to be increased annually by the same percentage as additional pensions (State Earnings Related Pension and State Second Pension). In recent years, such benefits have been increased in line with the increase in CPI in the previous 12 months to September.

New webpage on how to avoid the Ombudsman

In October 2021, the Pensions Ombudsman (TPO) launched a new page on its website called [‘How to avoid the Ombudsman’](#). It contains 'top tips', links to case studies, key determinations, and new frequently asked questions.

TPO also published [guidance on communicating with pension scheme members](#). The note sets out simple steps that can be taken to resolve pension disputes and complaints without the need for TPO to be involved.

PDP staging call for input summary

Between 27 May and 9 July 2021, the Pensions Dashboards Programme (PDP) ran a staging call for input outlining the proposed order and timings for pension providers and schemes (data providers) to connect to the pensions dashboard.

The [SAB responded to the call for input](#), suggesting that staging for the Firefighters' Pension Scheme should be after the age discrimination remedy has been implemented and the first set of annual benefit statements issued successfully in Autumn 2024.

PDP received just over 60 responses to the call for input from a variety of stakeholders. These will be used to feed into further policy development of pension dashboards. It has published a [summary of the key themes](#) drawn from the responses, commenting under section 2.1.3.3:

“Those who disagreed with public service schemes staging as early as possible within the first wave, highlighted that implementing the McCloud remedy is the strongest priority over the next three years and it will take significant resources to implement the required changes. The McCloud remedy would make it hard for public service schemes to provide accurate ERI values until a much later date: the first time that the two sets of data will be provided in Annual Benefit Statements will be in 2024.”

PDP has shared the responses with the Department for Work and Pensions (DWP), the Financial Conduct Authority (FCA) and The Pensions Regulator (TPR) to inform policy development on staging. DWP's consultation on draft regulations is expected at the end of the year and will set out the staging proposition.

HMRC

HMRC newsletters/bulletins

On 29 October 2021, HMRC published [Pension schemes newsletter 134](#) containing important updates and guidance for schemes. Articles include:

- Autumn Budget 2021
- extension to some of the temporary changes to pension processes as a result of coronavirus (COVID-19)
- relief at source declaration
- pension scheme migration
- accessing your business tax account
- pension flexibility statistics
- registration statistics

At the Autumn Budget on 27 October 2021, the government announced it will introduce legislation in 2022 to extend scheme pays reporting and payment deadlines for annual allowance charges. The policy paper and draft regulations relating to this change can be found in [FPS Bulletin 47](#).

Contracting-out reconciliation update

On 11 October 2021, HMRC published [Countdown Bulletin 56](#) with updates on:

- the closure of Scheme Cessation and Scheme Reconciliation eRooms
- raising queries with HMRC

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.

The next session is due to take place on 9 November 2021.

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

[12 October 2021 - Immediate Detriment Framework](#)

[26 October 2021 – General FPS update](#)

A new [FPS coffee mornings page](#) has been added to the Events menu of the FPS Regulations and Guidance website to hold previous presentations.

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

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Useful links

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- [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](#)
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FPS coffee morning	7 and 21 December 2021
Eversheds Sutherland pensions conference	1 December 2021
Eastern regional group	7 December 2021
SAB	9 December 2021
North East regional group	16 February 2021

FPS

Home Office consultation: Amendments to the FPS in England 2022

On 8 November 2021, the Home Office launched a consultation on the amendments to the pension scheme regulations to deliver the first set of changes to remove the transitional protections from the FPS 2015.

These changes enact the policy announced in February of this year and are consequential to the provisions in the [Public Service Pensions & Judicial Offices Bill](#) (PSPJO) currently before Parliament. The changes are intended to come into force on 1 April 2022.

This is part of the package of measures that the government is undertaking to remove the discrimination identified by the courts in the McCloud and Sargeant cases. The second phase will address the issue of giving members a retrospective choice of benefits for the remedy period. The Home Office will consult on this separately next year.

Please find details of the consultation and associated documents at the link here:

[Amendments to the firefighters' pension schemes in England 2022 - GOV.UK](https://www.gov.uk/government/consultations/amendments-to-the-firefighters-pension-schemes-in-england-2022)
(www.gov.uk)

The consultation is open until Sunday 2 January 2022.

As it will be for individual Fire and Rescue Authorities (FRAs) as the Scheme Manager to apply the regulations, FRAs are encouraged to respond to the consultation.

Immediate Detriment Framework updates

On 19 November 2021, the [FBU and LGA published a joint statement](#) to update colleagues on the impact of [HMRC's policy note](#) of 27 October 2021 and the [Finance \(No.2\) Bill](#).

The guidance to FRAs available on the [age discrimination page](#) of the FPS Regulations and Guidance website has been updated accordingly. Log-in details are required to access the page and can be provided to practitioners and administrators only.

Sample letters to assist FRAs in administering the Framework have also been added to this page. Please note that these letters have not been developed by the communications group and are not endorsed but have been shared by FRAs/ administrators as examples of good practice and to reduce duplication of work. Some cases may require additional information or slightly alternative information to be added / amended on an ad-hoc basis.

On 29 November 2021, we wrote to FRAs and other stakeholders to tell them that the [Home Office has withdrawn its informal and non-statutory guidance](#) on processing certain kinds of immediate detriment case ahead of legislation, with immediate effect. All versions of the guidance have been removed from the FPS Regulations and Guidance website.

The Home Office also gave the following update on funding:

“I also want to take this opportunity to provide some further clarity in relation to the funding position. As the Government does not advise that immediate detriment cases should be processed in advance of the legislation coming into force, we will not be in a position to provide any additional funding for those costs which are paid outside of the pension account. These costs include payments that are not considered to be legitimate expenditure under the pension scheme regulations and any associated administration costs including any charges from your pension administrator. These will need to be funded locally by your fire and rescue authority from local budgets.

In relation to immediate detriment costs paid from the pension account in the course of processing pipeline cases, FRAs will need to ensure that these payments comply with the financing regulations of the pension scheme. If they are considered to be legitimate expenditure then they will be considered for payment as part of the established processes for claiming the AME top up grant.”

We appreciate that this may be a cause of concern to colleagues who are considering to adopt or who have adopted the [MoU and Framework](#). We are considering the various aspects within the note and will write to FRAs and FRSs with further information as soon as possible.

[Age discrimination remedy - member letters 1 April 2022](#)

Under the communications pillar of the LGA’s remedy [Project Implementation Document](#) deliverables, we said that we would provide communications to explain the effect of protected members moving to FPS 2015 with effect from 1 April 2022 and communications to members not affected by the changes to benefits.

A suite of letters has been developed in collaboration with the Fire Communications Working Group. These can be given by FRAs to scheme members ahead of prospective remedy implementation on 1 April 2022. This includes a tailored version for each member cohort: protected, taper protected, unprotected, and out of scope.

The letters are available on the new [prospective remedy page](#) of the FPS Regulations and Guidance website.

Guide to combining pension scheme service updated

The guide to combining pension scheme service in the FPS has been updated with new or amended definitions of remedy membership cohorts.

We have also replaced references to the “modified scheme” with the correct terminology of FPS 2006 special members/ membership, ahead of the anticipated second options exercise, to make sure that we are using consistent wording in all documents.

Clean and tracked versions of the guide can be found on our [guides and sample documents webpage](#) under the ‘Aggregation’ heading.

A to Z of pension terms updated

As part of our ongoing development of the FPS Member website, the [A to Z of pensions terms](#) page has been expanded significantly. We welcome any suggestions for additional content that would be useful to increase understanding of pensions terminology. Please email bluelightpensions@local.gov.uk.

Technical query log

The current [log of queries and responses](#) is available on 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: combining service (page 17). Queries from earlier months have been grey shaded to differentiate from new items.

Please bear with us if you experience a delay in response to your technical query. As you can imagine, much of our resource is currently focused on remedy-related issues.

As a reminder, the recently reinstated [Knowledge Hub technical forum](#) can be used as an alternative, if you need an informal steer from sector colleagues in the meantime. See [FPS Bulletin 47 – July 2021](#) for more information.

FPS England SAB updates

SAB SMA committee vacancy

We have a vacancy on the [Scheme Management and Administration \(SMA\) committee](#) for an FRA LPB representative. The main objectives of the committee are to provide guidance to the SAB to understand the value and cost of administration and to consider how scheme managers and administrators can best be supported by identifying best practice.

This is a great opportunity for an LPB member to get more involved with governance at a national level and represent the views of the sector.

The required commitment is usually three to four meetings per year, and these are currently being held virtually. If you are interested in sitting on the committee or would like more information, please email bluelight.pensions@local.gov.uk.

Other News and Updates

Finance (No.2) Bill 2021/22

On 2 November 2021, HM Treasury (HMT) formally introduced the Finance (No.2) Bill 2021/22 to Parliament. The Bill includes several provisions that may affect the administration of the FPS.

Clause 9: Changes to annual allowance scheme pays deadlines

This clause changes deadlines associated with mandatory scheme pays. The period within which some members must give notice of their election will be extended. The deadline for administrators to provide information about annual allowance tax charges will also change.

Clause 11: Tax impacts resulting from the McCloud remedy

The clause provides HMT with the power to make regulations to address tax impacts that arise because of implementing the McCloud remedy. Provisions made under this section may be retrospective and may be different for different member types. The changes will have effect from 6 April 2022 or later.

You can follow the [progress of the Finance \(No.2\) Bill 2021/22](#) on the UK Parliament website.

Proposed amendments to the PSPJO Bill

Amendments to the PSPJO Bill have been proposed. You can read the proposed changes in the [marshalled list of amendments](#). You can follow the [progress of the PSPJO Bill](#) on the UK Parliament website.

Legal challenge: remedy costs and cost control mechanism

Unions across the public sector have launched a judicial review against HMT about including McCloud/ Sargeant remedy costs in the cost control mechanism. The FBU, GMB, and BMA argue that the cost of rectifying the discrimination should not be met by scheme members.

The provisional results of the 2016 cost cap valuation showed that all public service schemes were cheaper than expected. This would have led to a reduction in contributions or improvements in benefits from April 2019 had the cost control process not been paused.

Pension scams: new restrictions on transfers

On 8 November 2021:

- the Government published its [Response to Pension scams: empowering trustees and protecting members consultation](#)
- [The Occupational and Personal Pension Schemes \(Conditions for Transfers\) Regulations 2021](#) [SI 2021/1237] were laid
- the Pensions Regulator (TPR) published [TPR guidance on dealing with transfer requests](#), which includes a helpful flowchart setting out the transfer process.

The regulations take effect from 30 November 2021. They introduce further legal restrictions on a member's statutory right to transfer. The regulations give pension managers and administrators tools to act if they have suspicions about the circumstances that have led the member to request a transfer. The member will no longer be able to insist on a statutory transfer taking place in these circumstances.

PDP November newsletter

The Pensions Dashboards Programme (PDP) has published its [November newsletter](#). The newsletter includes links to:

- the PDP director's blog reflecting on recent achievements and looking forward to activity in the next few months
- the October progress update report
- dashboard providers' update, and confirms that successful applicants to help test the pensions dashboards ecosystem will be announced in December
- the identity hub which provides information about the approach to procuring an identity service
- the technical glossary which includes definitions of key terminology.

TPO stakeholder survey

The Pensions Ombudsman (TPO) is seeking your views on how you think it is doing and where it can improve things. TPO would be grateful if you could complete the [Stakeholder survey](#) which is open until Wednesday 8 December 2021.

One of TPO's strategic goals is to support and influence the pensions industry and the wider alternative dispute resolution sector to deliver effective dispute resolution. Your feedback is important as it will help to shape TPO's future planning, identify areas for improvement and improve the complaints process for its customers.

HMRC

HMRC newsletters/bulletins

On 30 November 2021, HMRC published [Pension schemes newsletter 135](#) containing important updates and guidance for schemes. The newsletter includes

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articles on:

- Relief at source
- Pension scheme migration
- Accessing your business tax account
- Annual allowance charge — members declaring their annual allowance charge on their Self Assessment tax return
- Accounting for tax return

Managing Pension Schemes service

On 18 November 2021, HMRC published a [Managing Pension Schemes newsletter](#) and new [GOV.UK guidance](#) with information on the new feature available on the Managing Pension Schemes service. These also include information on how to prepare to migrate your pension schemes to the Managing Pension Schemes service.

Pension scheme administrators can now view a list of schemes they need to migrate to the Managing Pension Schemes service. Currently it's a 'read only' list. You won't be able to migrate any pension schemes at this point. Only schemes with a status of 'open' on the Pension Schemes Online service will be included in the list.

To view the list of schemes, you'll need to be [enrolled on the Managing Pension Schemes service](#) using your existing 'A0' administrator ID. Scheme administrators with [multiple administrator IDs](#) will need to have completed the process of setting up their 'Master' and 'Ancillary' IDs, and have enrolled using their 'Master' ID.

HMRC will continue to keep you updated on the Managing Pension Schemes service through their [Pension Schemes Newsletters](#).

Please email migration.mps@hmrc.gov.uk if you have any further questions or feedback on the Managing Pension Schemes service, including the migration of pensions schemes.

2020/21 Event Reporting - Annual Allowance Statements and Lifetime Allowance

As last year, HMRC is prepared to accept scheme data regarding pension savings statements for 2020/21 from PCM customers on an excel spreadsheet rather than through the scheme's Event Report. All other scheme events for 2020/21, with the exception of the lifetime allowance protection regimes (see below), must be submitted via Pensions Online.

This concession is on the clear understanding that the pension savings statement data represents part of the scheme's formal reporting obligations for the 2020/21 Event Report. The data must be submitted by 31 January 2022 and HMRC reserves the right to open enquiries based on any of the pension savings statement information provided.

The data required for each member is:

- Name of Member (Title, First Name, Surname)
- National Insurance Number of Member
- Aggregate Pension Input Amounts for the scheme (x)
- Tax Year Ending (that the information relates to)
- Have you provided this member with a pension savings statement under regulation 14A(1)(b)(ii) SI 2006/567? (Y/N) (Money Purchase Pension Savings Statement)
- If Yes, provide the Aggregate Pension Input Amounts for Money Purchase Arrangements (y)

All fields must be completed. For members who have both x & y above, it would be helpful if you list the data in the same line on the spreadsheet.

Guidance is included at [HMRC Pensions Tax Manual 161600](#) and [HMRC Pensions Tax Manual 167000](#)

For the data to be compatible with HMRC's IT systems it must be submitted on a Microsoft Excel spreadsheet encrypted via Winzip.

All files should be sent via e-mail to pensions.businessdelivery@hmrc.gov.uk and your PCM copied in. HMRC will notify the scheme of receipt to enable the password to be provided under separate cover.

Lifetime Allowance

You may recall from last year that, in accordance with article 6.2 of the [Pension schemes newsletter 85 - March 2017](#), the Event Report has not yet been amended to include lifetime allowance protections that members applied for online. If you need to submit these details to HMRC, you can also submit them on a password protected spreadsheet and send the password in a separate email.

You should put 'Lifetime allowance – Event Reporting' in the subject line of your email and send this to pensions.businessdelivery@hmrc.gov.uk and, again, copy in your PCM. This data must also be provided by 31 January 2022.

If a scheme chooses to use this facility to provide this information, it is entirely at the scheme's own risk. HMRC accept no responsibility of loss, interception, or corruption until data is delivered safely to them.

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.

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The next session is due to take place on 7 December 2021.

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

[9 November 2021 – FRA remedy self-assessment survey](#)

[23 November 2021 – Immediate Detriment Framework update - UPCs](#)

An [FPS coffee mornings page](#) has been added to the Events menu of the FPS Regulations and Guidance website to hold previous presentations.

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

Legislation

SI	Reference title
2021/1237	The Occupational and Personal Pension Schemes (Conditions for Transfers) Regulations 2021

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](#)
- [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 bluelight.pensions@local.gov.uk.



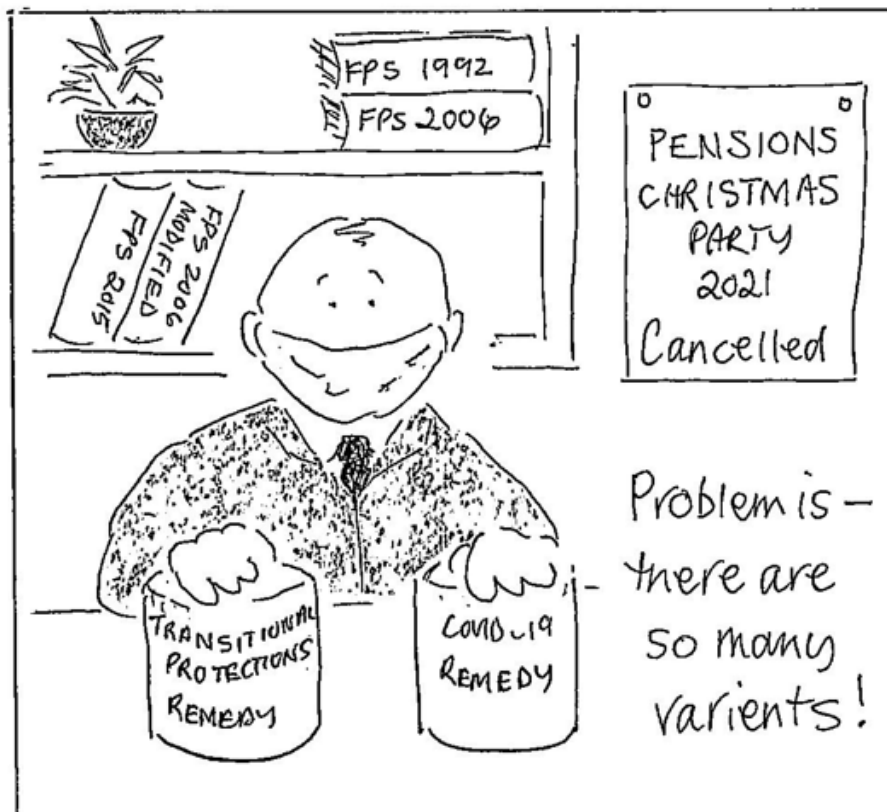
FPS Bulletin 52 – December 2021

Welcome to issue 52 of the Firefighters' Pensions Schemes bulletin.

We hope that readers remain safe and well. We would like to offer our thanks to all colleagues for their help and support during what has been another challenging year.

In finest December bulletin tradition, Eunice Heaney has kindly provided an illustration perfectly capturing some of the challenges we've faced and are continuing to face.

We wish all readers a very merry Christmas and 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 or suggested items for future issues, please email bluelight.pensions@local.gov.uk.

In a new test feature this month, we bring you details of two job vacancies within the UK FPS community. If you have a job you would like to advertise in the bulletin, please email bluelight.pensions@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 bluelight.pensions@local.gov.uk.

Table 1: Calendar of events

Event	Date
FPS coffee morning	11 and 25 January 2022
North East regional group	16 February 2021
LGA Annual Fire Conference and Exhibition	15 – 16 March 2022
SAB	24 March 2022
SAB	23 June 2022
SAB	8 September 2022
SAB	8 December 2022

FPS

Immediate Detriment Framework update

Readers will be aware that on 29 November 2021 the Home Office withdrew its informal and non-statutory guidance on processing certain kinds of immediate detriment case ahead of legislation, with immediate effect. That withdrawal was accompanied by an HM Treasury note and Home Office statement on funding.

The Immediate Detriment Framework guidance to FRAs available on the [age discrimination page](#) of the FPS Regulations and Guidance website has been updated. Log-in details are required to access the page and can be provided to practitioners and administrators only.

If you are taking decisions on immediate detriment cases following the withdrawal of the guidance, you should speak to your FRA's Nominated Contact.

Technical query log

The current [log of queries and responses](#) is available on 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.

No new queries have been added this month.

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FPS England SAB updates

[FRA remedy self-assessment survey research report and Chair's Christmas message](#)

We are pleased to bring you this year-end message from Joanne Livingstone, chair of the FPS England Scheme Advisory Board, which announces the publication of the outcomes of the FRA remedy self-assessment survey:

“Dear friends & colleagues,

The Scheme Advisory Board (SAB) is pleased to be able to share with you the results of the survey undertaken by the SAB secretariat in order to provide us with insights into the current administration arrangements and the challenges being faced by FRAs, in the light of both business as usual and remedy based challenges.

[FRA remedy self-assessment survey research report](#)

We would like to thank you all for engaging with the survey and making the time to share your plans and thoughts with us. You will see that this has led to recommendations being made for both the SAB and other stakeholders. There are a number of recommendations in each of the key areas of future administration arrangements and for individual elements of remedy, namely data; contributions; processes; information, communications and coordination; knowledge, capability and capacity.

The SAB is well aware of the challenges and amount of work required to implement the various remedies and we expect that this risk will be prominent in your corporate risk registers. The SAB secretariat will be sending your individual responses to you, to benchmark against the overall average and we hope that this will help you to identify any areas for further focus to ensure that all FRAs have full project plans for the different teams required.

With regard to the communication challenges, the SAB hopes to provide assistance by making available a range of generic scenarios and some information videos in the coming months. Our committees have been busy working on this and are also looking at ways to ensure that the information resources are reaching the right people. All feedback is very welcome.

We know from the survey that the ticking timeclock is a concern. It does not seem a full year since I penned my first Christmas letter to you but we are already approaching the festive season so I thought I would also use this opportunity to reflect a little on the year's work. The year has been dominated by consultations and, in most but not all matters, their outcomes. The predominantly new Home Office pensions team has provided considerable engagement. We have all spent time considering the topics of remedy, 2016 valuations, and future valuation methodology for the cost cap and funding purposes. Meanwhile the pandemic has continued, though we are hoping that the main SAB meetings will be able to start to have a physical meeting element.

There have been changes in the SAB membership during the year. And, of course, you will also be aware of the departure of Clair Alcock to be Head of Police Pensions and the promotion of Claire Hey to be our Senior Adviser. This has left the Bluelight Team temporarily reduced in numbers and I would particularly like to thank Claire for working so hard to fill the void. I look forward to welcoming the new recruits when they are on board.

I would like also to thank my fellow SAB members, the SAB committee Chairs and all those involved in the Fire Pension committees, for their invaluable contributions and impressive knowledge and willingness to work through the issues.

So happy reading of the survey and best wishes to you all for the festive season.

Joanne Livingstone. Chair, English Firefighters' Pension Scheme Advisory Board"

Open letter from SAB to HMT on withdrawal of ID guidance

On 29 November 2021, the Home Office withdrew its informal and non-statutory guidance on processing certain kinds of immediate detriment case ahead of legislation, with immediate effect. The decision to withdraw the guidance was indicated as being based on [HM Treasury's best assessment on the advisability of processing immediate detriment cases](#).

The Board has written an [open letter to HM Treasury on the withdrawal of the guidance](#) to request more information on the risks and uncertainties mentioned in their assessment.

SAB SMA committee vacancy

The Board continues to carry a vacancy on the [Scheme Management and Administration \(SMA\) committee](#) for an FRA LPB representative. The main objectives of the committee are to provide guidance to the SAB to understand the value and cost of administration and to consider how scheme managers and administrators can best be supported by identifying best practice.

This is a great opportunity for an LPB member to get more involved with governance at a national level and represent the views of the sector.

The required commitment is usually three to four meetings per year, and these are currently being held virtually. If you are interested in sitting on the committee or would like more information, please email bluelight.pensions@local.gov.uk.

Other News and Updates

Appointment to the Bluelight Team

Following a successful recruitment campaign, we are delighted to announce that Claire Johnson has been appointed to the Bluelight Team in the role of Firefighters' Pensions Adviser (Employers) and will join the LGA on 24 January 2022.

Claire has 12 years' public service pension experience, in the LGPS and Firefighters' Pension Schemes. Claire commenced Local Government employment in 2010 at West Yorkshire Pension Fund, before moving to West Yorkshire Fire and Rescue Service in 2016 where she has undertaken the role of Pensions Manager.

Claire's role at the LGA is to provide support to FRAs and FPS practitioners. In addition, Claire will lead the development of national FPS communications.

[Vacancy at West Yorkshire Fire and Rescue Service](#)

Claire's arrival at the LGA leaves a vacancy for a Pensions Manager at West Yorkshire FRS. You can find out more about the role on the [WYFRS careers webpage](#).

The closing date for applications is 16 January 2022 and interviews will take place week commencing 24 January 2022.

Claire would be happy to have an informal chat with anybody interested in the role, please email claire.johnson@westyorkfire.gov.uk to organise this.

[Vacancy at North Wales Fire and Rescue Service](#)

Please find below details of a current vacancy for Senior Pensions Officer which is open to existing North Wales FRS employees and external applicants. The closing date for receipt of application forms is 12.00 noon on 14 January 2022.

[Advert for Senior Pensions Officer](#)

[Recruitment information pack for Senior Pensions Officer](#)

The application form can be found on the [Current Vacancies](#) page of the North Wales FRS website.

[PDP December newsletter](#)

The Pensions Dashboards Programme (PDP) has published its [December newsletter](#). The newsletter includes links to:

- the PDP director's blog reflecting on programme activity over 2021
- a press release confirming the selection of three potential dashboard providers
- the Pensions Administration Standards Association (PASA) guidance on data matching
- the monthly technical newsletter from the PDP's technical architecture team.

[New TPO resources](#)

The Pensions Ombudsman (TPO) has published the following resources for service users on its website:

- [Unacceptable behaviour policy](#)
- [Accessibility policy](#)
- [Determination factsheet](#)

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HMRC

Enrolment on MPS

HMRC have recently been in touch with the Bluelight team to encourage FRAs who may be having difficulty enrolling on the Managing Pension Schemes (MPS) service to use the step-by-step guide that was issued to them by email on 25 August 2021. A copy can be provided on request – please email bluelight.pensions@local.gov.uk.

If authorities are still experiencing difficulties, they should email john.curtis@hmrc.gov.uk to arrange a call to talk through the process.

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.

The last session of the year took place on 21 December 2021. We will reconvene on 11 January 2022.

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

[21 December 2021 – Christmas coffee morning](#)

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

Legislation

SI	Reference title
2021/1308	The Occupational Pensions (Revaluation) Order 2021
2021/1319	The State Pension Debits and Credits (Revaluation) Order 2021
2021/1320	The State Pension Revaluation for Transitional Pensions Order 2021
2021/1394	The Pension Schemes Act 2021 (Commencement No. 5) Regulations 2021

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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