



FPS Bulletin 53 – January 2022

Welcome to issue 53 of the Firefighters' Pensions Schemes bulletin.

We wish all 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 bluelight.pensions@local.gov.uk.

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Calendar of events

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Table 1: Calendar of events

Event	Date
FPS coffee morning	8 and 22 February 2022
North East regional group	16 February 2022
Fire Communications Working Group	1 March 2022
FPS Technical Group	7 March 2022
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 on position from FRAs

We understand that FRAs are continuing to consider adoption of the Immediate Detriment Framework.

It would be useful for the LGA to know what the current position is in each FRA. We will therefore shortly be contacting scheme managers to ask what arrangements are currently in place for their FRA.

This information will be important for us to better understand the current landscape, which means we will be best placed in our discussions with other parties to identify any necessary solutions, and able to provide further support to FRAs where needed.

The latest guidance on the Framework, which was updated at the end of last year following the statements from the Home Office and HM Treasury on immediate detriment, can be found on the [age discrimination page](#) of the FPS Regulations and Guidance. Log-in details are required to access the page and can be provided to practitioners and administrators only.

LGA response to Home Office consultation

We reported in [FPS Bulletin 51](#) that the Home Office had launched a consultation on amendments to the pension scheme regulations to deliver the first set of changes to remove the transitional protections from the FPS 2015.

On 2 January 2022, the [LGA submitted its response to the consultation on the prospective changes](#).

The changes are intended to come into force on 1 April 2022.

Age discrimination remedy help and support

With April 2022 on the horizon, we are conscious that FRAs and administrators will be very much focused on remedy and the prospective changes which are due to come into force on 1 April 2022.

We are also aware that the retrospective remedy will be at the forefront of people's minds. By now we expect that you are working through the guidance issued in [FPS Bulletin 44](#) and are gathering the data that you require to populate the FPS remedy data collection template.

We want to support you in these efforts and ask for suggestions on ways in which you feel that our resource and expertise may benefit you and your organisations. We are planning on setting up some working groups and are happy to deliver training and/or knowledge refreshers.

Please let us know what support you think would be useful by emailing the Bluelight Pensions inbox bluelight.pensions@local.gov.uk.

Administrator remedy self-assessment survey

In addition to the above, readers may recall that last summer the Scheme Advisory Board (SAB) launched an FRA remedy self-assessment survey. As part of their statutory role to provide advice to scheme managers and Local Pension Boards in relation to the efficient and effective administration and management of the FPS, the Board wanted to understand more about arrangements for managing the pension scheme and specifically for implementing the age discrimination remedy.

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To do this, the Board prepared a self-assessment survey to take a temperature check of current arrangements. The survey was specifically aimed at FRAs and, as a result, a [research report](#) was published in December's edition of the bulletin. All FRAs were also provided with individual feedback.

The data received was extremely useful and, with both Sargeant and Matthews remedies on the horizon, we thought that it would be prudent to understand the administrators' position. With this in mind, we plan to launch an administrator survey. The survey can be expected in the coming weeks and will be shared with our key contacts within the relevant administrators.

Once the survey has closed, we will analyse the data and provide a report to the SAB for a forthcoming meeting. Welsh administrators are also invited to complete the survey and the data will be shared with the Welsh Scheme Advisory Board.

We ask that administrators are as open as possible when completing the survey, this will help us consider what additional support and advice will be needed.

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.

FPS England SAB updates

LGA vacancy - Firefighters' Pensions Adviser - Governance

We are looking for someone to join us at the LGA to provide high-quality support to the Scheme Advisory Board (SAB) and FRAs' Local Pension Boards as a [Firefighters' Pensions Adviser – Governance](#) 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 18 February 2022 and interviews will take place in the week commencing 7 March 2022.

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

SAB response to Home Office consultation

We reported in [FPS Bulletin 51](#) that the Home Office had launched a consultation on amendments to the pension scheme regulations to deliver the first set of changes to remove the transitional protections from the FPS 2015.

On 2 January 2022, the [SAB submitted its response to the consultation on the prospective changes](#).

The changes are intended to come into force on 1 April 2022.

SAB levy 2021-22 – Request for Purchase Order numbers

We are pleased to confirm that the SAB budget for 2021-22 has been approved by the minister and the invoicing process has started.

In 2014, FRAs entered a shared arrangement to fund a technical adviser post to support FRAs with their understanding and management of the Firefighters' Pension Schemes. The employers' voluntary subscription is included in the final levy.

The total levy for the 2021-22 year will be £9.16 per firefighter, which is calculated at £6.88 for the SAB and £2.28 for employers. A letter was sent by email to Chief Fire Officers and HR Directors on 11 January 2022 advising them of this.

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

The first stage of the process is for 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 2021, using the form provided with the letter.

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

DWP consultation on pensions dashboards

On 31 January 2022, the Department for Work and Pensions (DWP) published a [consultation on draft Pensions Dashboards Regulations](#). The consultation closes on 13 March 2022.

The purpose of this consultation is to seek views on a range of policy questions relating to the creation of pensions dashboards. An indicative draft of the Regulations is included to show how DWP envisage the policy would be turned into law.

The Board has previously responded to requests for information on dashboard implementation expressing concern around the potential value of dashboards for firefighters and the suggested timescales for Public Service Pension Schemes to make data available:

[SAB response to DWP consultation – Pensions dashboards: Working together for the consumer](#) (January 2019)

[SAB response to PDP call for input on dashboard staging](#) (July 2021)

These responses may be useful when considering your replies.

In addition, the [Pensions Dashboards Programme \(PDP\) published a report from Ipsos Mori](#) on 25 January 2022. The PDP had commissioned Ipsos Mori to undertake qualitative research on the attitudes of potential dashboard users, their circumstances, behaviours, and views of the dashboard concept.

On the same day, Rita Patel, Lead Analyst for the PDP, published a [blog summarising the report's main findings](#), which are:

- respondents reacted almost uniformly positively to the concept of dashboards
- respondents expect to see value information, both accrued and projected
- a find-only dashboard, which located pensions without displaying values, was of limited appeal
- a phased or partial service could negatively affect dashboards' reception
- dashboard users need to know what the service can and cannot do for them, as well as having clear signposting of government backing, in order to increase trust in its security.

DWP is hosting a series of webinars connected to the consultation to help stakeholders form their responses. You can register for the webinars on the [PDP webpage publicising the consultation](#). There is also a range of documents to support the consultation, outlining the scope of PDP's standards.

Public Service Pension Indexation and Revaluation 2022

On 20 January 2022, HM Treasury issued [written statement HCWS548](#) confirming the Public Service Pension Indexation and Revaluation for 2022.

Public service pensions will be increased in line with the annual increase in the Consumer Prices Index up to September 2021. The increase from 11 April 2022 is 3.1%.

HMT has published the [2022 pensions increase multiplier tables](#) and [covering note](#) to the GOV.UK website in advance of the Pensions Increase (Review) Order being laid.

FPS 2015 will use the figure of 4.1% as set out in the statement for the earnings element of revaluation for active members to be applied at one second after midnight on 31 March 2022.

TPO webinars

Following feedback from stakeholders, The Pensions Ombudsman (TPO) is running a series of short webinars at the end of March. Topics will include:

- A general introduction to TPO
- The work of the Early Resolution Service
- Volunteers
- How to Avoid The Ombudsman

To register your interest in attending any of these events, email stakeholder@pensions-ombudsman.org.uk.

Judicial review challenging McCloud consultation dismissed

On 15 December 2021, the [High Court handed down its judgment](#) dismissing the judicial review brought by the Police Superintendents' Association (PSA). The PSA challenged the legality of the consultation remedying the discrimination identified in the McCloud judgment in the unfunded public service schemes and the decision to close the legacy schemes on 1 April 2022.

The Court upheld some aspects of the PSA's claims. The Court found that the Government had not given clear conscientious consideration to the consultation responses before deciding to close the legacy schemes on 1 April 2022 and that parts of the public sector equality duty were breached. The Court decided against granting relief as it found it highly likely that the Government would have made the same decisions if the breaches had not occurred.

The [PSA has announced that it will seek leave to appeal](#) to the Court of Appeal.

DWP responds to 'stronger nudge' consultation

The [Department for Work and Pensions \(DWP\) responded to the consultation 'Stronger Nudge to pensions guidance'](#) on 17 January 2022.

On the same day, the DWP laid before Parliament [the Occupational and Personal Pension Schemes \(Disclosure of Information\) \(Requirements to Refer Members to Guidance etc\) \(Amendment\) Regulations 2022](#).

The regulations come into force on 1 June 2022 and apply to England, Scotland, and Wales. The regulations will require administrators of occupational pension schemes to give to their members, in certain cases, a stronger nudge to Pension Wise guidance.

There is no action required by FPS administrators or practitioners, as the FPS does not offer “[flexible benefits](#)” as defined by the Pension Schemes Act 2015.

Vacancy at Avon Fire and Rescue Service

Please see below details of a job opportunity at Avon Fire & Rescue Service. The closing date is Mon 7 February.

[Workplace Pensions Advisor | Yes You Can! The Avon Fire & Rescue Service Job Site](#)

This links through to the advert and then onto the JD. This is a very flexible role and could be filled full or part time, and it can be a hybrid of home and office working. There are good benefits in AF&RS and access to funded development as well as the opportunity to branch out into other specialist areas

HMRC

HMRC newsletters/bulletins

On 17 January 2022, HMRC published [Pension schemes newsletter 136](#) containing important updates and guidance for schemes. The newsletter includes articles on:

- Relief at source — notification of residency status report for 2022 to 2023
- Normal minimum pension age (NMPA)
- Extension to some of the temporary changes to relief at source processes
- Maintaining qualifying recognised overseas pension schemes (QROPS) status
- Pension flexibility statistics
- Managing Pension Schemes service
- Scheme Pays reporting

Managing Pension Schemes service – message to FRAs

On 18 January 2022, we emailed FRA FPS contacts and FPS pension administrators with the following update from HMRC on the migration of pension schemes from the Pension Schemes Online service to the Managing Pension Schemes service:

“We’re currently planning to release the feature for migrating pension schemes in early April 2022.

As currently planned, from mid-March 2022, you’ll no longer be able to compile and submit an AFT return for any quarter from 1 April 2020 on the Pension Schemes Online service.

This means that if you need to submit an AFT return for the quarter 1 January 2022 to 31 March 2022, you must migrate your pension scheme in time to compile and submit the AFT return by the filing deadline of 15 May 2022.

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If you've compiled but not yet submitted a new AFT return on the Pension Schemes Online service for any quarter from 1 April 2020, you also won't be able to successfully submit this on that service from mid-March.

To be able to migrate pension schemes, scheme administrators must be [enrolled](#) on the Managing Pension Schemes service using their 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.

Further information on this can be found in our [Pension Schemes newsletter](#), which was published on GOV.UK today and our guidance [Migrating your pension scheme to the Managing Pension Schemes service](#).

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

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 8 February 2022.

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

[11 January 2022 – Forward look 2022](#)

[25 January 2022 - Abatement](#)

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
2022/30	The Occupational and Personal Pension Schemes (Disclosure of Information) (Requirements to Refer Members to Guidance etc.) (Amendment) Regulations 2022

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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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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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SAB	24 March 2022
SAB	23 June 2022
SAB	8 September 2022
SAB	8 December 2022

Actions arising

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

[Abatement](#): Scheme managers to review abatement policy in light of Pensions Ombudsman determination PO-25374.

[Prospective remedy \(1 April 2022\)](#): All parties to ensure changes needed for 1 April 2022 are in place before that date.

[Administrator remedy self-assessment](#): Administrators to complete self-assessment survey by 18 March 2022.

FPS

Immediate Detriment Framework update on current position

We know that FRAs are keen to understand the current position of the Immediate Detriment Framework while they continue to consider adoption. For the time being, the current position as reported in [FPS Bulletin 52 – December 2021](#) remains unchanged and FRAs taking decisions on cases following the withdrawal of the Home Office guidance should speak to their nominated contact.

The LGA is continuing to press the government for further advice, and we are aware that similar issues are now arising across the other public service schemes. We will provide a more substantive update as soon as we are able.

To assist us with these discussions and to identify any necessary solutions we have approached FRAs to clarify their current position on immediate detriment and adoption of the Framework as well as any barriers they are encountering. FRAs were asked to respond no later than 28 February and, at publication, we have received 25 replies.

As we are still waiting for a proportion of FRAs to respond, we are intending to extend the deadline to Friday 4 March. FRAs who are yet to submit a response will be contacted directly and encouraged to do so where possible.

Abatement update

Subscribers to our Coffee Mornings will recall that the session held on 7 February 2022 was dedicated to abatement. This was in light of the recent [Pension Ombudsman ruling – PO25374](#).

In summary, the FRA identified a re-employed pensioner who should have been abated on reemployment but wasn't and, as a result, an overpayment of pension was identified, which the FRA sought to recover. The member challenged this as they believed that the FRA had a duty of care to alert them at the outset that their pension would be abated.

The complaint was partially upheld. The Ombudsman determined that the FRA didn't have an additional duty of care to the member other than the requirement to provide factually correct information. The complaint was upheld to the extent that the FRA did not follow reasonable process when exercising their discretion under rule K4 of FPS 1992 and making its decision to abate the members pension.

For those wishing to familiarise themselves with the presentation, the [abatement slides](#) are available on the [Coffee Morning section](#) of the [FPS Regs and guidance website](#).

As suggested at the session, we have taken advice from the SAB's legal advisor. They were asked to provide an informal view on the PO determination and, as a result, should FRAs consider changing their policy on blanket abatement.

The response confirmed that the PO determination is correct. The determination is supported by case law on exercising discretions, and the process that should be followed.

The main issue here is that the FRA had a blanket policy which stipulated abatement would apply. This meant that there was no room for 'discussion' in terms of the circumstances in which abatement would not apply.

The Board's legal advisor confirmed that it would have been fine for the policy to state that only in exceptional circumstances would abatement not apply, but even then, the FRA would need to show on a case-by-case basis that consideration was given as to whether any exceptional circumstances existed.

Action for FRAs – To review all existing policies on abatement and make necessary changes to ensure that proper consideration is taken when agreeing whether abatement should apply. It is also recommended that FRAs formally document each decision to evidence that they have made an informed decision.

In addition to the above, FRA may now wish to revisit previous decisions and possibly 'correct' any prior procedural deficiencies by now considering whether any 'exceptional circumstances' (as outlined in the FRAs policy) apply. If there are and were 'exceptional circumstances' that existed, then the FRA would need to address those on a case-by-case basis.

We are currently in the process of updating the abatement guidance, however, as the existing factsheet doesn't make any reference to the application of a blanket abatement policy FRAs can be assured that they can still use the document.

Preparation for 1 April 2022

With April only weeks away we thought it would be prudent to provide FRAs and administrators with some guidance as to what **must** happen to ensure a smooth transition for their members.

It should be common knowledge by now that with effect from 1 April 2022 **all** protected members will be treated as members of the FPS 2015. The [Public Service Pensions & Judicial Offices Bill](#) (PSPJO Bill) is clear that no-one can remain in the legacy scheme from 1 April 2022. Payroll and administration systems **must** show the member in the reformed scheme from 1 April 2022, this includes ensuring that the correct contributions are being deducted.

You **must** also ensure that members are clear on which scheme they are in from 1 April 2022. To assist you with this, we have provided a [suite of letters](#) which we recommend are used when communicating with members. In addition, as per our disclosure factsheet, members **must** be informed of any change in their contribution banding. It is recommended that this is communicated immediately, however, the regulations do provide FRAs with three months' grace.

Failure to comply with the above direction would constitute a legal risk for the FRA which could result in further litigation.

Scheme members with fixed or enhanced lifetime allowance (LTA) protection

If, as an employer or administrator of the FPS you think that some of your members may hold a form of fixed or enhanced protection from LTA charges, you need to tell them, if you haven't already, to act before 1 April 2022 if they want to avoid losing their protection.

Your members may wish to seek independent financial advice to help them to understand the impacts and decide the best course of action regarding protections from lifetime allowance charges.

The government's remedy proposals mean that individuals who originally lost their enhanced or fixed protection solely due to joining the reformed scheme (and not due to a subsequent action, such as benefit accrual) will not have lost their protection. However, they will lose their protection if they accrue benefits under the reformed scheme from 1 April 2022.

To keep fixed or enhanced protection:

- individuals who have not yet joined the reformed scheme will need to opt out of joining that scheme by 1 April 2022.
- individuals already in the reformed scheme will need to stop accruing benefits from 1 April 2022.

Members will need to speak to their scheme administrator about how to:

- opt out of the reformed scheme
- stop accruing benefits from 1 April 2022

Further guidance on what members need to do to reinstate their protection because of the Sargeant remedy will be provided by HMRC/ HM Treasury at a later date.

FPS contribution rates 2022-23

Banded contribution rates were introduced to the Firefighters' Pension Scheme 1992 and the Firefighters' Pension Scheme (England) 2006 by Statutory Instruments [2012/953](#) and [2012/954](#) respectively.

These rates have subsequently been amended each year by an amendment order to the schemes. The most recent amendments¹, which came into force on 1 April 2015, listed the rates applicable from 2015-2016 to 2018-2019, including contribution rates for Special Members of the Firefighters' Pension Scheme (England) 2006.

The Firefighters' Pension Scheme 2015 was introduced on 1 April 2015 by SI 2014/2848. [Regulation 110](#) set out details rates applicable from 2015-2016 to 2018-2019.

For 2019-2020, FRAs were instructed that the 2018-2019 rates would continue to apply, due to the pause of the cost-cap mechanism. These rates will continue to apply for 2022-2023. The [contribution rate factsheet](#) reminds FRAs of the contribution rates set out in the above Regulations and Orders which will apply from 1 April 2022.

Administrator self-assessment survey launched

As mentioned in [FPS Bulletin 53 – January 2022](#), we are pleased to confirm the launch of our administrator self-assessment survey. The survey was emailed directly to administrators on 24 February 2022. We are hoping that the survey will give us a better understanding of the preparations which administrators have made in relation to the implementation of the age discrimination remedy as well as their readiness for Matthews and Pension Dashboards.

Once the survey has closed, we will analyse the data and provide a report to the SAB for a forthcoming meeting. Welsh administrators are also invited to complete the survey and the data will be shared with the Welsh Scheme Advisory Board.

We ask that administrators are as open as possible when completing the survey, as it will help us understand the challenges you are facing and consider what additional support and advice is needed.

It would be greatly appreciated if responses could be submitted by 18 March 2022.

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.

¹ [SI 2015/579](#), [SI 2015/590](#)

Queries have been answered this month in the following categories: Compensation Scheme (page 41) and Special Member (page 73). Queries from earlier months have been grey shaded to differentiate from new items.

FPS England SAB updates

FPS Remedy 2015 – Your questions answered

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 is to include 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, suggested delivery of a warm-up communication to answer some key concerns or recurring questions that members have about the changes that are due to take place on 1 April 2022 and beyond.

Even though there is a lot of information available, we still find that there are many 'myths', 'untruths', 'fake news' etc. circulating and it is clear from activity on various social media platforms that some firefighters do have gaps in their knowledge when it comes to remedy. We find it concerning that employees may be relying on these forums to make life changing decisions and feel that it is appropriate and desirable for individuals to be fully armed with factual information before making such decisions.

We are therefore pleased to present the [FPS 2015 Remedy 'fact checker'](#) which has been developed by Barnett Waddingham, in collaboration with the SAB the Board secretariat, and the Scheme Management & Administration committee. We hope that this document will alleviate some concerns and answer some unknown questions for the FPS membership.

This document is intended to be circulated as widely as possible. We ask that you distribute this within your authorities using your normal communication channels, including uploading to any internal or external member-facing websites as appropriate. The document text has been added as a new page to the [FPS Member 2015 Remedy section](#), with the PDF available as a download.

Please note that the text around Annual Allowance limits has been updated since the original version was circulated on 10 February, to confirm the lower tapering limit as £4,000 and add context around when this might apply.

The illustrative scenarios are currently being finalised and will be provided in early March.

Joanne Livingstone responds to letter from South Yorkshire Local Pension Board

On 25 January 2022, the chair of South Yorkshire FRA's Local Pension Board (LPB) wrote to the chair of the Scheme Advisory Board (SAB) to express concern about the withdrawal of the Home Office informal guidance on immediate detriment.

Joanne Livingstone responded on 18 February outlining action taken by the Board to date and asking for agreement for the letters to be made public. The exchange of letters has been published to a new page on the SAB website called [‘correspondence’](#).

The SAB is currently still awaiting a response to its letter to HM Treasury of 17 December 2021.

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 bluelightpensions@local.gov.uk.

Other News and Updates

Head of pensions

As some of you will be aware, Jeff Houston is retiring from the role of Head of Pensions at the LGA and Secretary to the Local Government Pension Scheme Advisory Board (SAB) in England and Wales on 31 March 2022.

We are pleased to confirm that following a competitive recruitment exercise Joanne Donnelly will be taking over the role from 1 April 2022. Jo is currently Senior Pensions Secretary at the LGA and Deputy SAB secretary. She previously worked at HM Treasury.

DWP consultation on pensions dashboards

As reported in [FPS Bulletin 53 – January 2022](#), on 31 January 2022 the Department for Work and Pensions (DWP) published a [consultation on draft Pensions Dashboards Regulations](#). The consultation will run for six weeks and close on 13 March 2022.

Pensions Dashboards will allow individuals to see information about all their pensions, including the State Pension, in one place. These draft regulations set the requirements to be met to deliver this and will place a legal duty on pension providers to provide information to the dashboards.

The consultation proposes a staging deadline of the end of April 2024 for public service pension schemes, including the FPS. This means that FPS administrators will need to be able to connect to the digital architecture by this date and be ready to provide individuals' data to them via the dashboards.

We will be responding to the consultation on behalf of the LGA and the SAB. Our response will express concern about FPS administrators' ability to meet the staging deadline given the other pressures they face and the data that will be available at that time.

We expect the McCloud remedy regulations to come into force from 1 October 2023. FPS administrators will already be under huge pressure at this time, implementing the retrospective part of remedy. We anticipate that the second options exercise for special members of FPS 2006 (Matthews) may be underway by then too, adding further resource pressure on FRAs and their administrators.

We have significant concern that the information available in April 2024 will not reflect both the legacy and reformed scheme benefits that a member could choose from at retirement. This is because the first set of annual benefit statements that will include remedy benefits will not be issued until August 2024. Providing members will incorrect or incomplete information could undermine the credibility of the dashboard and decrease member engagement.

For these reasons, our response will state that we are doubtful that a staging deadline of April 2024 is achievable.

TPO webinars

As a reminder, the Pensions Ombudsman (TPO) is running a series of short webinars at the end of March. Topics will include:

- A general introduction to TPO
- The work of the Early Resolution Service
- Volunteers
- How to Avoid The Ombudsman

To register your interest in attending any of these events, email stakeholder@pensions-ombudsman.org.uk.

The Ombudsman has also added three new factsheets to its website:

- [Death benefits](#)
- [Ill health pensions](#)
- [Pension scams](#)

State Pension age review: call for evidence

Under the Pensions Act 2014, the Government must undertake an independent review of the State Pension age every six years. Baroness Neville-Rolfe will prepare an independent review making recommendations to the Government on what metrics it should consider when setting the State Pension age in future.

On 9 February 2022, DWP launched a call for evidence to gather views on this subject to feed into that review. The [independent report call for evidence](#) will close on 25 April 2022.

The call for evidence seeks views from members of the public and all interested parties on various points including:

- Intergenerational fairness
- Notice periods for State Pension age changes
- Changes in working patterns
- Predicted future changes to the workplace
- Sustainability and affordability
- Options for taking into account differences in circumstances when setting State Pension age
- What metrics should be considered to determine State Pension age.

Automatic enrolment trigger remains the same

DWP has published its review of the automatic enrolment trigger for 2022/23. The earnings trigger will remain at £10,000. This is a real term decrease in the value of the trigger and the Government estimates this will bring a further 17,000 savers into pension savings, when compared to increasing the trigger in line with average wage growth.

HMRC

HMRC publishes Pension Schemes Newsletter 137

On 28 February 2022, HMRC published [Pension Schemes Newsletter 137](#), which contains articles on:

- Public service scheme members with fixed or enhanced protection
- Loss of Lifetime Allowance protection
- Relief at source
- Digitisation of relief at source
- Scheme Pays reporting
- The managing pension schemes service

Managing Pension Schemes service – migration of schemes

[Pension schemes newsletter 137](#) provides an update on the migration of pension schemes from the Pension Schemes Online service to the Managing Pension Schemes service. The feature for migrating pension schemes will be available from 11 April 2022.

Scheme administrators must be [enrolled on the Managing Pension Schemes service](#) to be able to migrate their pension schemes.

To migrate pension schemes to the Managing Pension Schemes service, you'll need to provide some up-to-date information for each scheme. The information can be found in [Appendix A of Pension Schemes Newsletter 136](#). We'd encourage you to start collating this information, so you're prepared to migrate your pension scheme(s).

On the 11 April HMRC will provide further guidance on the new features being added to the Managing Pension Schemes service.

Please email migration.mps@hmrc.gov.uk if you have any questions or feedback on the Managing Pension Schemes service.

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 8 March 2022 and will focus on preparations for 1 April 2022.

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

[7 February 2022 – Pension Dashboards – an overview \(The Pensions Regulator\)](#)

[22 February 2022 – Pension Dashboards \(Featuring Heywood Pension Technologies\)](#)

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.

Legislation

SI	Reference title
2022/88	<u>The Pension Protection Fund and Occupational Pension Schemes (Levy Ceiling) Order 2022</u>
2022/158	<u>The Occupational Pension Schemes (Schemes that were Contracted-out) (No. 2) (Amendment) Regulations 2022</u>

Useful links

- [The Firefighters' Pensions \(England\) Scheme Advisory Board](#)
- [FPS Regulations and Guidance](#)
- [FPS Member](#)
- [Khuf 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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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 55 – March 2022

Welcome to issue 55 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	5 and 19 April 2022
SAB	23 June 2022
SAB	8 September 2022
SAB	8 December 2022

Actions arising

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

[Matthews](#): No later than **31 May 2022** FRAs to inform LGA of total numbers of member, split by scheme (FPS 1992, FPS 2006), affected by aggregation.

[Member communication post 1 April 2022](#): FRAs to contact all current former protected members and provide key features of FPS 2015 communication.

[Top up grant 2022 – Collection of pensions accounting data](#): In addition to the pensions income/expenditure data that you will be submitting on DELTA, FRAs to send the Home Office electronic copies of the trial balances from audited accounts where the pensions income/expenditure data was extracted for completion of the audited 2020/21 DELTA return, to include any post balance sheet adjustment events.

FPS

Home Office consultation response and amending legislation

On 8 March 2022, the Home Office published its [consultation response on prospective remedy](#), along with a [frequently asked questions document](#).

The consultation response confirms the amendments to the pension scheme regulations which will deliver the first set of changes and remove the transitional protections from the FPS 2015. In addition, it confirms provisions for an ill health underpin which will ensure that a protected member who applies for ill health retirement before 31 March 2022, and which is determined in their favour after that date, is treated no less favourably than if the application had been determined on that date.

The Home Office has identified one scenario where a member who transitions on 1 April 2022 with an ill-health decision pending could be placed in a worse position. This would be where a legacy FPS 1992 member moves across to the FPS 2015 and does not meet the qualifying criteria for ill-health retirement in the FPS 2015 but would have met the corresponding criteria under the legacy FPS 1992.

To avoid any such members being in a worse position than if the decision had concluded prior to 1 April 2022, changes have been made to the FPS 2015 regulations which mean that the member is assessed for ill-health retirement against a Normal Pension Age (NPA) of 55

The response also makes provisions to allow arrangements for members who are purchasing service in the legacy schemes by way of periodical contributions, entered before 1 April 2022, to continue on after that date.

These changes enact the policy announced in February 2021 and are consequential to the provisions in the Public Service Pensions and Judicial Offices Act 2022 (PSPJOA 2022) which received Royal Assent on 10 March.

[The Police and Firefighters' Pension Schemes \(Amendment\) Regulations 2022](#) were laid in parliament on 21 March. The amendments come into force on 1 April 2022 and enable the prospective elements of the 2015 Remedy as set out in the consultation.

A further Home Office consultation will take place later in the year on the retrospective amendments 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.

Matthews – Second options exercise

Readers may be aware of the category of members of the Firefighters' Pension Scheme 2006 (FPS 2006) known as "special members" who were introduced in 2014, following [Matthews v Kent and Medway Towns Fire Authority & others](#), which allowed retained firefighters employed between 1 July 2000 and 5 April 2006 to join the FPS 2006 with retrospective effect to 1 July 2000.

A time-limited options exercise took place between 2014 and 2015 to allow eligible individuals to join the FPS. While the benefits awarded to special members largely mirrored the benefits under the FPS 1992, the FPS 2006 was amended as the FPS 1992 was closed.

More recently, work has again had to take place on the pensions aspect of "Matthews", following the European Court of Justice's decision in [O'Brien v Ministry of Justice](#) concerning fee paid judges in the Judicial Pension Scheme. The judgment held that remedy could extend back before the Part-time Workers Directive was required to be implemented on 7 April 2000.

On 9 March 2022, after an extended period of negotiations, a [Memorandum of Understanding \(MoU\)](#) was agreed between the government, the Fire Brigades Union, the Fire & Rescue Services Association, and FRA employers.

It was confirmed that remedy for retained firefighters affected by the O'Brien judgment will be provided by way of a second options exercise allowing in-scope individuals the opportunity to purchase pension entitlement as a special member of the FPS 2006. More details on the scope and mechanics of the settlement are available in our [summary of "Matthews" MoU and second options exercise factsheet](#).

The regulations to implement the second options exercise in England will be drafted by the Home Office and consulted on before they are laid before Parliament. The Home Office has a maximum period of 18 months to draft, consult, and introduce the necessary secondary legislation.

FRA's 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.

Prior to the legislation coming into force, FRA's are advised to take steps to identify retained firefighters who were employed between the relevant dates and ascertain what steps were taken to identify and contact individuals who were eligible for the first options exercise. This will help FRA's determine whether the retained firefighter is in scope again this time around.

We have also asked FRAs to identify any retained firefighters who have transferred from retained to wholetime employment and maybe subject to aggregation. For clarity, the individual must have been in retained employment at some point between 7 April 2000 and 5 April 2006 and they must have joined wholetime employment without a break in, or overlap of, service. Once these individuals have been identified, and **no later than 31 May 2022**, FRAs should email bluelightpensions@local.gov.uk with the total number of members, split by scheme that the firefighter joined in respect of their wholetime employment, for example, FPS 1992 = 3, FPS 2006 = 5.

Member communications post 1 April 2022

On 8 March 2022, the [FPS Coffee Morning was dedicated to the preparation for prospective remedy](#). Attendees were reminded that all current members of the Firefighters' Pension Schemes who remain active employees beyond 31 March 2022 do so as a member of FPS 2015. Full details on what action must be taken can also be found in [FPS Bulletin 54 – February 2022](#).

It was agreed that, in addition to distributing the [protected member letter](#) in advance of 1 April 2022, FRAs should contact **all** protected members once the transition into FPS 2015 has taken place; this is to ensure that members become familiar with some key features of the scheme. To help FRAs with this we have provided a [protected member communication post-April 2022](#) that can be used. It is strongly advised that FRAs send this communication to all former protected active members as soon as possible.

Contingent decisions – Optant outs

On 25 March 2022, we shared a communication with relevant stakeholders on contingent decisions, more specifically on the area of optant outs. The communication confirmed that, due to the pension changes in 2015 and the subsequent introduction of FPS 2015, some firefighters chose to opt out of the pension scheme rather than transition into FPS 2015. The government has recognised in its [Public Service Pensions consultation response](#) that some members would have taken a different course of action had they known that continued membership of their legacy scheme (FPS 1992, FPS 2006 including special members) during the remedy period was an option. The government therefore intends to legislate for decisions such as this through the contingent decision aspect of the retrospective legislation. This is confirmed in [section 5 of the PSPJOA](#).

Although the final policy on this matter is yet to be determined and we cannot provide any guarantees that a particular case will be deemed a contingent decision, we thought it would be prudent to bring the matter to FRAs' attention so that action can be taken where required.

It is our understanding that contingent decisions only cover the remedy period (1 April 2015 to 31 March 2022). This means that should a member remain opted out beyond 1 April 2022 they may, under retrospective legislation, be given the option to buy back their opted-out service which occurred during the remedy period. However, it is unlikely that regulations will permit them to buy back service after 31 March 2022. This could therefore mean that their pension would remain deferred with a payment age of 60 for FPS 1992 and 65 for FPS 2006 (special members have a deferred payment age of 60), regardless of whether they buy back the opted-out service during the remedy period.

We understand that some members have indicated that they want to buy back their opted-out service for the remedy period, as they want to retire as an active member. If this is the case, members should speak with their pension/payroll department and arrange to be opted back into the FPS on or before 1 April 2022.

FRA's were strongly advised to communicate this message with staff.

As expected, this communication generated a significant amount of interest from members, and we received many questions in respect of this. Unfortunately, as a final policy decision is yet to be determined, we cannot provide any more clarity on this matter. We understand that members have questions about whether the contingent decision provision captures them and their personal set of circumstances. We also understand that members want to understand the cost implications and what repayment options may look like. However, we cannot provide definitive further clarity at this time. We appreciate that this is frustrating for all concerned and give our assurance that more detail will be provided as and when it is available.

Cost control valuation 2016 finalised

Following HM Treasury's publication of Amending Directions in October 2021, the Home Office has finalised the 2016 valuations for the FPS providing certainty on the outcome to scheme members.

On 16 March 2022, the [final outcome of the cost-control element of the 2016 valuation](#) for the FPS in England was published, confirming a breach to the cost cap ceiling of 14.6%.

This process had previously been paused following the uncertainty arising from the McCloud and Sargeant judgments and was 'un-paused' in 2020.

The report confirms that the cost control element 2016 valuation is not used to set the employer contribution rate and changes to the employer contribution rates resulting from the 2020 valuations will take effect from April 2024.

In 2021, the government [announced proposed reforms to the Cost Control Mechanism](#) which will be implemented in time for the 2020 valuations. These reforms do not affect the 2016 valuations as the government previously decided that it would be inappropriate to reduce member benefits based on a mechanism that may not be working as intended.

The government therefore announced that any ceiling breaches found when schemes complete the 2016 valuations will be waived. This means that no member will face a reduction in their benefits as a result of the 2016 valuation.

We reported in November that unions across the public sector had launched a judicial review against the government about including McCloud/ Sargeant remedy costs in the cost control mechanism. 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.

[The Home Office has published a set of FAQs](#) on the valuation results to assist stakeholders.

Top up grant 2022 – Collection of pensions accounting data

On 28 March 2022, the Home Office sent an email to Claim Certifiers and Administrators to advise that FRAs should now be working towards submitting **audited 2020/21** and **unaudited 2021/22** 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.

ACTION: In addition to the pensions income/expenditure data to be submitted on DELTA, the Home Office is also requesting that all FRAs provide electronic copies of the trial balances from audited accounts where the pensions income/expenditure data was extracted for completion of the audited 2020/21 DELTA return by email, to include any post balance sheet adjustment events. These should be sent to Anthony.Mooney@homeoffice.gov.uk.

Also, please let Anthony Mooney know if you have had a change in staff from last year's submission as they will need to be set up on DELTA to be able to input data.

Please note that this information is needed by **Friday 13 May 2022** to enable the relevant checks to be undertaken (and further clarification sought from FRAs where necessary) in time to make the next batch of grant payments in July.

The Home Office will only be able to make Top Up grant payments on any claims that they 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.

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Please also note that there are a number of automatic comparison checks on the data that you submit on DELTA with the data that you previously submitted. The automatic checks include:

1. a cross-reference check on the audited 2020/21 pension income/expenditure data with the unaudited 2020/21 pension income/expenditure data submitted last year by each FRA. This level of check will be necessary as it will be the last chance to identify errors before the period falls outside the Top Up grant's 3-year financial cycle; and
2. a cross-reference check on the unaudited 2021/22 pension income/expenditure data with the updated forecast 2021/22 pensions income/expenditure data (submitted by each FRA in August 2021).

If the variances breach certain tolerance levels, then the DELTA form will request a short explanation to explain the difference before the form can be submitted.

The DELTA forms also include a 'declaration form' link which sets out the terms of the submission – effectively this details what data should be included/excluded from the returns. Please note that this does **not** need to be signed and returned but should be read and applied before finalising your submissions.

Please contact Anthony.Mooney@homeoffice.gov.uk if you have any questions.

FPS annual update 2022

We confirmed in [FPS Bulletin 54 – February 2022](#) that FPS contribution rates remained unchanged for 2021-22.

All relevant thresholds and rate changes for 2022 are available in the [FPS annual update 2022](#).

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

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. There have been no new queries added this month.

FPS England SAB updates

FPS 1992 Scotland – commutation provisions

On 24 December 2021, the Scottish Public Pensions Agency (SPPA), on behalf of the Scottish Government, conducted a public consultation inviting stakeholders to register their views on changes to existing provisions for commutation in the FPS 1992.

Those changes were proposed following discussions at the Police Scheme Advisory Board on two aspects of commutation in the equivalent legacy police scheme. Having reached a position on those aspects with police stakeholders, and given the similarities in the legacy schemes, Scottish Ministers were of the view that similar consideration should be given to the equivalent firefighters' provisions.

The first aspect concerned the existing commutation factor underpin, which gives retiring firefighters access to the commutation factor available to an equivalent firefighter in England, should that provide for a higher lump sum. This underpin was due to expire on 31 March 2022, and Scottish Ministers proposed to extend this indefinitely.

Secondly, regulation B7 of the FPS 1992 allows commutation of pension to a tax-free lump sum. Generally, this allows a member to commute up to 25 per cent of their pension to a lump sum on an actuarially neutral basis, but where the member is at least age 50, has more than 25 years' but less than 30 years' service and retires before the age of 55, a commutation restriction is applied.

In those cases, a lump sum of no more than two and a quarter times the member's pension can be paid. The proposed changes remove this cap entirely, allowing all firefighters who are entitled to an ordinary pension to commute up to the maximum 25 per cent of their pension.

The consultation closed on 1 February 2022 and the amending regulations were laid on 3 March 2022. The proposals were adopted in full. The changes due to come into force on 1 April 2022 and the changes to the commutation cap will not be retrospective.

We have been approached by several stakeholders asking whether there are any immediate implications for English FRAs as a result of the removal of the commutation restriction in Scotland and, if not, if there is any intention for the regulations for England to be amended in due course. The change to the Scottish regulations has no direct impact on English FRAs; regulation B7(5) for the Firemen's Pension Scheme Order 1992 (England) remains in force and restricted commutation continues.

It should be noted that there are a number of substantive differences between the management and governance of the FPS in England and in Scotland. For example, the Scottish FRS is a single FRA employer with a single administrator, the responsible authority is also the scheme manager, and different funding arrangements apply.

Since 2013, FRAs in England have had the [discretion to pay a lump sum in excess of two and a quarter times the full amount of the pension](#) under regulation B7(5A). If an FRA chooses to use this discretion, an amount equal to the difference between the restricted and unrestricted lump sum has to be paid by the FRA into the pension account. There could therefore be a financial implication for FRAs if the restriction was removed entirely.

Commutation is an HM Treasury (HMT) policy and any change to the policy would also require an amendment to the scheme regulations. Scottish government did not need HMT consent in order to implement the change in Scotland.

A discussion paper was taken to the Scheme Advisory Board (SAB) on 24 March 2022 to ask Board members to consider whether the Home Office, as responsible authority, should be asked to consider a change to the regulations.

Concerns were raised at the meeting in relation to impact on workforce planning, financial implications, and member welfare (ensuring that members have sufficient long-term monthly income in retirement, if retiring at a younger age and 'cashing in' more of their pension). The Board established that it would need to understand more about the impact on the members, employers, and the scheme, before any formal application is made to the Home Office. The secretariat has taken an action to follow up on obtaining this data and an update will be provided to Board members at a future meeting.

HMT respond to the SAB on immediate detriment

We reported in [FPS Bulletin 52](#) that the chair of the SAB had written an [open letter to HMT on the withdrawal of the Home Office informal guidance](#) on immediate detriment. The letter, dated 17 December 2021, asked for more information on the risks and uncertainties which HMT said arose as a result of processing cases ahead of legislation.

On 23 March 2022, [HMT provided a response outlining the factors behind the withdrawal](#) in more detail. The response highlights that Section 61 of the Equality Act 2010 does not, in HMT's opinion, allow for amendment of a member's tax position. The response details several tax complexities which have been identified and will be dealt with through legislation.

The SAB acknowledges the response, which has been shared with the LGA and the FBU as parties to the Memorandum of Understanding/ Immediate Detriment Framework.

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Other News and Updates

PSPJOA 2022 receives Royal Assent

The Public Service Pensions and Judicial Offices Bill received Royal Assent on 10 March 2022 and became the [Public Service Pensions and Judicial Offices Act 2022](#) (PSPJOA 2022), which will come into force on 1 April 2022.

The PSPJOA 2022 legislates for how the government will remove the discrimination identified by the courts in the way that the 2015 reforms were introduced for some members.

The main elements of the Act are:

- Changes implemented across all the main public service pension schemes in response to the Court of Appeal judgment in the McCloud and Sargeant cases.
- Eligible members of the main unfunded pension schemes have a choice of the benefits they wish to take for the “remedy period” of April 2015 to 31 March 2022.
- From 1 April 2022, when the remedy period ends, all those in service in main unfunded schemes will be members of the reformed pension schemes, ensuring equal treatment from that point on.
- Bespoke measures implement corresponding changes in the Judicial Pension Schemes and Local Government Pension Scheme to reflect their different arrangements.
- Ensures there are no reductions to member benefits as a result of the 2016 cost control valuations.

These changes provide public service workers with greater certainty of their benefit entitlements. Going forwards, public servants will receive guaranteed pension benefits, but on a fairer basis, and in a way that ensures that they are affordable and sustainable into the future.

DWP consultation on pensions dashboards

On 11 March 2022, the LGA and SAB submitted their responses to the Department for Work and Pensions (DWP) [consultation on the draft Pensions Dashboards Regulations 2022](#) in respect of the Firefighters' Pension Schemes.

Pensions Dashboards will allow individuals to see information about all their pensions, including the State Pension, in one place. These draft regulations set the requirements to be met to deliver this and will place a legal duty on pension providers to provide information to the dashboards. The consultation proposes a staging deadline of the end of April 2024 for public service pension schemes, including the Firefighters' Pension Scheme. This means that Fire scheme administrators will need to be able to connect to the digital architecture by this date and be ready to provide individuals' data to them via the dashboards.

While the LGA and SAB are supportive of dashboards and their purpose, there are strong concerns over the proposed staging schedule given the conflicting pressures faced by administrators and the data that will be available at that time. The [LGA response to the DWP consultation](#) and the [SAB response to the DWP consultation](#) both therefore ask for the staging date to be delayed a further 12 months until April 2025.

The Finance Act 2022

The Finance Act 2022 received Royal Assent on 24 February 2022 and comes into force on 6 April 2022. [Sections 9 and 11](#) will have consequential impact on the 2015 Remedy for the FPS:

- Section 9: Annual allowance deadlines. Deadlines for electing for scheme pays and associated payment and reporting deadlines will be extended for certain members who are informed of a change in pension input amount for a past pension input period.
- Section 11: Powers to change tax rules related to the McCloud remedy. The Act provides HM Treasury (HMT) with wide powers to make regulations to address tax impacts that arise as a result of implementing the McCloud remedy. Different regulations may apply to different public service pension schemes. The regulations will have retrospective effect.

More information on the likely powers under section 11 can be found in the [HMRC policy note issued in October 2021](#). Any measures will require secondary HMT legislation to implement, which is not anticipated until later in 2022

Mandatory scheme pays deadlines are changing

[The Finance Act 2022](#) and the [Registered Pension Schemes \(Miscellaneous Amendments\) Regulations 2022](#) ('the new regulations') will change the timescale for members to make or amend a mandatory scheme pays election when paying an annual allowance charge. The changes will apply when the information used to calculate a member's pension input amount is retrospectively amended.

The LGA is currently reviewing the impact of these changes and we will provide more information in due course.

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Job vacancy at the LGA

The Scheme Advisory Board (SAB) to the LGPS in England and Wales is looking for a Pensions Secretary. The successful candidate will provide professional support to the SAB and its committees and will also lead on developing the SAB's digital presence.

For more information and to apply see the [Jobtrain website](#). The closing date is 19 April 2022.

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 5 April 2022.

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

[8 March 2022 – Preparing for prospective remedy](#)

[22 March 2022 – 'Matthews' and the 2023 options exercise](#)

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.

Legislation

Acts

[Public Service Pensions and Judicial Offices Act 2022](#)

SI	Reference title
2022/79	The Firemen's Pension Scheme (Amendment) (Scotland) Order 2022
2022/103	The Firefighters' Pension Scheme (Scotland) Amendment Regulations 2022
2022/215	The Public Service Pensions Revaluation Order 2022
2022/216	The Social Security Revaluation of Earnings Factors Order 2022

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2022/232	<u>The Social Security (Contributions) (Rates, Limits and Thresholds Amendments and National Insurance Funds Payments) Regulations 2022</u>
2022/259	<u>The Occupational Pensions Schemes (Fund Compensation Levy) (Amendment) Regulations 2022</u>
2022/297	<u>The Guaranteed Minimum Pensions Increase Order 2022</u>
2022/333	<u>The Pensions Increase (Review) Order 2022</u>
2022/336	<u>The Police and Firefighters' Pension Schemes Amendment Regulations 2022</u>
2022/343	<u>The Firefighters' Pension Scheme (Wales) (Amendment) Regulations 2022</u>
2022/392	<u>The Registered Pension Scheme (Miscellaneous Amendments) Regulations 2022</u>

Useful links

- [The Firefighters' Pensions \(England\) Scheme Advisory Board](#)
- [FPS Regulations and Guidance](#)
- [FPS Member](#)
- [Khuf 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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