

Pension Officer's Bulletin Overview (Sept – Nov 2022)



Actions arising from bulletin to include DSFRS status update

LGA Bulletin No.	Action	Due date	DSFRS Status Update		
			September	October	November
No 54	Abatement Policy review considering Pensions Ombudsman determination PO-25374	ASAP	No further forward on this. Have submitted the formal IG request via SharePoint, awaiting approval.	Had a meeting with IG. Said would approve the request. Still not approved. IG believe it's an ICT issue.	Request has still not been approved electronically, so unable to merge formatting. IG aware and have notified ICT of technical issue. This is also holding up the publication of the FPS Discretions policy.
No 57	TPR 6 key processes factsheet Recommends that each FRA should ensure the assess which processes we they have in place and take action to improve	ASAP	MAT will do a comparison of DSFRS RR and the template and bring to next monthly pension meeting.	No progress made this month	MAT has reviewed the factsheet. Other than risk categories being added, our RR is compliant. *closed*
No 59	Special members - Corrective action: FRAs to revisit all special members leavers and opt outs to ensure that correct options have been given at deferment	ASAP	MAT confirmed with P&C that the service has always offered repayment options. No further action is needed. *closed*	N/a	N/a
No 60	Age discrimination eligibility – Factsheet: FRAs to review the eligibility factsheet and ensure that appropriate action is taken where necessary.	Ongoing	MAT/ZS need to ensure that all individuals who have either concurrent or consecutive service within an FRS have been identified. In addition, we must consider what steps need to be taken to identify members who	Work will be undertaken to identify any members who were originally out of scope and will now be 'in scope'. This will involve writing out to all members for them to confirm any public sector employment	Following updated communication from LGA, in/out of scope letters should be sent early 2023, informing colleagues to contact us if they feel they are in scope as

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			joined on or after 1 April 2012, but who have previous public service which may mean that the individual is eligible for retrospective remedy. This would also include members whose secondary employment is in the FPS.	in 2012 that would make them eligible.	had qualifying service in another PS pension scheme.
No 61	Member communications following Age discrimination factsheet	ASAP	N/a	Once the previous action complete - Further communication templates have been issued by the LGA when we can establish who is/isn't in scope.	Letters will be sent early 2023
No 62	IQMP – Central list FRAs to inform the LGA of the IQMPs they use and to provide contact details	ASAP	N/a	N/a	Updated IQMP details (Health Partners) will be shared with the LGA.

Key Information

[FPS Bulletin 60](#)

Age discrimination eligibility – Factsheet

As a reminder, to be eligible for remedy, a member must have 'remediable service'. The Public Service Pensions and Judicial Offices Act 2022 sets out four conditions in Section 1 which must all be met for service to be considered 'remediable'.



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To help FRAs and administrators determine which individuals are in scope for remedy we have put together a [guide to eligibility factsheet](#) which sets out the conditions in more detail. Additionally, the factsheet encourages scheme managers to review the cohort of membership which they have deemed to be in scope. If, after considering the content of the fact sheet, more individuals are deemed in scope, then action will be needed to address this.

Full details of what action is needed has been set out in the factsheet. Sample member communications will be provided later.

Abatement guidance updated

Readers may recall that informal abatement guidance was published in FPS Bulletin 57 – May 2022. Since publication, the LGA has been approached by several FRAs asking whether we would be able to share a draft policy.

We are pleased to confirm that Cumbria FRS has given permission for their [retirement, re-engagement and abatement policy](#) to be shared with the sector as an example of best practice – thank you Cumbria FRS!

The informal abatement guidance has been updated to include a link to Cumbria's policy at paragraph 51.

Electric vehicles salary sacrifice

It is up to each individual FRA to determine whether EVs meet the requirements of salary sacrifice as what can or cannot be included in a salary sacrifice scheme falls outside of the pension schemes' remit. Detailed guidance can be found at: <https://www.gov.uk/guidance/salary-sacrifice-and-the-effects-on-pay>

If an FRA does deem that EVs meet the requirements of salary sacrifice, then there is a question as to what impact this would have on any pension contributions due.

We can confirm that the FPS 2015 regulations provide for salary sacrifice (Regulation 17(1)(c)). They confirm that the member should continue to pay contributions on the amount before the deduction and receive the full value of their pensionable pay.

Technical Query Log

The current [log of queries and responses](#) is available on the FPS Regulations and Guidance website.

No new queries have been added this month.

FPS England SAB updates

SAB remedy engagement sessions



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The Scheme Advisory Board (SAB) has been invited by the Home Office to take part in a series of joint engagement sessions with the Police SAB to consider scheme specific versions of the Provision Definition Documents (PDDs) which define the provisions of the Public Service Pensions and Judicial Offices Act (PSPJOA) 2022 for each area of the 2015 Remedy.

One session is taking place per month between June and December 2022, with two topics discussed at each meeting.

These discussions will help to inform the drafting of secondary legislation, ahead of formal consultation early in 2023. To date, sessions have taken place on interest and eligibility, remediable service statements (RSS) and immediate/ deferred choice, and added pension and transfers in.

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

Other news and updates

The Pensions Ombudsman (TPO) publishes corporate plan

[The Pension Ombudsman's \(TPO\) corporate plan for 2022 to 2025](#) has been published. The corporate plan outlines TPO's key performance indicators, strategic goals and priorities for the period, along with the actions required to deliver those priorities

The Pension Regulator (TPR) publishes scam prevention strategy

The Pensions Regulator (TPR) has published a new strategy to combat pension scams. The strategy sets out TPR's plan to combat pension scams.

You can read more about the launch of the strategy in the [TPR press release](#).

LGA response to further consultation on pensions dashboards

On 19 July 2022, the Pensions Dashboards Programme (PDP) launched a [consultation on dashboard standards and guidance](#) , and a call for input on the [design standards](#).

Both the consultation and the call for input closed on 30 August 2022.

We are pleased to share our [draft response to the standards consultation](#) and call for input. The draft is still be approved internally before it is submitted, but we do not expect any significant changes to be made.

Events

FPS coffee mornings

The next session is due to take place on 6 September 2022 at 15:00.



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

24 August 22 - [Pension Dashboards Programme: Update and Standards](#)

AGM 25 and 26 October

We are pleased to announce that booking for the ever-popular Fire Pensions Annual Conference is now live.

[Day 1 – Tuesday 25 October 2022 4:30pm - 6:30pm followed by drinks reception](#)

[Day 2 - Wednesday 26 October 2022 09:30am - 3:30pm](#)

FPS Bulletin 61

Information shared

ID Framework Guidance updated

The LGA are working with the FBU to explore ways what, if any, amendments could be agreed to the IDF to minimise the risk to the FRA and scheme members. This includes seeking specialist legal advice.

When the amendments to the Framework are agreed, the guidance will be updated to reflect those changes and can be found [here](#).

Industrial Action

The FBU is currently putting in place preparations for a ballot of their members for strike action. We therefore thought it would be useful to clearly set out the effect of taking strike action will have on an individual's pension rights.

If strike absence takes the form of complete days, then each complete day of absence will be excluded from the total pensionable service. If strike absence takes the form of lesser periods, for example one-hour strikes, the LGA's informal view, is that, even though contributions have been paid for part of them, the days will not count at all because they are not fully completed days and an absence should therefore be recorded for the full day.

Members can opt to 'buy back' strike days.

All members are building up service in the FPS 2015 from 1 April 2022. An active scheme member may elect to pay contributions at their normal contribution rate, ascertained in accordance with regulation 110 (2) (member contributions), multiplied by the assumed pensionable pay that the member is treated as receiving for the period of industrial action.



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Any contributions must be paid before the end of a six-month period starting with the date on which the member is treated as receiving assumed pensionable pay. Only where contributions have been paid, will earned pension of 1/59.7th of the member's assumed pensionable pay during the absence due to industrial action be added to the active member's pension account.

Member communications following ID factsheet

FPS Bulletin 60 – August 2022 set out the eligibility criteria for individuals who are eligible for age discrimination remedy and should therefore be deemed in scope. An [eligibility factsheet](#) was produced.

The bulletin confirmed that sample member communications were being worked on and that they would be made available later. We are pleased to confirm that the Fire Communications Working Group (FCWG) has now met and agreed the content of the letters.

Individuals who are now considered to be in scope, after reviewing the remedy eligibility factsheet, should be sent the follow up communication titled 'Originally out of scope - now in scope' and individuals who remain out of scope should be sent the follow up communication titled 'Originally out of scope - still out of scope'.

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

Technical Query Log

The current [log of queries and responses](#) is available on the FPS Regulations and Guidance website.

No new queries have been added this month.

FPS England SAB updates

SAB levy 2022-23

Under arrangements for the Firefighters' Pension Scheme 2014 regulations 4H(1), the Scheme Advisory Board (SAB) is required to set an annual budget for approval by the Secretary of State.

The 2022-23 budget will be submitted to the minister next week and we expect that the collection process will start in November/ December 2022. A letter will be sent to Chief Fire Officers to request a purchase order number. Included in the final levy is the employers' voluntary subscription that FRAs entered into a shared agreement in 2014 in order to fund support with FRAs understanding and management of the FPS



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SAB meeting 8 September 2022

The last SAB was held on 8 September 2022. Topics discussed were temporary in the context of the scheme, pensionable pay correction, the 2015 Remedy, and Pensions Dashboards.

The Board agreed the [minutes](#) of the meeting held on 23 June 2022.

SAB collaboration sessions on the Matthews remedy

To support scheme managers in the delivery of Matthews, the SAB, the LGA, and the Home Office are working together in the form of collaboration sessions on Matthews.

The aim is to discuss Matthews legislation and policy, the interaction between Matthews and McCloud and the proposed timeline for implementation. The first session took place during September 2022. Additionally, a Matthews Technical Working Group has been set up to assist with the technical aspects of the project.

DSFRS are represented at this group by Helena Burchall.

The LGA has published a [Matthews Project Implementation Document \(PID\)](#) which sets out the scope, deliverables, and high-level timeline for the project. The PID also includes a communications plan and draft terms of reference for the SAB working group.

Other news and updates

TPR scheme return

The Pensions Regulator (TPR) is sending out scheme return notices to managers of public service pension schemes in October. Before submitting the scheme return, TPR is urging scheme managers to double check that their details in Exchange are correct.

Completing the scheme return is a legal requirement and if scheme managers fail to complete and submit it by the deadline, they could be fined.

Public sector exit payments

On 8 August 2022, HM Treasury (HMT) issued a consultation on proposals to limit exit payments. The Government is proposing to introduce:

- An expanded approval process for employee exits and special severance payments
- Additional reporting requirements



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If implemented, the proposals would apply to all bodies that are classified as 'Central Government'. This **does not include** local authorities or bodies under devolved administration. Following discussion with the Home Office, we can confirm that the definition of 'local authorities' expands to cover the following:

- Fire and Rescue Authorities
- Fire and Rescue Services
- London Fire and Emergency Planning Authority
- Police and Crime Commissioners

HMRC

HMRC publishes Pension Schemes Newsletter 142

On 31 August 2022, HMRC published pension schemes [newsletter 142](#). The newsletter includes the following articles:

- Normal minimum pension age – updates to the Pensions Tax Manual
- Migrating your pension schemes – take action now
- Accounting for Tax (AFT) returns – can no longer be completed for any quarter from 1 April 2020 using the Pension Schemes Online service
- New scams strategy from The Pensions Regulator – see Bulletin 60 for more information

Events

FPS coffee mornings

The next session is due to take place on 11 Oct 2022 at 10:00.

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

06 September 2022 - [Immediate and deferred choice](#)

27 September 2022 - [Matthews communications](#)

AGM 25 and 26 October

We are pleased to announce that booking for the ever-popular Fire Pensions Annual Conference is now live.

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[Day 1 – Tuesday 25 October 2022 4:30pm - 6:30pm followed by drinks reception](#)

[Day 2 - Wednesday 26 October 2022 09:30am - 3:30pm](#)

[FPS Bulletin 62](#)

Information shared

Matthews – FPS member website update

The LGA have produced a proforma for ex-colleagues to complete and return to their former FRA to provide up to date contact details, ready for being contacted after 01 Oct 23.

Forms do not need to be completed in order to be considered for the second options exercise, currently employee, where the FRA hold up to date contact details do not need to complete a form.

Forms need to be returned to the FRA and not the administrators. Unfortunately the FBU have sent a circular to all members, advising them to complete the form in order to be considered – this is incorrect.

Matthews – Member warm up communications

Generic warm-up letters have been produced by the LGA, they include a template letter for those in scope, and those out of scope. The LGA are encouraging FRS's to send the letters once they are confident they've identified everyone. The LGA feel letters should be sent early 2023, to allow time for members to register an IDRPs should that be required.

IQMP – Central list

Following difficulties within the sector of identifying IQMP for ill health referrals and reassessments, the LGA is proposing to cold a central list of IQMPs that FRAs could approach.

FRAs have been asked to share who their IQMP is for IHR with the LGA.

Fire and Rescue workforce and pension statistics published



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On 20 October 2022, the Home Office published [workforce and pensions statistics for Fire and Rescue Services \(England\)](#). The pension scheme statistics, covering April 2021 to March 2022, reflect data returns on income, expenditure and membership submitted by all 44 FRAs in England.

The main point of relevance was the FPS deficit grew by 9% to c£556 million. This could have an impact of employer contributions once the actuary report has been concluded.

Technical Query Log

The current [log of queries and responses](#) is available on the FPS Regulations and Guidance website.

Queries regarding the compensation scheme, page 45 and retirement, page 108 have been added.

FPS England SAB updates

SAB letter to scheme managers on pension dashboards

The staging deadline for all public service schemes will be 30 September 2024 and that the requirement to provide value data will be 1 April 2025. As a result of these new legislative requirements, the Chair of the SAB has issued a [letter to scheme managers and Local Pension Boards](#) reminding them of their duties in respect of the new Pensions Dashboards, as scheme managers are ultimately responsible under the regulations for ensuring that dashboard duties are met.

The pension data required for the dashboards will be taken from the Annual Benefit Statements that WYPF produce annually.

These duties include:

- Working towards the staging date. The Pensions Regulator (TPR) is keen that schemes start planning now to be able to match dashboard requests to scheme records and return the required information to the dashboard. Scheme managers will need to understand how their provider will be able to pick out those requests which correspond to their members and ensure that they are providing information to the right individuals.
- Ensuring the infrastructure is in place to hold and share data with the dashboard: Administrator should be able to tell scheme managers how they are planning to connect whether through the existing software providers or through some other route.
- Reviewing scheme data: The SAB understands that the data which is used for the dashboard is likely to be based on information currently being provided as part of Annual Benefit Statements (ABSs). The SAB is keen to encourage the parties to agree consistent information for those documents, particularly given the challenges arising from the Sargeant remedy and second special members options exercise (Matthews).
- Co-operating with the Money and Pensions Service (MaPS). More information on this can be found from [Pensions dashboards: initial guidance](#).



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There were several communications on the Bulletin regarding Dashboards, however nothing that DSFRS needed to consider at this stage. Several webinars are available, however as our data will come from WYPF into the dashboards they are more relevant for administrators than FRAs.

Other news and updates

Public sector unions granted judicial review over McCloud cost remedy

In FPS bulletin 59 – July 2022 we confirmed that public sector unions had been granted a judicial review in relation to the McCloud/ Sargeant remedy costs in the cost control mechanism.

We can now confirm that a date has been agreed for the hearing, it will commence on **23 January 2023** and has been allocated five days.

The Pensions Ombudsman (TPO)

Dominic Harris will replace Anthony Arter as Pensions Ombudsman next January.

The Pensions Regulator (TPR) enforcement and prosecution policies updated

On 25 October 2022, The Pensions Regulator (TPR) published the following:

- revised enforcement policy
- updated prosecution policy
- new enforcement strategy

These aim to give clarity on what those who are subject to enforcement action can expect from TPR.

September 2022 CPI rate announced

On 19 October 2022, the Office for National Statistics announced the Consumer Prices Index (CPI) rate of inflation for September 2022 as 10.1%.

Government policy in recent years has been to base increases under the Pensions (Increase) Act 1971 and revaluation of pension accounts under section 9 of the Public Service Pensions Act 2013 on the rate of CPI in September of the previous year.

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We await confirmation from Government that the revaluation and pensions increase that will apply to FPS deferred pensions and pensions in payment in April 2023 will be 10.1 per cent.

HMRC

HMRC publishes Pension Schemes Newsletter 143

On 30 September 2022, HMRC published pension schemes [newsletter 143](#). The newsletter includes the following articles:

- confirming that schemes can again use the pension scheme tax reference number when paying charges if they do not have a specific charge reference
- confirming that Government has decided against introducing a new reportable event for certain public service pension schemes from April 2023
- confirming that HMRC expects to release the event report for 2023/24 on the Managing pension schemes service in summer 2023. HMRC had previously been expected to release this in spring 2023.

Legislation

Draft dashboard regulations laid for approval On 17 October 2022, the Department for Work and Pensions (DWP) laid a draft of The Pensions Dashboard Regulations 2022 before each House of Parliament. DWP can only make the regulations if each House approves the draft by a resolution. The House of Lords will consider the regulations on 15 November 2022. As yet, no date has been set for this to happen in the House of Commons.

Events

FPS coffee mornings

The next session is due to take place on 8 November at 14:00.

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

11 October 2022 - [General update on Matthews and 2015 remedy project management](#)

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FPS AGM 25 and 26 October

The 25 and 26 October saw the long-awaited return of the annual fire pensions conference. In keeping with tradition, the two-day event opened with a meeting of the regional chairs of each fire pensions officer group, followed by the technical community.

[Day 1 – Presentation slides are available here](#)

[Day 2 - Presentation slides are available here](#)