

Minutes of the West Midlands Fire and Rescue Authority

9th February 2009, at 11.00 am
at the Fire Service Headquarters, 99 Vauxhall Road, Birmingham

Present: Councillor Howard (Chairman);
Councillor Ward (Vice-Chairman);
Councillors Alden, Ali Khan, Clinton, Delaney,
Douglas-Maul, Eustace, Gazey, Hinton, Idrees,
Jones, Mulhall, O'Neill, Robinson, Ryder, S Davis,
Singh, Spence, Stevenson, Sutton, Tagger and
Turner.
Mr Ager.

Apologies: Councillors Chambers and Skinner.

1/09 Chairman's Announcements

The Chairman welcomed Members to the meeting and made reference to the following:-

- Watch Commander Steve Mills had received an award for outstanding individual achievement by the National Fire Sprinkler Network. The Authority congratulated Watch Commander Mills on his achievement.
- On 7th February, 2009 the Urban Search and Rescue Team took part in a training exercise in West Yorkshire involving collapsed structures.
- Senior members of the Audit Commission would be attending a West Midlands Fire Service Capability Day on Wednesday 11th February, 2009 at Fire Service Headquarters.
- A briefing note issued by Greater Manchester Fire Service at the Fire Services Forum on their response to the Audit Commission's document 'Rising to the Challenge' was tabled for Members. The Chairman reported that Members would receive a presentation on the Audit Commission report at the Policy Planning Forum on 2nd March, 2009.

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- The keys of the former Fire Service Headquarters site had now been handed over to the new proprietors.
- The special Policy Planning Forum that had been called for 16th February, 2009 had now been cancelled.

2/09 **Minutes**

Resolved that the minutes of the meeting held on 22nd September, 2008 be confirmed as a correct record.

3/09 **Service Plan Proposals Following Twelve Weeks Public Consultation**

The Acting Chief Fire Officer reported that on 13th October, 2008 the Executive Committee (Minute No. 48/08) approved proposals in the Annual Service Plan 2009/2010 to be subject to twelve weeks public consultation.

The outcomes of the public consultation process were reported to the Policy Planning Forum held on 19th January, 2009.

Members noted the outcomes of the twelve week consultation process and considered the proposed changes to the Annual Service Plan.

Resolved that the revised Annual Service Plan proposals for 2009/2010, as now submitted, be approved.

4/09 **Budget and Precept 2009/2010**

The Authority considered a report on the Capital Programme for 2009/10, 2010/11 and 2011/12, the prudential indicators relating to the Authority's capital financing requirements, the revenue budget and forward looking efficiency statement for 2009/10, and the consequent precept level and resultant amount payable by each constituent District Council.

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In accordance with the Local Government Act, 2003, the Treasurer submitted a report on the robustness of the budget and the adequacy of reserves. Best endeavours had been made to ensure that the budget and reserves were adequate using the information available at this time. The budget had been constructed with a professional policy-led medium term strategic framework, using appropriate assumptions, linking investment and spending to key priorities, and having undertaken a comprehensive assessment of risk.

Discussions took place about staff pay awards. Members were informed that the National Fire Service Forum anticipated a 1.5% increase for staff and it was suggested that the inflation assumptions on staff pay awards should be reduced to 1.5% from 2.5% as indicated in the report. The Treasurer indicated that falling interest rates might have a negative impact on the budget and that it might be necessary to bring further reports on the budget as the year progressed. The current changes did not however affect the precept calculation.

Members also raised concerns about the extra costs that would be imposed on the Authority due to the preparation for and the staging of Olympic events in the West Midlands and sought clarification on any funding that may be received from Central Government. The Acting Chief Fire Officer indicated that discussions were in hand to ascertain the impact of the staging of the games on the Authority and every effort would be made to seek Government assistance towards costs involved.

Resolved:-

- (1) (i) that the Authority's Revenue Budget for 2009/2010 of £116.985m, as now submitted, be approved;
- (ii) that the Treasurer be asked to keep under review the inflation assumptions on staff pay awards and other assumptions that might be affected by the current economic climate and submit further reports on the budget as necessary;

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- (2) that the Authority's Capital Programme for 2009/2010 and 2011/2012, as now submitted, be approved;
- (3) that the Authority's Prudential Indicators, as now submitted, be approved;
- (4) that the Authority's Forward Looking 2009/2010 Efficiency Statement, as now submitted, be approved;
- (5) that it be noted that the constituent District Councils have formally set their Council Tax bases for the year 2009/2010 in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992 as follows:

	Tax Base
	£
Birmingham	296,341.00
Coventry	88,623.80
Dudley	97,580.03
Sandwell	84,708.60
Solihull	79,203.00
Walsall	77,943.24
Wolverhampton	<u>70,696.00</u>
	795,095.67
	=====

- (6) that the following amounts be now calculated by the Authority for the year 2009/2010 in accordance with Sections 43 to 48 of the Local Government Finance Act 1992:-
 - (i) £120,458,000 being the aggregate of the amounts which the Authority estimates for the items set out in Section 43(2)(a) to (d) of the Act.

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- (ii) £3,473,000 being the aggregate of the amounts which the Authority estimates for the items set out in Section 43(3)(a) to (b) of the Act.
- (iii) £116,985,000 being the amount by which the aggregate at (6)(i) above exceeds the aggregate at (6)(ii) above calculated by the Authority in accordance with Section 43(4) of the Act as its budget requirement for the year.
- (iv) £79,695,000 being the aggregate of the sums which the Authority estimates will be payable for the year into its general fund in respect of formula grant by the aggregate of the sums which the Authority estimates will be received in the year from the constituent District Councils in respect of amounts they have estimated as the deficit on their collection funds for 2008/2009.
- (v) £46.90 being the amount at (6)(iii) above less the amount at (6)(iv) above all divided by the total amount at (5) above, calculated by the Authority in accordance with Section 44(1) of the Act as the basic amount of its Council Tax for the year.

(vi)	<u>Valuation</u>	£	£
	<u>Bands</u>	(to 6 decimals)	(to 2 decimals)
	A	31.266643	31.27
	B	36.477751	36.48
	C	41.688858	41.69
	D	46.899965	46.90
	E	57.322179	57.32
	F	67.744394	67.74
	G	78.166608	78.17
	H	93.799930	93.80

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being the amounts given by multiplying the amount at (6)(v) above by the number which in the proportion set out in Section 5(1) of the Act is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Authority in accordance with Section 47(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

- (vii) that the following precepts be issued to the seven charging authorities in the West Midlands:-

	£
Birmingham City Council	13,898,393
Coventry City Council	4,156,456
Dudley Metropolitan Borough Council	4,576,504
Sandwell Metropolitan Borough Council	3,972,833
Solihull Metropolitan Borough Council	3,714,621
Walsall Metropolitan Borough Council	3,655,538
Wolverhampton City Council	3,315,642
Total	<hr/> 37,289,987 <hr/> =====

being the amounts given by multiplying the amount at (v) above by the appropriate tax base at (5) above in accordance with section 48(2) of the Act, as the amount of precept payable by each constituent District Council.

- (7) that the precept for each District Council as calculated at 6(vii) above be issued in accordance with Section 40 of the Local Government Finance Act 1992.

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5/09 **Monitoring of Finances**

The Authority received a report on the monitoring of finances for the current financial year to December 2008.

6/09 **Property Asset Management Plan**

The Authority considered a draft Property Asset Management Plan which had been drawn up to ensure the effective and efficient use of the Authority's building stock.

It was reported that considerable work had taken place over the last twelve months to assess the appropriateness of existing property assets and where any future investment should be directed.

In order to demonstrate the effective use of resources, it was necessary to undertake a fundamental review of property assets which should also be flexible enough to respond to organisational changes.

If the proposed Plan was approved, the following capital expenditure would be incurred on building related assets over the next three financial years.

2009/10	2010/11	2011/12
£ 000's	£ 000's	£ 000's
1,890	2,360	560

Members were informed that planned maintenance would also need to be undertaken during this three year period. Current annual revenue provision for these items was approximately £950K.

In response to a query from a Member, the Acting Chief Fire Officer explained that a report would be forthcoming on the future of Sedgley Fire Station in the near future. The Plan also needed to be updated in respect of decisions now made with regard to the Annual Service Plan.

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Resolved:-

- (1) that the Property Asset Management Plan, as now submitted, be approved, subject to the inclusion of any necessary amendments consequent upon the decision set out in Minute No. 3/09 above in relation to the revised Annual Service Plan 2009/2010 and that an updated version of the Property Asset Management Plan be submitted in due course;
- (2) that the Chairman of the Authority be authorised to select a Member of the Authority to work with officers as Lead Member in respect of the implementation of the Property Asset Management Plan.

7/09 **Proposed Vehicle Replacement Programme 2009/2012**

It was reported that officers had carried out an annual review of the ongoing Vehicle Replacement Procurement Plan (VRP) taking into account age profile, use and agreed replacement timeframe and review periods for the vehicle fleet. Approval was now sought to the proposed VRP for the three year financial period 2009/2012.

Provision for funding had been made within the Authority's Capital Programme for the proposed VRP.

The Authority noted that it was intended to procure the range of vehicles identified in the VRP by using FiReBuy, Office of Government Commerce (OGC) and other Consortia routes that represented value for money to the Authority.

Resolved that the proposed Brigade Vehicle Replacement Programme (VRP) for the three year period 2009/2012, as now submitted, be approved.

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8/09 **National Audit Commission Report – ‘Rising to the Challenge’**

The Authority noted the National Audit Commission Report – ‘Rising to the Challenge’. Presentations on the implications of the report would be given to Members at a meeting of the Policy Planning Forum on 2nd March, 2009.

Members referred to the excellent progress made by the Authority in modernisation of the service and were concerned that the suggestions made in the report that expenditure of the Fire Service nationally would be substantially reduced were to the detriment of authorities that had already addressed the modernisation agenda.

9/09 **Corporate Strategy Action List 2009 – 2012; Medium Term Financial Plan**

The Authority considered a report setting out the proposed Corporate Strategy Action List which would form part of the Corporate Strategy 2009 – 12, and the Medium Term Financial Plan.

Resolved:-

- (1) that the three year Corporate Strategy 2009 – 2012 Action List as now submitted, be approved;
- (2) that the Medium Term Financial Plan which is aligned to the three year Corporate Strategy 2009 – 2012 Action List, as now submitted, be approved.

10/09 **Vacancy on the Authority**

The Clerk reported that Councillor G Davies was suffering ill health and had not been able to attend a meeting of the Authority for six consecutive months.

Councillor G Davies was one of the longest serving Members on the Authority having first been appointed in June 1989.

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In normal circumstances, a report would have been submitted to the December Authority meeting indicating the position with Councillor G Davies' attendance and seeking a dispensation for him on the grounds of his illness, but as the meeting was cancelled the opportunity was lost.

Approval was therefore sought to declare a vacancy on the Authority and serve notice on Dudley Council to make an appointment to the Authority.

There was nothing to prevent Dudley Council re-appointing Councillor G Davies to the Authority.

Resolved that the Authority declare a vacancy on the Authority and serve notice on Dudley Metropolitan Borough Council to make an appointment to the Authority.

11/09 **Audit Commission Work Programme and Scale of Fees 2009/2010 and Indicative Fee Proposals for 2010/2011 and 2011/2012**

The Authority noted the Audit Commission's proposed work programme and fees for the period 2009/10 to 2011/12.

Members raised concerns over the increase in fees and felt that it was not appropriate in the current economic climate.

Resolved that the Audit Commission be requested to reduce the proposed fees for the period 2009/10 to 2011/12 in light of the current economic climate.

12/09 **The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006**

It was reported that on 29th November 2006, the new Discretionary Payments Regulations came into effect which caused changes to the Local Government Pension Scheme (LPGS) with effect from 1st October 2006, arising from the Employment Equality (Age) Regulations. These changes affected pensionable and non-pensionable employees (excluding Firefighters) dismissed on the grounds of redundancy or in the interest of the efficiency of the Service.

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Each Authority was required as a result of these changes, to review its current policies and to publish a revised policy statement with regard to discretionary payments relating to early retirements and redundancies.

The new regulations allowed authorities to pay up to 104 weeks pay as a one off lump sum payment (inclusive of statutory redundancy payment) and removed the power to award added years pension on termination of the employee's employment if they were over 50 years of age.

The Authority adopted its current redundancy policy on 24th April 1995. This allowed for the payment of up to 66 weeks pay as a one off lump sum payment (inclusive of statutory redundancy payment) determined by age and length of service, to employees (excluding firefighters) dismissed on the grounds of redundancy or in the interests of the efficiency of the Service.

The scheme was available to employees aged 18 years and over but not yet 50, or 50 years and over with less than two years service and as such compensated employees who left but were unable to take early retirement. The Authority had also resolved to use employees' actual pay rather than the statutory maximum pay. To date, the Authority had not exercised these powers to extend redundancy payments beyond the statutory maximum of 30 weeks.

In view of the changes made within the new LGPS, it would seem inappropriate and unnecessary to extend benefits awarded for redundancy cases and it was therefore recommended that such benefits were now limited to those given under the Employment Rights Act 1996, as set out in a proposed Statement of Policy for the Authority's consideration.

For cases of dismissal in the interest of the efficiency of the service, which were less frequent and where no exemption under the Age Regulation applied, it was therefore recommended that each case was judged equally and fairly on its own merits.

The Authority was also informed that following guidance issued by the Wolverhampton Pension Fund, it was recommended that the amount of service and or additional pension that could be awarded under Rules 12 and 13 of the LGPS (Benefit, Membership and Contribution) Regulations 2007, would be judged equally and fairly in each case on its own merits.

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Resolved:-

- (1) that the amendments to the Compensation for Redundancy Scheme, as set out in the Statement of Policy attached as Appendix 1 and 2 hereto, be adopted;
- (2) that the Chief Fire Officer, in conjunction with the Chairman of the Authority and Treasurer, be authorised to make a determination in respect of individual cases in relation to Regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 and Regulation 66 of the Local Government Pension Scheme (LGPS) (Administration) Regulations 2007 (as amended) in accordance with the terms of the Authority's policy statement.

13/09

Consultation by Communities and Local Government Department – Communities in Control: Real People, Real Power – Code of Recommended Practice on Local Authority Publicity

The Authority was informed that the recent White Paper 'Communities in Control: Real People, Real Power' was about passing power into the hands of local communities. It set out a range of policies to achieve this, building on the work still in progress from the 2006 White Paper 'Strong and Prosperous Communities'.

A series of consultations were underway and the latest asked for feedback on the Code of Recommended Practice on Local Authority Publicity. A proposed response was submitted for the Authority's consideration.

Resolved:-

- (1) that the draft consultation document entitled 'Communities in Control: Real People, Real Power', be noted;
- (2) that consideration of this matter be deferred to allow the opportunity for further discussion by Members.

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14/09 **Institution of Legal Proceedings**

The Authority was informed that, after consultation with the Chairman and Vice-Chairman, legal proceedings had been instituted in respect of The Connaught Hotel (West Midlands) Limited, and against Mr John Lancaster, Mr John Leslie Thorne and Mr Christopher Timothy Platt, for failure to comply with the Regulatory Reform (Fire Safety) Order 2005.

15/09 **Minutes of the Executive Committee**

The minutes of the meetings held on 13th October, 10th November, 1st and 15th December, 2008 and 26th January 2009, were received.

16/09 **Notes of the Policy Planning Forum**

The notes of the meetings held on 13th October, 10th November, 1st and 15th December, 2008 and 19th and 26th January 2009, were received.

17/09 **Minutes of the Audit Committee**

The minutes of the meetings held on 13th October, 2008 and 19th January 2009, were received.

18/09 **Minutes of the Standards Committee**

The minutes of the meeting held on 10th November 2008, were received.

19/09 **Minutes of the West Midlands Regional Management Board**

The Chairman informed Members that the West Midlands Regional Management Board met on 30th January, 2009 and that the minutes had not yet been finalised.

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20/09 **Exclusion of the Public and Press**

Resolved that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Part I of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006 relation to any individual and relating to the financial or business affairs of any particular person (including the authority holding that information).

(At this point all officers of West Midlands Fire Service, except the Head of Human Resources, left the meeting)

21/09 **Post of Chief Fire Officer**

The Clerk to the Authority informed Members of the proposed recruitment process to appoint a new Chief Fire Officer following the resignation of the former Chief Fire Officer.

Consequential changes had been made to the Corporate Board in accordance with the Brigade protocol, and endorsement of the Authority was sought.

Further to Minute No. 54/08 of the Executive Committee, quotations were requested from three Executive Search companies. Tribal Resourcing was found to be the cheapest quote received on time and provided the Authority with senior executive recruitment support.

At the Authority's Annual Meeting on 23rd June 2008, the Appointments Committee was established in accordance with proportionality rules (see Minute No. 32/08). Protocols of the Authority, however, suggested that all constituent Districts should be members of the Appointments Committee. At present, Coventry and Solihull were not represented on the Committee. Given the importance of the Chief Fire Officer appointment, approval was sought to the revised membership of the Committee, as now submitted.

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Resolved:-

- (1) that the timetable for the recruitment of the Chief Fire Officer, as now submitted, be approved;
- (2) that the appointment of Tribal Resourcing as Executive Search consultants, be noted;
- (3) that the revised composition of the Appointments Committee, as set out below, be approved:

Councillor	District	Party	Substitute	District	Party
Howard	B'ham	Con	Delaney	B'ham	Con
Ward	Sandwell	Con	Gazey	Cov	Con
Davis (Lead Member on Performance)	Solihull	Con	Robinson	Solihull	Con
Ryder (Lead Member on Equality & Diversity)	Dudley	Con	Turner	Dudley	Con
Stevenson (Lead Member on Human Resources)	W'ton	Con	Douglas-Maul	Walsall	Con
Mulhall	Cov	Lab	Tagger	Sandwell	Lab
Spence	B'ham	Lab	Clinton	B'ham	Lab
Chambers	Walsall	Lab	Tersaim Singh	W'ton	Lab
Eustace	B'ham	Lib/De m	Jones	B'ham	Lib/De m

- (4) that all Members of the Authority be invited to an informal buffet on the evening of the first day of interviews to meet candidates;
- (5) that, with effect from 18th November, 2008, Martin Clark be appointed as Acting Deputy Chief Fire Officer until such time as a new appointment of Chief Fire Officer is made to the Authority;

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- (6) that, with effect from 2nd February, 2009, Tony Prosser be appointed as Acting Assistant Chief Fire Officer until such time as a new appointment of Chief Fire Officer is made to the Authority;
- (7) that Keith Richards be held as reserve for appointment as Acting Assistant Chief Fire Officer should a further position arise within the next three months.

(Councillor Gazey abstained from voting on this item)

(Meeting ended at 12.34 pm)

Contact Officer: Amarjit Sahota Democratic Services Unit Sandwell Metropolitan Borough Council 0121-569-3189

STATEMENT OF POLICY

Under Regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, operative from 29th November 2006, each employer must formulate, keep under review and publish their policies on certain discretions contained within the Regulations.

This statement is applicable to all employees of the West Midlands Fire and Rescue Authority who are eligible to be members of the Local Government Pension Scheme (LGPS).

Regulation 5 - Power to increase statutory redundancy payments

Explanation

Employers have the discretion to resolve to use the employees' actual pay instead of the statutory maximum pay permitted under the Employments Rights Act 1996, in the calculation of redundancy payments.

Policy

The Fire Authority will always use the employees' actual pay when calculating redundancy payments.

Regulation 6 –Discretionary Compensation

Explanation

The Authority has the discretion to resolve to increase the lump sum compensation payable under the Employments Rights Act 1996, to an employee who loses their employment with the Authority, up to a maximum of 104 weeks' pay.

Policy

The Fire Authority will not exercise this discretion and therefore will not increase the maximum payable beyond the statutory limit of 30 weeks pay.

STATEMENT OF POLICY

Under Regulation 66 of the Local Government Pension Scheme (LGPS) (Administration) Regulations 2007 (as amended), each employer must formulate, keep under review and publish their policies on certain discretions contained within the LGPS Regulations.

Where references are made, AReg refers to the “Administration” Regulations and BReg to the “Benefit” Regulations.

This statement is applicable to all employees of the West Midlands Fire and Rescue Authority who are eligible to be members of the LGPS.

1. Regulation 30 BReg - Choice of Early Payment of Benefits

Explanation

From age 55, members who have left local government employment may choose to receive early payment of their retirement benefits subject to the consent of their employer. However members aged 60 and over do not need their employer’s consent. The pension benefits must be reduced in accordance with guidance provided by the Government actuary. Employers may determine on compassionate grounds that the benefits are not reduced.

Where a person was an active member on 31st March 2008 and makes an election before 31st March 2010, benefits can be paid if aged 50 or over. For a member who joined the scheme prior to 1 October 2006 where the member’s age and membership (in whole years) satisfies the “rule of 85”, then the benefits would not be reduced. For a member who joined the Scheme on or after 1 October 2006, then reduced benefits would be payable if taken before age 65.

Policy

Each specific case will be judged equally and fairly on its own merits and would need to be funded by a lump sum contribution into the Pensions Fund by the Fire Authority. This discretion will only be exercised by the Fire Authority in cases where it can be demonstrated that the Fire Authority can fund the cost of the release within a three year period.

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This discretion will be exercised by the Chief Fire Officer in conjunction with the Treasurer to approve existing severance packages and members will be notified where discretion is exercised.

2. Regulation 12 BReg – Power of the Employing Authority To Increase Total Membership of Active Members

Explanation

An employer may resolve to increase the total membership of an active member. A member's total membership, including additional membership in respect of different employments, must not exceed 10 years.

Policy

Each specific case will be judged equally and fairly on its own merits, having fully considered service delivery and financial costs.

3. Regulation 13 BReg – Power of the Employing Authority to award Additional Pension

Explanation

An employer may resolve to award a member additional pension of not more than £5000 a year, payable from the same date as their pension is payable under any other provision of these regulations. An additional pension may be paid in addition to any increase to total membership resolved under Regulation 12.

Policy

Each specific case will be judged equally and fairly on its own merits, having fully considered service delivery and financial costs.

4. Regulation 18 BReg - Flexible Retirement

Explanation

A member who is aged 55 or over and with their employer's consent reduces their hours and/or grade, can then, but only with the agreement of the employer, make an election to the administering authority for payment of their accrued benefits without having retired from that employment. If payment of benefits occurs before age 65, the benefits are actuarially reduced in accordance with guidance issued by the government actuary.

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Where a person was a member on 31st March 2008 and makes an election before 31st March 2010 benefits can be paid if aged 50 or over.

The employer may choose to waive the reduction in whole or in part. If the employer chooses to do so, then the cost of waiving the reduction in whole or in part has to be paid to the Fund.

Policy

Each specific case will be judged equally and fairly on its own merits having fully considered service delivery and financial costs.

Your employer is not obliged by the Regulations to publish a statement on the following discretions contained within the LGPS (Administration) Regulations 2007, but has chosen to do so:

1. Regulation 3 BReg – Contributions Payable By Active Members

Explanation

Employers will determine the contribution rate payable based on whole-time pensionable pay for existing members at April each year or at the commencement of employment. Where there has been a material change to a member's pensionable pay in the course of a financial year, his employing authority may re-determine the contribution rate to be applied.

Policy

The Fire Authority will re-determine the contribution band each pay period in order to account for any material change to a member's pensionable pay which would have a direct affect on the employer's liabilities.

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2. Regulation 16 AReg – Re-employed and Rejoining Deferred Members

Explanation

Where a deferred member becomes an active member again before becoming entitled to the immediate payment of retirement benefits in respect of their former membership they may elect to have their former membership aggregated with their current active membership. An election must be made in writing to the member's appropriate administering authority before the expiry of the period of 12 months beginning with the date that they became an active member (or any such longer period as their employing authority may allow).

Policy

The Fire Authority will extend the period of 12 months beginning with the date that they became an active member again to allow a member to aggregate his/her former membership in exceptional circumstances or where it was beyond the member's control.

3. Regulation 22 AReg – Application To Make Absence Contributions

Explanation

Employing authorities have the discretion to extend the period beyond 30 days for a person to apply in writing to make contributions.

Policy

The Fire Authority will extend the period of 30 days in circumstances beyond the member's control or in exceptional circumstances.

4. Regulation 67 – (Shared Cost AVC)

Explanation

Employers may resolve to establish and maintain a Share-Cost Additional Voluntary Contribution Scheme (SCAVC). Who can join, how much the employer and employee will jointly contribute and the type of benefits provided must be considered.

Policy

The Fire Authority does not propose to introduce a SCAVCS.

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5. Regulation 83 – Inward Transfer of Pension Rights

Explanation

A person who becomes an active member who has relevant pension rights may request his fund authority to accept a transfer value for some, or all, of his former rights. An election must be made in writing before the expiry of the period of 12 months beginning with the date that he became an active member (or any such longer period as his employer may allow).

Policy

The Fire Authority will extend the period of 12 months beginning with the date that he/she became an active member – thereby, allowing a member to transfer some or all of his/her rights from the relevant transferor in exceptional circumstances or in circumstances beyond the member's control.

From 1 June 2004, an amended Internal disputes resolution procedure applies to active members of the LGPS and to others such as deferred and pensioner members, whose position may be affected by decisions taken by their former employer or LGPS administering authority.

1. Regulation 57(5)(c) – The Internal Dispute Resolution Procedure

Explanation

Responsibility for determinations under the first stage of the procedure now rests with a 'specified person' appointed by your (former) employer. The Fire Authority must specify the job title and address of the person to whom applications should be directed.

Policy

For the West Midlands Fire and Rescue Authority the specified person is:

Mr D Johnson
Head of Human Resources
West Midlands Fire Service HQ
99 Vauxhall Road
Birmingham
B4 7HW