

WEST MIDLANDS FIRE AND RESCUE AUTHORITY

AUDIT AND RISK COMMITTEE

27 JULY 2020

1. REQUEST FROM DEPENDANT FOR THE REINSTATEMENT OF A WIDOW'S PENSION

Report of the Chief Fire Officer.

2. PURPOSE OF REPORT

This report is submitted to request that the Committee in their role as Scheme Manager make a decision as required by the rules of the Firefighters' Pension Scheme (1992).

3. BACKGROUND

3.1 Under Part C, Regulation 10 of the Firefighters' Pension Scheme 1992, an Authority has discretion to reinstate all or part of a widow's pension that has previously been stopped as a result of remarriage if the new spouse dies.

3.2 A widow's pension was put into payment on 24 March 1985 following the death on duty of a scheme member.

3.3 The pension was stopped on 23 December 1990 when the recipient remarried.

3.4 The widow's second husband passed away on 28 January 2020.

3.5 The widow has offered no mitigating circumstances for her request.

4. DECISION REQUIRED

The Committee are asked to decide whether the Widow's Pension should be reinstated.

5. **EQUALITY IMPACT ASSESSMENT**

In preparing this report an initial Equality Impact Assessment is not required and has not been carried out.

6. **LEGAL IMPLICATIONS**

The decision of the Scheme Manager in this case may be challenged by the member requesting the decision. The challenge would be made through the Firefighters' Pension Scheme Internal Dispute Resolution Procedure. If this process does not resolve the matter, the issue can be taken to The Pension Regulator and finally to the Supreme Court.

7. **FINANCIAL IMPLICATIONS**

Reinstating the Widow's pension will cost the Pension Fund £4,436.90 per annum.

BACKGROUND PAPERS

The Firefighters Pension Scheme (England) Order 1992

The contact name for this report is DCFO Wayne Brown, telephone number 0121 380 6907.

PHIL LOACH
CHIEF FIRE OFFICER