

# West Midlands Fire and Rescue Authority

## Pension Board

**You are summoned to attend the meeting of Pension Board to be held on  
Monday, 11 July 2016 at 14:00**

**at Fire Service HQ, 99 Vauxhall Road, Nechells, Birmingham B7 4HW**

**for the purpose of transacting the following business:**

### Agenda – Public Session

- 1 To receive apologies for absence (if any)
- 2 Declarations of interests in contracts or other matters
- 3 Minutes of the Pensions Board held on 8 February 2016 **3 - 10**
- 4 Discretions Policy **11 - 42**
- 5 Comparison of available Pension schemes **43 - 44**
- 6 Pension Section Supporting Information **45 - 48**
- 7 Training  
LGA Training  
Attendance of Pensions Adviser and KPMG at a future meeting
- 8 Annual Effectiveness Assessment  
Measure of Effectiveness  
Individual Assessment
- 9 Update on Topical, Legal and Regulatory Issues (Verbal Report).
- 10 Any other business  
Discussion of any other business not on the agenda.

11 Date of next meeting

**Distribution:**

David Wilkins - Independent Chair, Stuart Bourne - Employee Representative, Wendy Browning-Sampson - Employer Representative, Andrew Dennis - Employee Representative and Kal Shoker - Employer Representative

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## **Minutes of a Meeting of the Pensions Board**

**8 February, 2016 at 1400 hours**  
**at Fire Service Headquarters, Vauxhall Road, Birmingham**

**Present:** Mr David Wilkin (Chair)  
Mr Kal Shoker  
Ms Wendy Browning-Sampson  
Mr Andrew Dennis  
Mr Stuart Bourne  
  
Mr Paul Gwynn (Adviser)  
Ms Sara Pearson  
(Pensions Practitioner)

1/16 There were no apologies for absence.

2/16 Declarations of Interest

Mr Andrew Dennis declared an interest stating that he is in receipt of a Fire Service Pension.

3/16 Minutes of the Pensions Board held on 21 July 2015 and actions arising

The minutes of the Pension Board meeting held on 21 July 2015 were agreed as an accurate record, subject to the following amendments.

4.1 The word “this” was removed in the second sentence of the first paragraph. It now reads:

During the transition period 2012-2022, it was expected that more people would leave the scheme during the tapering period.

The words “in the” and “Schemes” were added in the second paragraph. It now reads:

The Adviser explained the details of the Retained Firefighters Modified Pension Scheme and confirmed that the Compensation Regulations were designed to cover individuals in the 1992 or 2006 Schemes who had no other cover.

4.8 The word “Regular” was amended to read “Regulator”.

## Actions arising from the Minutes

- Action 1 The Terms of Reference had been approved by the Scheme Manager at the meeting of the Audit Committee held on 7 September 2016.
- Action 2 The Adviser agreed to provide each Member of the Board with a one page guide on each pension scheme identifying the differences between the Schemes following the meeting.
- Action 3 The Adviser had provided an overview of each scheme which would be discussed under Agenda Item 5.3 of the agenda.
- Action 4 A budget code had been arranged and was noted as 73163.
- Action 5 Attendance of Clair Alcock, LGA Pensions Adviser at the Pensions Board to be discussed under Agenda Item 5.4 of the agenda.
- Action 6 Opt Out figures were provided in the Pension Section Supporting Information under Agenda Item 4 of the agenda.
- Action 7 The number of enquiries being received by the Pensions Team would be provided under Agenda Item 4 of the agenda.
- Action 8 An outline of the team structure and comparison with other Fire and Rescue Authorities together with productivity statistics and the costs per Member would be provided under Agenda Item 4 of the agenda.
- Action 9 The Internal Auditor had visited the Pensions Section. An indication of the Audit Review of the Pensions Section would be provided to the next meeting of the Pension Board.
- The Pension Board had requested that sample checking of pension records for deferred members is undertaken.
- The Internal Auditor has stated that they would charge for the additional work. It was suggested as a sensible approach that a reciprocal arrangement could be made with the Police for the work required. The Treasurer had agreed to contact his opposite number at the Police to discuss this approach. The Adviser would ask the Treasurer to let him know the outcome of these discussions and would report back to the Pension Board
- Action10 The issuing of Annual Benefits Statements had been added to the Payroll and Pensions Risk Register.

Action11 The Adviser confirmed that an email had been sent to all Scheme Members confirming the details of the Pensions Board membership and that the first meeting had been held on 21 July 2015.

4/16 Pension Section Supporting Information

4.1 The Adviser confirmed the West Midlands Fire Service Firefighters' Pension Schemes Membership as at 31 December 2015.

4.2 It was noted that there had been reasonable activity levels in the work of the Pensions Section that may increase over the next year. The Adviser agreed to break down the new recruits as a percentage of the whole and provide details regarding the Opt Out rate for new recruits.

There had been 25 Opt Outs which was not unexpected, the reasons for the Opt Outs had not been collected prior to June 2015, but anecdotally it was understood the main reason was down to cost.

Later in the year there were less opt outs, this was probably due a quieter phase of the dispute and members making more detailed enquiries.

All requests had been processed within a three month period, except for one case that had been delayed due to legal complications.

4.3 It was estimated that the latest applications would meet the three month time frame and Members were informed of the time frame when submitting their request.

The Adviser provided an overview of the Pension Section Structure and a comparison with Greater Manchester Fire and Rescue Service. He explained that the Payroll/Pensions Section was being restructured at the present time with a temporary post becoming permanent in the future.

The Chair asked the Adviser to provide an indication of the response times to enquiries for pension information being achieved by Greater Manchester Fire and Rescue Service Pensions Team.

4.4 The Risk Register was attached as an appendix to the report and it was noted that the failure to issue annual benefit statements had been added to the Risk Register.

4.5 The last internal Audit Review carried out in November 2014 had provided 'Substantial Assurance' over the adequacy of controls.

4.6 The Adviser confirmed that the Annual Benefits Statements would be issued by 30 August 2016.

4.7 There had been two Stage 1 Internal Dispute Resolution Procedures (IDRP) received in the last twelve months.

One case was turned down at Stage 1 and further rejected at an Appeals Committee. The other case was now out of time.

The Adviser had taken advice from the Pensions Regulator and informed the Pensions Board of a breach of the conditions.

Another complainant had been advised by the Pension Advisory Service to make a complaint as he had not received a response to a request for information for 12 months. This was a breach of the three month term and subsequently the regulations had changed.

The Adviser had informed the Union Representative that the complainant should make a formal complaint and the Brigade would progress the complaint.

4.8 Abolition of Contracting Out for Defined Benefit Pension Schemes

The Advisor stated that all serving Members would be informed of the increase in National Insurance contributions. The increase would amount to approximately £270 p.a. In answer to a question, the Adviser didn't think this would increase the number of opt outs as Members were due to receive a pay award and an increase in their individual tax allowance.

A potential increase in interest rates and the impact of the abolition of tax relief on pension contributions were also discussed.

The Adviser confirmed that a number of station visits had been arranged during March/April and that members of the Pensions Section would be talking about changes in pension contributions and changes in tax.

Grant Thornton LLP would be meeting with senior managers about taxation on pensions and would highlight the changes to those affected.

4.9 Automatic Enrolment

The Scheme Manager had confirmed that the Automatic Re-Enrolment date would be 1 August 2016.

The Scheme Manager also confirmed that anyone who has opted out of a Qualifying Pension Scheme within 12 months of the re-enrolment date will not be automatically re-enrolled.

#### 4.10 Opt Out Levels and Reasons for Opt Outs

The Opt Outs were noted and Andy Dennis drew attention to the four Opt Outs from the 2015 Scheme and asked if they had been informed of the latest situation. The Adviser stated that where individuals had contacted the Section, they had been advised of the current position.

#### 5/16 Governance

5.1 Minutes of the Audit Committee held on 7 September 2015 were noted and no further direction had been received from the Audit Committee.

5.2 The approved terms of reference were noted.

5.3 The Members of the Pension Board received copies of the Pension Schemes and the Adviser agreed to provide the Employee Representatives with a copy of the Discretions Policy and a one page summary of the different Pensions Schemes.

This was felt to be beneficial as Andy Dennis stated that there was still quite a lot of confusion with members about the retirement age and transitional regulations. Andy Dennis also enquired if the visits to stations were sufficient and suggested that the information was also placed on the Intranet as previously the pension calculator had proved useful.

Members of the Board would be welcome to attend any of the communication sessions.

5.4 The Members of the Board agreed to keep a watching brief on any training that is required and would continue to develop personally.

Wendy Browning-Sampson stated that Shropshire Fire and Rescue Service had arranged a training session and had opened this to other Pension Board Members and following a meeting later that week, Wendy would let the other Members know when the training was due to take place.

The Adviser would continue to liaise with the Members of the Pension Board and update them on any changes as they occur.

Wendy Browning-Sampson stated that the Fire Brigades Union had challenged the appointment of Employee Representatives on one other Pension Board in the Region.

It was confirmed that within the West Midlands Pension Board, the Employer Representatives, Kal Shoker and Wendy Browning-Sampson had been appointed and the Employee Representatives, Stuart Bourne and Andy Dennis had been elected.

## 5.5 Annual Effectiveness Assessment, Measure of Effectiveness and Individual Assessment

The Members of the Board confirmed their effectiveness in that they are meeting the terms of reference and agreed that they would be able to better judge their effectiveness at the next meeting.

The minutes were available on CMIS and were also reported to the Audit Committee. The Adviser had informed the members that the Pension Board had met and would send another email following the second meeting of the Pension Board to Members of Scheme. Further information would be provided during the station visits and at a future Management Briefing.

Following consideration of the current arrangements the members of the Pension Board felt comfortable and agreed to review again in the future.

The Adviser confirmed that the Internal Auditors were currently carrying out an audit of the Payroll and Pension Department. The Adviser would speak to the Treasurer about a reciprocal arrangement for audit arrangements with the Police. The Internal Audit Report should be available for the next Pension Board meeting.

## 6/16 Update on Topical Legal and Regulatory Issues

The Adviser confirmed that following the Gad v Milne case, approximately £6.75m had been paid out on 1 February 2016 to living pensioners who are affected by the outcome of this case.

There is a legal requirement for the Adviser to notify the Board where they had been unable to find people affected by the outcomes of the case and how this had been reflected within the Authority's Accounts. The Adviser confirmed that he had written to the widows of deceased members who had been affected by these issues and had also the ex-wives of those pensioners affected. Three out of the six people affected had been contacted. The Adviser was still waiting for a reply regarding one case and would provide a report on the current situation for the next meeting of the Board.

Kal Shoker informed the Pensions Board that the Department of Communities and Local Government were due to pay the grant by the middle of January but had not paid the Fire Service until 5 February 2016 which was after the date that the payments were made.

The Adviser informed the Pension Board of another ongoing challenge to the transitional regulations and protection between schemes. There was currently a legal challenge to the Judiciary by the Fire Brigades Union using a West Midlands Fire Service test case, but no guidance had been issued to date.



In response to a question from the Chair in respect of the implications for the future, the Adviser confirmed this was in respect of protection and similar to the Police Pension Scheme, and it was noted that this was being challenged as well.

The challenge affected those who had joined between the ages of 18-20 years of age and those members who had taken a contributions holiday.

The numbers affected could be similar to the Gad v Milne case, however, there was still a lot of confusion and once the final Regulations had been received an update would be included as part of the communication visits.

7. Any Other Business

Stuart Bourne asked for clarity about the recording of a breach of the conditions.

The Adviser confirmed that a first breach should be reported to the Pension Board and recorded in the minutes. Any subsequent breaches should be reported to the Regulator.

The Adviser stated that formal complaints should be put in writing to the Payroll and Pensions Manager.

Wendy Browning-Sampson requested that the pages of the whole pack of Agenda papers be numbered.

8. Date and Time of Next Meeting

The next meeting was scheduled for the 18 July 2016, however, with the agreement of the members of the Board, the meeting was rearranged to take place on Monday 11 July 2016 at 1400 hours.

PENSIONS BOARD

8 FEBRUARY 2016

ACTIONS

Action No.	Action
1.	The Adviser agreed to provide each Member of the Board with a one page guide on each pension scheme identifying the differences between the Schemes following the meeting.
2.	The outcome of the Audit Review of the Pensions Section would be provided to the next meeting of the Pension Board.
3.	The Adviser agreed to break down the new recruits as a percentage of the whole and provide details regarding the Opt Out rate for new recruits.
4.	The Adviser to provide an indication of the response times to enquiries for pension information being achieved by Greater Manchester Fire and Rescue Service Pensions Team.
5.	The Pension Board had requested that sample checking of pension records for deferred members is undertaken. The Internal Auditor has stated that they would charge for the additional work. It was suggested as a sensible approach that a reciprocal arrangement could be made with the Police for the work required. The Treasurer had agreed to contact his opposite number at the Police to discuss this approach.
6.	The Adviser would continue to liaise with the members of the Pension Board and update them on any changes as they occur.
7.	Wendy Browning Sampson to advise the other members of the Pension Board of the dates of Regional training opportunities.
8	The Adviser was still waiting for a reply regarding one case following the outcome of Gad v Milne and would provide a report on the current situation for the next meeting of the Board.

**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**AUDIT COMMITTEE**

**7 SEPTEMBER 2015**

1. **DISCRETIONS POLICY – FIREFIGHTERS' PENSION SCHEMES**

Report of the Payroll and Pensions Manager.

**Recommended**

- 1.1 THAT the Audit Committee as Scheme Manager approves the Discretions Policy –Firefighters' Pension Scheme

2. **PURPOSE OF REPORT**

This report seeks approval of the Discretions Policy – Firefighters Pension Scheme.

3. **BACKGROUND**

- 3.1 The Firefighters' Pension Scheme 2015 was implemented on 1<sup>st</sup> April 2015. Under scheme regulations the Scheme Manager is required to publish and keep under review a policy on the use of discretions available.
- 3.2 The Discretions Policy – Firefighters' Pension Scheme is attached as Appendix 1.

4. **EQUALITY IMPACT ASSESSMENT**

There are no equality or diversity implications arising from this report. An Equality Impact Assessment is not, therefore, required.

5. **LEGAL IMPLICATIONS**

There is a statutory requirement for West Midlands Fire and Rescue Authority to comply with the rules of the Firefighters' Pension Scheme 2015.

6. **FINANCIAL IMPLICATIONS**

The Discretions policy has been written in such a way as to avoid unnecessary costs from being incurred as a result of using the discretions which are available.

7. **BACKGROUND PAPERS**

None

The contact name for this report is Paul Gwynn, Payroll and Pensions Manager 0121 380 6928.

PAUL GWYNN  
PAYROLL & PENSIONS MANAGER

**Power to Delegate**

**1. Delegation (Regulation 5)**

The scheme manager must ensure that delegated powers are appropriate and current. [Regulation 5(2)]

**Statement of Policy**

The Fire Authority have recently confirmed that the Audit Committee will function as the Scheme Manager.

**Opting Out**

**2. Opting into this scheme (Regulation 12)**

An optant-in will become an active member of the scheme with effect from the beginning of the first pay period following the date on which the option is exercised. There is an option for the scheme manager to vary the date on which the person becomes an active member, to such other time as the scheme manager considers appropriate. [Regulation 12(5)]

**Statement of Policy**

The Organisation will not vary the date on which a member becomes an active member.

### 3. Opting out after the first three months (Regulation 16)

An optant-out ceases to be in pensionable service with effect from the first day of the first pay period following the date on which the option is exercised. If the scheme manager considers that day to be inappropriate, it may vary the date to the first day of any later pay period as the scheme manager does consider appropriate. [Regulation 16(2)(b)]

#### Statement of Policy

The Scheme Manager will not vary the date on which an optant out ceases to be a member.

### **Pensionable Pay**

### 4. Pensionable pay (Regulation 17)

The scheme manager has discretion to determine if continual professional development payments are to be treated as pensionable pay. [Regulation 17(1)(d)]

#### Statement of Policy

CPD payments will be pensionable

## Retirement Benefits

### 5. Active membership (Regulation 19)

A person who is on unpaid authorised absence can count the period as active membership if the scheme manager permits them to be treated as an active member during that period.(Presumably this would be linked to Regulation 111(4) and subject to the member paying the appropriate contributions.) [Regulation 19(c)]

#### Statement of Policy

The scheme manager will permit a member on unpaid absence to count the period as active membership subject to contributions being paid.

### **Pension Accounts**

### 6. Establishment of pension accounts: general (Regulation 28)

The scheme manager must establish and maintain pension accounts for scheme members, but they may be kept in such form as the scheme manager considers appropriate.

#### Statement of Policy

The Scheme manager will maintain pension accounts within an electronic Pension Administration System. The security and operation of these accounts will be reviewed regularly by the Local Pension Board.

### 7. Closure and re-establishment of active member's account (Regulation 37)

If a member has more than two active member's account and ceases pensionable service with less than three months' qualifying service in respect of one account, that account must be closed and benefits aggregated with one of the others; the member may select which one.

#### Statement of Policy

The scheme manager will use their discretion on a case by case basis in the best interests of the member.

## Retirement Benefits

- 8.** Closure of deferred member's account after gap in pensionable service not exceeding five years. (Regulation 49)

If a deferred member re-enters pensionable employment after a gap of five years or less, the scheme manager must close the deferred member's account and re-establish the active member's account, transferring entries from the deferred account. If the person had more than one relevant deferred member's account, they must select – within three months of re-entering scheme employment - which one should close. If they fail to make a selection, the scheme manager must make the choice for them. [Regulation 49(3) and (4)]

### Statement of Policy

The scheme manager will use their discretion on a case by case basis in the best interests of the member.

- 9.** Employer initiated retirement (Regulation 62)

An employer can determine that an active member age 55 or over but under age 60 who on the grounds of business efficiency is dismissed or has their employment terminated by mutual consent, can receive immediate payment of retirement pension without the early payment reduction. An employer may only use this discretion if the employer determines that a retirement pension awarded on this basis would assist the economical, effective and efficient management of its functions having taken account of the costs likely to be incurred in the particular case. [Regulation 62(1) and (2)]

### Statement of Policy

The employer will use their discretion on a case by case basis with the overriding control that any costs incurred in using this discretion will be recoverable within a three year period.



## Retirement Benefits

### 10. Exercise of partial retirement option (Regulation 63)

An active member aged at least 55 who would be entitled to immediate payment of pension if they leave pensionable service and who claims payment of the pension, may opt to claim the whole of their accrued pension but continue in pensionable service. The person concerned must give appropriate notice to the scheme manager and the partial retirement option is taken to be exercised on a date agreed between the member and the scheme manager. [Regulation 63(5)]

#### Statement of Policy

Where a member wishes to make an application for partial retirement under Regulation 63 they must provide written notice to the scheme manager. On a case by case basis the scheme manager will agree a date with the member on which the option shall be exercised.

### III-Health Benefits

### 11. Review of ill-health award or early payment of retirement pension (Regulation 68)

The scheme manager must have a policy for reviewing, at such intervals as it considers appropriate, the award of ill-health pensions where the recipient is under deferred pension age and has been receiving the award for less than 10 years, and for reviewing the early payment of deferred pensions on ill-health grounds for so long as the recipient is below deferred pension age. [Regulation 68(1) and (2)]

#### Statement of Policy

The scheme manager will review the award of ill-health pensions, where the recipient is under deferred pension age and has been receiving the award for less than 10 years, and deferred pensions in payment early on ill-health grounds and where the recipient is below deferred pension age, on a three yearly basis.

### 12. Consequences of review (Regulation 69)

If, following the review of a lower tier ill-health pension under Regulation 68, the scheme manager determines that the recipient is capable of performing the duties appropriate to the role from which the person retired on grounds of ill-health, the employer must consider whether or not to make an offer

#### Statement of Policy

The scheme manager will consider whether or not to make an offer on a case by case basis.

### 13. Commencement of pensions (Regulation 70)

If a deferred member requests, and is entitled to, the early payment of retirement pension on grounds of ill-health, the scheme manager must determine the date of payment as being the date on which the person became incapable of undertaking regular employment because of infirmity of mind or body or, if that date cannot be ascertained, the date of the member's request for early payment. [Regulation 70(7)]

If a deferred member requests deferral of payment of a deferred pension beyond deferred pension age, or requests early payment with an early payment reduction before deferred pension age, the scheme manager will decide the payment date after the claim for payment has been made.

## Statement of Policy

The scheme manager will determine the date from which a deferred pension will become payable in the situations described in Regulation 70 (7) and (8) on a case by case basis using information provided by the claimant, any appropriate medical professional, and with guidance from the Payroll and Pensions Manager.

## **Allocation**

### **14.** Allocation election (Regulation 72)

The scheme manager must give consent for the allocation of a portion of pension to a dependant who is not the spouse, civil partner or cohabiting partner of an active or deferred member. (Consent can be withheld if the scheme manager is not satisfied that the person nominated is not substantially dependent of the active member.) [Regulation 72(3)(b) and (4)]

#### Statement of Policy

The scheme manager will give consent for the allocation of a portion of pension to a dependent where acceptable evidence of dependency is provided by the scheme member. At the time of application the scheme manager will confirm to the member what evidence is to be provided.

### **15.** Adjustment of allocated benefit (Regulation 75)

If a member who has made an allocation election dies after reaching age 75, and the amount of allocated pension does not qualify as a dependant's scheme pension under section 167 of the Finance Act 2004 (pension death benefit rules), the amount may be adjusted in a manner determined by the scheme manager. [Regulation 75(1) and (2)]

#### Statement of Policy

The scheme manager will make any adjustments allowed under Regulation 75 (1) and (2) on a case by case basis.

# Death Benefits

## 16. Meaning of "surviving partner" (Regulation 76)

A cohabiting partner may be considered a "surviving partner" and potentially qualify for a pension provided they meet certain conditions, one of which is that they must have been in a "long-term relationship" – a continuous period of at least two years – at the date at which entitlement needs to be considered. The scheme manager has discretion to allow the person to qualify where the period is less than two years. [Regulation 76(1)(b)(v) and (2)]

### Statement of Policy

The scheme manager will not use their discretion to allow a person to qualify as a "Surviving Partner" where the relationship has been in place for a period of at least two years.

## 17. Person to whom lump sum death benefit payable (Regulation 95)

The scheme manager has absolute discretion as to the recipient of any lump sum death benefit payable. [Regulation 95]

### Statement of Policy

The Lump Sum death benefit will be paid to whosoever the scheme manager decides it should be. The discretion will be operated by the Payroll and Pensions Manager in consultation with the Strategic Enabler for People Support Services.

## 18. Payment of pensions under Part 6 "Death Benefits" (Regulation 100)

If a child's pension is due in respect of an eligible child under age 18, the scheme manager will determine to whom it should be paid and will give directions to that person as to how the payment should be applied for the eligible child's benefit. [Regulation 100(2)]

### Statement of Policy

A Child's pension in respect of an eligible child over the age of 7 will be paid to that Child. A Child's pension for a child over the age of 7 will be paid to that Child's surviving parent with instruction that it should be applied for that eligible child's benefit.

**19.** Surviving partner's pensions and eligible child's pensions: suspension and recovery  
(Regulation 101)

A scheme manager has the right to cease paying a surviving partner's pension and/or eligible child's pension and recover any payment made in respect of a pension where it appears to the scheme manager that the recipient made a false declaration, or deliberately suppressed a material fact in connection with the award. (This does not affect the scheme manager's right to recover a payment or overpayment under any other provision where the scheme manager considers it appropriate to do so.) [Regulation 101(2) and (3)]

**Statement of Policy**

The scheme manager will cease paying a surviving partner's pension and/or eligible child's pension and recover any payment made in respect of a pension where it appears to the scheme manager that the recipient made a false declaration, or deliberately suppressed a material fact in connection with the award except in cases where the Strategic Enabler for Finance and Resources deems it to be financially counterproductive to do so.

**20.** Provisional awards of eligible child's pensions: later adjustments (Regulation 102)

If children's pensions have been made to certain persons on the basis that they were eligible children and there were no others, and subsequently it appears that any of those children were not eligible, or there was a further eligible child to whom no payment has been made, or that a child born after the member's death is an eligible child, the scheme manager has discretion to adjust the amount of pensions as required in view of the facts as they subsequently appear. The adjustments may be made retrospectively. (This does not affect the scheme manager's right to recover a payment or overpayment under any other provision where the scheme manager considers it appropriate to do so.) [Regulation 102(2) and (3)]

**Statement of Policy**

If children's pensions have been made to certain persons on the basis that they were eligible children and there were no others, and subsequently it appears that any of those children were not eligible, or there was a further eligible child to whom no payment has been made, or that a child born after the member's death is an eligible child the scheme manager will adjust the amount of pensions as required in view of the facts as they subsequently appear. These adjustments will be made retrospectively where required.

**21.** Adjustment of benefits to comply with FA 2004 where members die over 75 (Regulation 104)

If a member dies after reaching age 75 and any part of a pension to which a person becomes entitled on the death would not qualify as a dependant's scheme pension for the purposes of section 167 of the Finance Act 2004 (the pension death benefit rules), the scheme manager has discretion to adjust the benefit payable to the person so that it would qualify under that section of the Act. [Regulation 104(1)(a) and (2)]

**Statement of Policy**

If a member dies after reaching age 75 and any part of a pension to which a person becomes entitled on the death would not qualify as a dependant's scheme pension for the purposes of section 167 of the Finance Act 2004 (the pension death benefit rules), the scheme manager will adjust the benefit payable to the person so that it would qualify under that section of the Act.

## **Contributions**

### **22.** Member contributions (Regulation 110)

Where there is a change in scheme employment or a material change which affects the member's pensionable pay in the course of a financial year and the revised amount falls into a different contribution rate band, the scheme manager must determine that this rate should be applied and inform the member of the new contribution rate and the date from which it is to be applied. [Regulation 110(5)]

When identifying the appropriate contribution rate, a reduction in pay in certain circumstances as listed in Regulation 110 are to be disregarded. In addition, the scheme manager can specify the circumstances in a particular case where a reduction in pensionable pay will be disregarded. [Regulation 110(7)(h)]

#### **Statement of Policy**

Where there is a change in scheme employment or a material change which affects the member's pensionable pay in the course of a financial year and the revised amount falls into a different contribution rate band, this rate will be applied from the first day of the pay period following the date on which the material change took effect. The member will be informed of the new contribution rate and the date from which it is to be applied within three months of the date when the new rate is first applied to their pay.

### **23.** Contributions during absence from work due to illness, injury, trade dispute or authorised absence (Regulation 111)

Where an active member is absent from scheme employment because of illness or injury and not entitled to receive pensionable pay, or because of trade dispute or authorised unpaid absence, they may pay member contributions; if they do, the scheme employer may require that they should also pay employer contributions. [Regulation 111(2), (3) and (4)]

#### **Statement of Policy**

Where an active member is absent from scheme employment because of illness or injury and not entitled to receive pensionable pay, or because of trade dispute or authorised unpaid absence, they will be allowed to pay contributions. The contribution payable will be the total of both the member and employer contribution.



## 24. Deduction and payment of contributions (Regulation 114)

Member contributions due under Regulation 110 may be deducted by the scheme employer from each instalment of pensionable pay as it becomes due, unless another method of payment has been agreed between the scheme manager and the member. [Regulation 114(1)]

Contributions due in respect of absence from work on reserve forces service leave may be deducted from any payment made under Part 5 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951. [Regulations 114(2)]

Contributions which the member is required to pay, or has elected to pay under Regulations 111 and 113 may be paid by a lump sum or by deduction from instalments of pensionable pay as agreed between the member and the scheme manager. [Regulation 114(3)]

### Statement of Policy

Member contributions due under Regulation 110 will be deducted from each instalment of pensionable pay as it becomes due.

Contributions due in respect of absence from work on reserve forces service leave will be deducted from any payment made under Part 5 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951

Contributions which the member is required to pay, or has elected to pay under Regulations 111 and 113 may be paid by a lump sum or by deduction from instalments of pensionable pay as agreed between the member and Payroll and Pensions manager on behalf of the scheme manager.

## **Transfers**

### **25.** Statement of entitlement (Regulation 135)

The scheme manager must specify in a statement of entitlement the "guarantee date" date by reference to which the cash equivalent or club transfer value is calculated; this date must fall within the three months beginning with the date of the member's application for the statement of entitlement and within ten days ending with the date on which the member is provided with the statement. The scheme manager has discretion, if it believes reasonable, to extend this date to within six months of the date of the member's application if, for reasons beyond the scheme manager's control, the information needed to calculate the transfer value cannot be obtained before the end of the three month period. [Regulation 135(4)]

#### Statement of Policy

The scheme manager will extend the "guarantee date" to within 6 months of the date of the members application if, for reasons beyond the scheme manager's control, the information needed to calculate the transfer value cannot be obtained before the end of the three month period.

### **26.** Request for acceptance of a transfer payment (Regulation 141)

There is a time limit of one year from becoming an active member in which a person can request a transfer payment from a non-occupational pension scheme. The scheme manager has the discretion to extend this period. [Regulation 141(3)]

#### Statement of Policy

The scheme manager will not extend the time limit in which a person can request a transfer payment from a non-occupational pension scheme.

## 27. Transfer statement (Regulation 142)

The scheme manager can require an active member to ask the scheme manager of a previous non- club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count provided that the transfer date falls within two months of the date of the statement. [Regulation 142(2)]

### Statement of Policy

The scheme manager will require an active member to ask the scheme manager of a previous non- club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count where the transfer date falls within two months of the date of the statement

## 28. Club transfer value statement (Regulation 144)

The scheme manager can require an active member to ask the scheme manager of a previous club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count provided that the transfer date falls within two months of the date of the statement. [Regulation 144(2)]

### Statement of Policy

The scheme manager will require an active member to ask the scheme manager of a previous club pension scheme to provide a statement of the amount of transferred pension that the member would be entitled to count where the transfer date falls within two months of the date of the statement

## **Appeals and determinations**

### **29.** Appeal concerning entries on the certificate (Regulation 148)

If a member is not satisfied with a certificate setting out the details in their pension account(s) as required under Regulation 146, they can require the scheme manager to deal with their disagreement under arrangements implemented by the scheme manager in accordance with the requirements of section 50 of the Pensions Act 1995 (resolution of disputes) and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008. The scheme manager must have these arrangements in place. [Regulation 148(1)]

#### Statement of Policy

If a member is not satisfied with a certificate setting out the details in their pension account(s) as required under Regulation 146, the scheme manager will deal with their disagreement under arrangements implemented by the scheme manager in accordance with the requirements of section 50 of the Pensions Act 1995 (resolution of disputes) and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008.

The process for dealing with such disagreements will be published via the Intranet.

### **30.** Determinations by the scheme manager (Regulation 151)

It is the scheme manager that must determine whether a person is entitled to an award or to retain an award. [Regulation 151]

#### Statement of Policy

On a case by case basis the scheme manager will determine whether a person is entitled to an award or to retain an award. This determination will be made by the Payroll and Pensions Manager in conjunction with the Strategic Enabler for People Support Services.

### 31. Role of IQMP in determinations by the scheme manager (Regulation 152)

The scheme manager must select an Independent Qualified Medical Practitioner to provide a written opinion in respect of medical matters which may only be decided by having regard to such an opinion. [Regulation 152(1)]

If a person wilfully or negligently fails to submit to medical examination by the selected IQMP and the IQMP is unable to give an opinion on the basis of the medical evidence available, the scheme manager can make the determination based on such medical evidence as the scheme manager thinks fit, or without medical evidence. [Regulation 152(7)]

#### Statement of Policy

The scheme manager will select an Independent Qualified Medical Practitioner to provide a written opinion in respect of medical matters which may only be decided by having regard to such an opinion

Where a person wilfully or negligently fails to submit to medical examination by the selected IQMP and the IQMP is unable to give an opinion on the basis of the medical evidence available, the scheme manager will make the determination based on such medical evidence as the scheme manager thinks fit, or without medical evidence. This discretion will be exercised by the Strategic Enabler for People Support Services.

### 32. Review of medical opinion (Regulation 153)

Where a member requests a review of an IQMP's opinion in the light of new evidence received by the scheme manager within 28 days of the member having received the opinion, the scheme manager may agree to giving the IQMP the opportunity of reviewing the opinion. [Regulation 153(1).

#### Statement of Policy

On a case by case basis, where a member requests a review of an IQMP's opinion in the light of new evidence received by the scheme manager within 28 days of the member having received the opinion, the scheme manager may agree to giving the IQMP the opportunity of reviewing the opinion.

Upon receiving the IQMP's response the scheme manager will confirm or revise its original determination and advise the member accordingly. The discretion will be exercised by the Strategic Enabler for People Support Services.

### 33. Notice of appeal (Regulation 155)

If a member wishes to appeal against a determination made by the scheme manager and their grievance lies in the medical opinion upon which the determination was based, they can appeal to a board of medical referees. The appeal must be made within 28 days of the date on which the member receives the relevant documents under Regulation 154(4). If the appeal is not made within this time limit and the scheme manager is of the opinion that the person's failure to give notice within the required period was not due to the person's own default, the scheme manager has a discretion to extend the time limit for such period as the scheme manager considers appropriate, not exceeding six months from the date the Regulation 154(4)

#### Statement of Policy

On case by case basis the scheme manager will consider extending the time limit during which a member can appeal to a board of medical referees to a maximum of six months from the date the Regulation 154(4) documents were supplied.

### 34. Reference of appeal to the board (Regulation 156 - See also Regulation 161)

Where a member has given notice of appeal to a board of medical referees, before the board arranges a time and place for the interview and medical examination a member of the board will review the documents supplied to the board in accordance with Regulation 156. If the board member is of the opinion that the board may regard the appeal as frivolous, vexatious or manifestly ill-founded the board member will notify the Secretary of State accordingly. This will be copied to the scheme manager who must, in turn, send a copy of it to the scheme member advising that if their appeal is unsuccessful, the member may be required to pay the scheme manager's costs and requesting notification from the member as to whether, in the circumstances, they wish to continue with, or withdraw, the appeal. [Regulation 156(8) to (12)]

#### Statement of Policy

If a member of a board of medical referees, who has reviewed appeal documents provided by the member, is of the opinion that the board may regard the appeal as frivolous, vexatious or manifestly ill-founded the board member will notify the Secretary of State accordingly. The scheme manager will send a copy of this notification to the scheme member advising that if their appeal is unsuccessful, they will be required to pay the scheme manager's costs and requesting notification from the member as to whether, in the circumstances, they wish to continue with, or withdraw, the appeal.

### 35. Procedure where appeal to be pursued (Regulation 157)

The scheme manager must decide which persons will attend the interview as its representatives. The scheme manager must also decide whether or not to submit written evidence or a written statement (and must decide a response to any written evidence or written statement from the appellant). [Regulation 157(6) to (9)]

#### Statement of Policy

On a case by case basis where an appeal is pursued the scheme manager will decide;

1. Which persons will attend the interview as its representatives.
2. Whether or not to submit written evidence or a written statement.
3. How to respond to any written evidence or written statement from the appellant.

This decision will be made by the Strategic Enabler for People Support Services

### 36. Expenses of each party (Regulation 161)

If the medical appeal board determines in favour of the scheme manager and states that in its opinion the appeal was frivolous, vexatious or manifestly ill-founded, the scheme manager can require the appellant to pay it such sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1) as the scheme manager considers appropriate.

[Regulation 161(2)]

If the appellant withdraws the appeal requesting cancellation, postponement or adjournment of the date appointed for interview and/or medical examination less than 22 working days before the date appointed, the scheme manager can require the member to pay it such sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1) as the scheme manager considers appropriate. [Regulation 161(3)(a)]

If the appellant's acts or omissions cause the board to cancel, postpone or otherwise adjourn the date appointed or interview and/or medical examination less than 22 days before the date appointed, the scheme manager can require the member to pay it such sum not exceeding the total amount of the fees and allowances payable to the board under Regulation 160(1) as the scheme manager considers appropriate. [Regulation 161(3)(b)]

#### Statement of Policy

If the medical appeal board determines in favour of the scheme manager and states that in its opinion the appeal was frivolous, vexatious or manifestly ill-founded, the scheme manager will require the appellant to pay it a sum equal to the total amount of the fees and allowances payable to the board under Regulation 160(1).



### **37.** Appeals on other issues (Regulation 163)

If a member disagrees with a scheme manager's determination of award under Regulation 151 and the disagreement does not involve an issue of a medical nature, the member can require the scheme manager to deal with the disagreement under requirements which the scheme manager must have in place in accordance with section 50 of the Pensions Act 1995 (requirement for dispute resolution arrangements) and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008. [Regulation 163]

#### **Statement of Policy**

If a member disagrees with a scheme manager's determination of award under Regulation 151 and the disagreement does not involve an issue of a medical nature, the scheme manager will deal with their disagreement under arrangements implemented by the scheme manager in accordance with the requirements of section 50 of the Pensions Act 1995 (resolution of disputes) and the Occupational Pension Schemes (Internal Dispute Resolution Procedures Consequential and Miscellaneous Amendments) Regulations 2008.  
The process for dealing with such disagreements will be published via the Intranet.

### **Payment of pensions**

### **38.** Commutation of small pensions (Regulation 167)

If the pension entitlement of a member of the scheme, or the pension entitlement of a member's beneficiary, does not exceed the small pensions commutation maximum the scheme manager may pay the entitlement as a lump sum. This would, however, be subject to the consent of the recipient and must comply with the commutation provisions that apply in the circumstances. [Regulation 167(3)]

Statement of Policy

If the pension entitlement of a member of the scheme, or the pension entitlement of a member's beneficiary, does not exceed the small pensions commutation maximum the scheme manager will pay the entitlement as a lump sum, subject to the consent of the recipient and will comply with the commutation provisions that apply in the circumstances.

**39.** Payments for persons incapable of managing their affairs (Regulation 168)

If it appears to the scheme manager that a person other than an eligible child who is entitled to benefits under the scheme, is by reason of mental incapacity or otherwise, incapable of managing his or her affairs, the scheme manager may pay the benefits or any part of them to a person having the care of the person entitled, or such other person as the scheme manager may determine, to be applied for the benefit of the person entitled. If the scheme manager does not pay the benefits in this way, the scheme manager may apply them in such manner as it may determine for the benefit of the person entitled, or any beneficiaries of that person. [Regulation 168]

Statement of Policy

Where it appears to the scheme manager that a person other than an eligible child who is entitled to benefits under the scheme, is by reason of mental incapacity or otherwise, incapable of managing his or her affairs, the scheme manager will pay the benefits or any part of them to a person having the care of the person entitled, or such other person as the scheme manager may determine, to be applied for the benefit of the person entitled.

**40.** Payments due in respect of deceased persons (Regulation 169)

If, when a person dies, the total amount due to that person's personal representatives under the scheme (including anything due at the person's death) does not exceed the limit specified in the Administration of Estates (Small Payments) Act 1965, the scheme manager can pay the whole or part of the amount due to the personal representatives or any person or persons appearing to the scheme manager to be beneficially entitled to the estate, without requiring the production of grant of probate or letters of administration. [Regulation 169]

#### Statement of Policy

If, when a person dies, the total amount due to that person's personal representatives under the scheme (including anything due at the person's death) does not exceed the limit specified in the Administration of Estates (Small Payments) Act 1965, the scheme manager will pay the whole or part of the amount due to the personal representatives or any person or persons appearing to the scheme manager to be beneficially entitled to the estate, without requiring the production of grant of probate or letters of administration.

#### **Forfeiture**

**41.** Forfeiture: offences committed by members, surviving partners or eligible children (Regulation 171)

If a member, surviving partner or eligible child is convicted of a relevant offence, the scheme manager can withhold pensions payable under the scheme to a member, any person in respect of the member, a surviving partner or an eligible child, to such extent and for such duration as it considers appropriate. "Relevant offence" is defined in this Regulation. The definition includes offences injurious to the State (including treason) or likely to lead to a serious loss of confidence in the public service. There are certain conditions set out in the Regulation, e.g. it is only the part of the pension that exceeds any guaranteed minimum pension that can be withheld. [Regulation 171(1), (2), (3) and (5).]

Where a pension is withheld, the scheme manager can at any time, and to such extent and

#### Statement of Policy

If a member, surviving partner or eligible child is convicted of a relevant offence, the scheme manager will withhold pensions payable under the scheme to a member, any person in respect of the member, a surviving partner or an eligible child, to such extent and for such duration as it considers appropriate, subject to a maximum of the amount by which the pension exceeds any guaranteed minimum pension.

On a case by case basis where a pension is withheld, the scheme manager will

consider at three monthly intervals, to any extent and for such duration as the manager thinks fit, applying the pension for the benefit of any dependant of the member or restoring it to the member.

**42.** Forfeiture of pensions: offences committed by other persons (Regulation 172)

If a surviving partner or eligible child is convicted of the murder of a scheme member from whose benefits their pension would be derived the scheme manager must withhold all of the survivor's or child's pension otherwise payable. However, if a surviving partner or eligible child is convicted of the manslaughter of the member or any other offence, apart from murder, of which the unlawful killing of the member is an element, the scheme manager has discretion as to whether or not to withhold the pension to which they would otherwise be entitled. The amount withheld must only be that part of the pension which exceeds any guaranteed minimum pension. If the conviction is subsequently quashed, the pension must be restored with effect from the day after the date on which the member died. If, after the conviction has been quashed, the person is again convicted of murder, manslaughter or an associated offence as outlined above, any restoration is cancelled. [Regulation 172(1) to (5)]

**Statement of Policy**

The discretion to withhold part of a pension under Regulation 172 (1) to (5) will be exercised on a case by case basis by the Strategic Enabler for People Support Services.

**43.** Forfeiture of lump sum death benefit: offences committed by other persons (Regulation 173)

If a person is convicted of a relevant offence, i.e. the murder or manslaughter of the member, or any other offence of which the unlawful killing of the member is an element, the scheme manager must withhold all of any lump sum death benefit payable to that person. If, however, the conviction is subsequently quashed on appeal, the scheme manager may, to such extent and for such duration as it thinks fit, restore to the person the amount of benefit withheld. If, after the conviction has been quashed, the person is again convicted of murder, manslaughter or an associated offence as outlined above, any restoration is cancelled. [Regulation 173]

Statement of Policy

The discretion to restore part of a pension withheld under Regulation 173 will be exercised on a case by case basis by the Strategic Enabler for People Support Services.

**44.** Forfeiture: relevant monetary obligations and relevant monetary losses  
(Regulation 174)

If a member has a relevant monetary obligation or has caused a relevant monetary loss, the scheme manager may, to such extent and for such duration as it considers appropriate, withhold benefits payable to that person under the scheme. "Relevant monetary obligation" and "relevant monetary loss" are defined in the Regulation. There are certain limits, e.g. the amount withheld may only be that which exceeds the person's guaranteed minimum pension and the scheme manager may only withhold it if there is no dispute about the amount or, if there is, there is a court order or the award of an arbitrator. The monetary obligation must have been incurred to the employer after the person became an active member and arising out of or connected with the scheme employment in respect of which the person became a member of the scheme, and arising out of the person's criminal, negligent or fraudulent act or omission. The procedure is set out in Regulation 176. [Regulation 174]

Statement of Policy

The discretion to withhold part of a pension under Regulation 174 will be exercised on a case by case basis by the Strategic Enabler for People Support Services.

**45.** Set-off (Regulation 175)

A scheme manager has a discretion to set off a "relevant monetary obligation" against a member's entitlement to benefits under the scheme, subject to certain conditions which are similar to those contained in Regulation 174 (Forfeiture). The procedure is set out in Regulation 176.] [Regulation 175]

**Statement of Policy**

The scheme manager will set off any "relevant monetary obligation" against a member's entitlement to benefits.

**Payment and Deduction of Tax**

**46.** Payment on behalf of members of lifetime allowance charge (Regulation 178)

At a scheme member's request, the scheme manager may pay on the member's behalf any amount that is payable by way of the lifetime allowance charge under section 214 of the Finance Act 2004. The scheme manager may only comply with the request if the member pays it the amount in question on or before the date on which the event occurs or the member authorises the deduction of the amount from a lump sum becoming payable to the member under the scheme at the same time as the event occurs. [Regulation 178]

**Statement of Policy**

At a scheme member's request, the scheme manager will pay on the member's behalf any amount that is payable by way of the lifetime allowance charge under section 214 of the Finance Act 2004. The scheme manager will only comply with the request if the member pays it the amount in question on or before the date on which the event occurs or the member authorises the deduction of the amount from a lump sum becoming payable to the member under the scheme at the same time as the event occurs.

**47.** Evidence of entitlement (Regulation 184)

The scheme manager can require any person who is in receipt of a pension or may have entitlement to a pension or lump sum under the scheme to provide such supporting evidence as the scheme manager may reasonably require so as to establish the person's identity and their continuing or future entitlement to the payment of any amount under the scheme.

[Regulation 184(1) and (2)]

If a person fails to comply with the scheme manager's requirements in this respect, the scheme manager can withhold the whole or part of any amount that it otherwise considers to be payable under the scheme. [Regulation 184(3)]

**Statement of Policy**

The scheme manager will require any person who is in receipt of a pension or may have entitlement to a pension or lump sum under the scheme to provide appropriate evidence to establish the person's identity and their continuing or future entitlement to the payment of any amount under the scheme.

If a person fails to comply with the scheme manager's requirements in this respect, the scheme manager will withhold the whole or part of any amount that it otherwise considers to be payable under the scheme.

### **Added pension**

- 48.** Amount of accrued added pension may not exceed overall limit of extra pension (Schedule 1 Part 1, Paragraph 4)

The total amount of accrued added pension must not exceed a certain limit. If it appears to the scheme manager that a member who has elected to make periodical contributions will exceed the limit the scheme manager may cancel the election (by written notice to the member). [Schedule 1 Part 1, Paragraph 4]

#### **Statement of Policy**

If it appears to the scheme manager that a member who has elected to make periodical contributions will exceed the limit prescribed in the regulations the scheme manager will, having provided written notice to the member, cancel the election.

- 49.** Member's election to make periodical contributions for added pension (Schedule 1 Part 1, Paragraph 7)

If a scheme member wishes to make periodical payments for added pension, the scheme manager can set a minimum amount which must be paid. [Schedule 1 Part 1, Paragraph 7(3)]

#### **Statement of Policy**

The scheme manager will not allow a member to make periodic payments for added pension of less than £10 per month.

- 50.** Periodical payments (Schedule 1 Part 2, Paragraph 8)

If a scheme member wants to make periodical payments for added pension, but does not want them to be deducted from pensionable pay, the scheme manager may agree another method of payment. [Schedule 1 Part 2, Paragraph 8 (3)]

#### **Statement of Policy**

The scheme manager will not allow a member to make periodical payments for added pension except by deduction from pensionable pay.



**51.** Periodical payments during periods of assumed pensionable pay (Schedule 1 Part 2, Paragraph 10)

After a period of assumed pensionable pay or a period of reduced pay, the member may give written notice to the scheme manager authorising the employer to deduct the aggregate of payments – which would have been made but for the leave – from the member's pay during the period of six months from the end of the period of reduced pay. The scheme manager can extend this period of six months. [Schedule 1 Part 2, Paragraph 10(4)]

**Statement of Policy**

Where a member gives written notice authorising the deduction of aggregate payments from their pay the scheme manager will extend the period of repayment to a maximum of two years. This discretion will be exercised by the Payroll and Pensions Manager.

**Tapered Protection**

**52.** Meaning of "tapered protection closing date" (Schedule 2 Part 1, Paragraph 3)

The tapered protection closing dates for tapered protection members are given in the 1992 scheme tables in Schedule 2 Part 4. In most cases the appropriate closing date can be ascertained by reference to the band of dates in which the firefighter's birthday falls. The tapered protection date for a tapered protection member of FPS 2006 to whom paragraph 9(5) or 21 applies (members returning to pensionable service) is determined by the scheme manager. [Schedule 2 Part 1,

**Statement of Policy**

The tapered protection date for a tapered protection member of FPS 2006 to whom paragraph 9(5) or 21 applies (members returning to pensionable service) is determined by the scheme manager. This determination will be exercised by the Payroll and Pensions Manager.



**Comparison of available Pension schemes – West Midlands Fire Service**  
**Item 5**

Scheme Name	1992 Firefighters Pension	2006 Firefighters Pension	2015 Firefighters Pension
Normal Retirement Age	55	60	60
Deferred Benefit Age	60	65	State Pension Age
Early Retirement from	Age 50 subject to service	Age 55 subject to actuarial reduction	Age 55 subject to actuarial reduction
Employee Contribution Range	11 – 17%	8.5 – 12.5%	10 – 14.5%
Employer Contribution rate	21.7%	15.1%	14.3%
Accrual Rate	1/60 and 2/60 after 20 years	1/60	1/59.7
Death Benefit	2 years Pensionable pay	3 years Pensionable pay	3 years Pensionable pay



**WEST MIDLANDS FIRE AND RESCUE AUTHORITY**

**PENSION BOARD**

**11 July 2016**

**PENSION SECTION SUPPORTING INFORMATION**

1. **WEST MIDLANDS FIRE SERVICE FIREFIGHTERS'  
PENSION SCHEMES MEMBERSHIP AS AT 31<sup>ST</sup> MAY 2016**

Scheme	Actives	Deferred	Pensioners (Including Dependants)
1992	458	225	2,486
2006	10	124	2
2015	893	4	
Modified	3		3

2. **ANNUAL ACTIVITY LEVELS**

2.1 During the last twelve months (1/6/2015 to 31/5/2016) the following levels of activity have been experienced:-

Age Related Retirements	71
Ill Health Retirements	6
Opt outs	12
Other leavers	16
New Joiners	32
Applications to Transfer in/out	11
Inter-brigade Transfer Requests processed	7
Cash Transfer Payments made	3
Transferred not completed	1

- 2.2 The section has also processed the requests shown in the table below and achieved the levels of performance shown.

<b>Request type</b>	<b>Received</b>	<b>Responded to</b>	<b>Average Response time (days)</b>
Benefit Estimate	161	116	112
CETV for Divorce	19	7	78
General Information	81	20	92

3. **RISK REGISTER**

No updates have been made to the risk register since the last Pension Board meeting.

4. **ANNUAL BENEFIT STATEMENTS**

- 4.1 It is still the intention for Annual Benefit Statements to be issued to all members prior to the statutory deadline of 31<sup>st</sup> August 2016.

5. **INTERNAL DISPUTE RESOLUTION PROCEDURE (IDRP)**

There are no disputes currently unresolved.

## 6. **OPT OUT LEVELS AND REASONS**

West Midlands Fire Service has experienced the levels of Opt outs shown in the following table during the period 1<sup>st</sup> June 2015 to 31<sup>st</sup> May 2016.

<b>Month</b>	<b>1992 Scheme</b>	<b>2006 Scheme</b>	<b>2015 Scheme</b>	<b>Total</b>	<b>Primary Reason</b>
June	1			1	Costs of living due to personal circumstances
July				0	
August		1	2	3	Costs
September	1			1	Government Changes
October			1	1	Costs
November				0	
December			1	1	Not Known
January					
February			2	2	Not Known
March			1	1	Not Known
April			1	1	Not Known
May			1	1	Not Known

Of those opting out of the 2015 scheme none were new recruits.

Paul Gwynn  
Payroll and Pensions Manager

