

**FIREFIGHTERS' PENSION SCHEMES
2018/01**

WHO SHOULD READ:	Chief Fire Officer of the Scottish Fire and Rescue Service All HR and Payroll Managers Pensions Administration Staff
ACTION:	Information and Action. Please draw this to the attention of HR and Payroll Managers and scheme members
SUBJECT:	The Firefighters' Pension Scheme (Amendment and Transitional Provision) (Scotland) Regulations 2017

The purpose of this circular is to:

- To make a number of minor amendments in limited areas, particularly in relation to ill health;
- To advise of a change to the Firefighters' Pension Scheme 2015 to allow transitional members who are being considered for ill health retirement by an independent qualified medical practitioner (IQMP) at the time they would transition to the 2015 scheme from either the 1992 or 2006 scheme, to remain in their existing pension scheme, until a final decision is made (including an appeal) by the IQMP.

This circular notifies that changes have been made to the Firefighters' Pension Scheme (Scotland) Regulations 2015.

Consultation

SPPA consulted on the draft amendments from 29 November to 8 December 2017. There were no objections to the proposed amendments. Scottish Ministers have therefore proceeded with implementing the provisions contained in the proposals, which are briefly outlined below.

The Firefighters' Pension Scheme (Amendment and Transitional Provision) (Scotland) Regulations 2017**Amendment to Part 5 (retirement benefits)**

Regulation 71A of the 2015 Regulations deals with transition members' entitlement to commute part of any lower tier ill-health pension that they may be awarded into a lump sum. The current regulation sets out certain provisions relating to the commutation of a lump sum for members who have transitioned from the 2006 Scheme to the 2015 Scheme. This amendment makes comparable provision for members transitioning from the 1992 Scheme.



Amendment to Part 6 (death benefit)

Regulations 78 and 92 deal with survivor benefits, making it clear that three months' service is sufficient to achieve qualification and stipulating, where applicable, that bereavement pension is for the benefit of eligible children.

Amendment to Part 8 (contributions)

Regulations 111 and 119 correct minor drafting errors respectively.

Amendment to Part 11 (appeals and determinations)

Regulation 144 (4)(b) , the wording is corrected dealing with medical appeals.

Amendments to Schedule 2 (transitional provision)

Paragraphs 37 and 38 of Schedule 2 to the 2015 Regulations include provisions that deal with the position of members who are being considered for ill-health retirement by an independent qualified medical practitioner at the time of their transition date, and who subsequently continue as active members of the 2015 Scheme. These members join the 2015 Scheme at the time specified under such provisions. The position of members who are being considered for ill-health retirement by an independent qualified medical practitioner at the time of their transition date, who are subsequently granted an ill-health award and consequently retire requires amendment. Under the amendments to paragraphs 37 and 38, such members would remain in their existing pension scheme, avoiding the necessity for a minimal period of membership of the 2015 Scheme. **This amendment takes effect from 30 January 2018 and should not be applied retrospectively.**

The Firefighters' Pension Scheme (Amendment and Transitional Provisions) (Scotland) Order 2016

Minor necessary amendments are being made to ensure that, following the implementation of that Order, firefighters continue to pay contributions in relation to additional pension benefit as appropriate and that the Scottish Fire and Rescue Service pay the appropriate level of employer contributions.



Action Required

Action on the basis of this information is required to ensure that HR/Payroll team have a process in place to ensure payroll does not move a member into the 2015 scheme if an IQMP is currently taking place **from 30 January 2018**. Please bring the information contained in this circular to the attention of the relevant staff to ensure the necessary arrangements are in place.

In accordance with The Occupational and Personal Pension Schemes (Disclosure of Information) Regulations 2013, please ensure that all members who are affected by this change are notified individually in writing.

Claire McGow
Policy Manager
30 January 2018

Contact information

Please contact Claire.McGow@gov.scot if you have any enquiries about this circular.

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