



SCOTTISH PUBLIC PENSIONS AGENCY

7 Tweedside Park
Tweedbank
GALASHIELS
TD1 3TE

Firefighters' Pension Scheme Stakeholders

www.sppa.gov.uk

Tel: 01896 893000
Fax: 01896 893214

Your ref:
Our ref:

31 October 2017

Dear Colleagues

Draft regulations amending the Firefighters' Pension Scheme (Scotland) Regulations 2015 and the Firefighters' Pension Scheme (Amendment and Transitional Provisions) (Scotland) Order 2016.

Content

The purpose of this consultation is to seek the views of Firefighters' Pension Scheme stakeholders on draft amendments to the above regulations. The amendments cover the following areas:

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.

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.

Consultation

Comments are invited on the draft regulations.

You may complete the Consultation Response Form attached at Annex A which can be submitted electronically to Claire.McGow@gov.scot or by post to the following address:

Firefighter Pensions Consultation
SPPA Policy
7 Tweedside Park
Tweedbank
Galashiels
TD1 3TE

A printable Consultation Response Form is included at Annex A.

The consultation will close on 28 November 2017 and we ask that anyone wishing to respond does so by then.

A copy of the consultation documentation is also available on the SPPA website at:

http://www.sppa.gov.uk/index.php?option=com_content&view=article&id=1154&Itemid=260

We intend to publish a summary of consultation responses as soon as possible after the consultation closes. We would like to be able to include any response you make in that summary. However, if you ask us not to publish your response to this consultation, we will regard it as confidential.

Respondents should also be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and will have to respond appropriately to any relevant request made to the SPPA under that Act for information concerning this consultation exercise.

Yours faithfully

Claire McGow
Policy Manager
Scottish Public Pensions Agency

ANNEX A

CONSULTATION RESPONSE FORM - FIREFIGHTERS PENSION SCHEME (SCOTLAND) . CONSULTATION ON DRAFT REGULATIONS – The Firefighters’ Pension Scheme (Scotland) (Amendment and Transitional Provision) Regulations 2018

1. Name/Organisation

Organisation Name

Title

Surname

Forename

2. Postal Address

Postcode

Phone

Email

3. Permissions - I am responding as... (please complete either sections (a), (b) and (d) **or** sections (c) and (d):

Individual

or

Group/Organisation

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please state yes or no: _____

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please state yes to one of the following:

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please state yes or no:

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?
Please state yes or no:

ABOUT YOU

I am responding ...

- as a member of the 1992 scheme (old scheme)
 - as a member of the Modified 2006 scheme (retained)
 - as a member of the 2006 scheme (new scheme)
 - as a member of the 2015 scheme (CARE scheme)
 - on behalf of an Employer Organisation
 - on behalf of a Trade Union/Staff Association
 - other (please specify)
-

What is your gender?

- I am female
- I am male

I am employed as...

- a firefighter
 - a retained firefighter
 - a volunteer firefighter
 - a crew manager
 - a watch manager
 - a station manager
 - a group manager
 - an area manager
 - I'm retired
 - other (please specify)
-

What is your working pattern?

- I work part-time
- I work full- time
- Not applicable

Comments:

Please e-mail your response to: Claire.McGow@gov.scot

Or post your response to:

Firefighter Pensions Consultation
SPPA Policy
7 Tweedside Park
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Galashiels
TD1 3TE

The closing date for this consultation is 28 November 2017