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Dear Sir/Madam

SCOTTISH FIRE SERVICE CIRCULAR 8/2006

FIREFIGHTERS PENSION SCHEME (FPS)

TRANSITIONAL ARRANGEMENTS: CAREER BREAKS

The purpose of this note is to provide guidance on the treatment of those firefighters on career breaks and how they would be affected by the introduction of the New Firefighters' Pensions Scheme on 6 April 2006.

1. Background

- 1.1 In paragraph 3.3 of Scottish Fire Circular 7/2006, we asked fire and rescue authorities to consider informing optants out, or those on career breaks who intend to return to employment that they will not have an entitlement to rejoin the existing Firefighters' Pension Scheme after the scheme is closed from 6th April 2006. The purpose of this circular is to expand further on the effect of the new scheme on those firefighters who are on a career break.
- 1.2 Access to the existing pension scheme on returning to the Fire and Rescue Service following a career break will depend on the conditions set for the absence agreed at the time the absence began by the Fire and Rescue authority and the individual member.

2. Transitional Arrangements – Career Breaks

- 2.1 Each fire and rescue authority should have a policy on career breaks and to have set criteria for considering applications and conditions for the absence; and in doing so will vary the individual's contract of employment. For example, salary will not be paid during the absence;

the firefighter will be responsible for paying his/her own voluntary national insurance contributions; and a period for absence will have been agreed. Individuals may also be required to inform the fire and rescue authority, and perhaps seek approval, if they want to take up temporary employment while on the career break.

- 2.2 If as part of the approval for a career break, the fire and rescue authority treats the firefighter as a qualifying member of the pension scheme, similar to someone going on short periods of unpaid leave, then the firefighter would remain a member of the existing scheme. That is he/she would never have left the scheme. Such qualifying members would still be covered for pension benefits during the period of absence but would not have been accruing pensionable service.
- 2.3 If the individual was required to resign from the service, perhaps to take an open ended or extended career break, then on return to the service he/she would NOT be able to rejoin the existing scheme but would be able to join the new pension scheme. Where an individual had to resign, he/she may have qualified for a deferred pension under the existing scheme.

3. Transitional Arrangements – Optants Out

Those who have opted out of the existing scheme would not have remained qualifying members and so should they wish to rejoin the existing scheme they would need to do so before the 6th April. Otherwise, they would have the option of joining the new scheme. Paragraph 3.3 of Scottish Fire Circular 7/2006 also recommended that a record should be kept of each optant out receiving information regarding the effects of the introduction of the new scheme i.e. that if they wished to rejoin the current scheme then they would need to apply no later than 5 April 2006. Similarly, a record of the receipt of any request from a firefighter to cancel an election not to pay contributions is also recommended.

4. Any queries arising from the information in this circular should be addressed to Jim Preston at james.preston@scotland.gsi.gov.uk

Yours faithfully



Jim Preston