

Firefighters' Pension Scheme Stakeholders

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Your ref:
Our ref:

26 November 2015

Dear Colleagues

Draft regulations amending the Firefighters' Pension Scheme (Scotland) Regulations 2015, the Firemen's Pension Scheme Order 1992, the Firefighters' Pension Scheme (Scotland) Order 2007 and the Firefighters' Compensation Scheme (Scotland) Order 2006

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 key areas:

Injury Awards

On 5 October 2015 Scottish Ministers announced a change to the pensions paid to the widows, widowers and civil partners of police officers and firefighters killed in the line of duty. Under the Firefighters' Compensation Scheme (Scotland) Order 2006, Special and Augmented awards are payable to survivors of firefighters who die as a result of an injury sustained on duty. The change means that Special and Augmented pensions will no longer be withdrawn on remarriage, registration of a civil partnership. In addition any Special and Augmented pensions already withdrawn are reinstated from 5 October 2015.

To reflect this change existing Rule 5 is omitted, and new Rule 5A removes the provision for the withdrawal of special and augmented awards in the event of the survivor remarrying, forming a civil partnership. In addition, it provides for survivor pensions previously withdrawn will be reinstated, including entitlement to any outstanding injury gratuity. This has effect from 5 October 2015.

Regulation C9 of the 1992 Scheme is also amended to bring this fully into effect.

Secondly, under Schedule 1 to Part 2, Part 1 of the compensation order, the level of injury pension payable to recipients can be adjusted depending on “additional benefits” payable by the state. Amendment of paragraph 3 (3)(b) includes a retrospective change to include contributions-based Employment Support Allowance as an “additional benefit”.

Children and Families Act 2014

The Firefighters’ Pension Scheme (Scotland) Regulations 2015 is amended in regulations 3,18,59,65 and 113 to make provision for new entitlements to shared parental pay and abolishes additional paternity leave and additional statutory parental pay.

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 14 January 2016 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:

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



Chad Dawtry
Director of Policy

ANNEX A

CONSULTATION RESPONSE FORM - FIREFIGHTERS PENSION SCHEME (SCOTLAND) . CONSULTATION ON DRAFT REGULATIONS – The Firemen’s Pension Scheme (Amendment) (Scotland) Order 2016, The Firefighters’ Pension Scheme (Scotland) Amendment Regulations 2016 and The Firefighters’ Compensation and Pension Schemes (Scotland) Amendment Order 2016

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 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
Tweedbank
Galashiels
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The closing date for this consultation is 14 January 2016.