

# RULE A14

## Compulsory retirement on grounds of efficiency

Rule A14 explains the terms under which a firefighter can be required to retire, before attaining compulsory retirement age, in the interests of efficiency.

### Compulsory retirement on efficiency grounds

Rule A14 gives a fire and rescue authority the power to retire you if the authority believe that keeping you in the fire and rescue service would not be in the general interests of its efficiency.

### Eligibility for compulsory retirement on efficiency grounds

The fire and rescue authority may only consider you for retirement on efficiency grounds if

- you are a regular firefighter,
- you have attained age 50, and
- you have completed 25 years' pensionable service.

For this purpose the "25 years' pensionable service" would include a period which would count as pensionable service if the firefighter -

- had not opted out of the FPS by making an election under Rule G3, and
- had not declined the option to pay contributions under Rule G2A in respect of a period of unpaid additional maternity or adoption leave.

### Useful reference source

- FSC 30/2004: removal of references to "whole-time" firefighters on introduction of part-time pension provisions for regular firefighters.

### Points To Note

1. The fire and rescue authority may exercise this power even though your personal efficiency may not be in question, because of general considerations relating to the efficient running of the fire and rescue service as a whole.
2. If you retire under Rule A14 you will be entitled to the same pension as if you had retired voluntarily.
3. A firefighter who has opted out of the FPS by making an election under G3 may not have 25 years' **pensionable** service, but Rule A14(b) requires this provision to apply to the optant-out on similar terms to those which apply to Scheme members. Consequently, a regular firefighter who has attained age 50 and who **would** have completed 25 years' pensionable service had he or she not opted out, will also be eligible for compulsory retirement on efficiency grounds. The same would apply if the firefighter **would** have completed 25 years' service had he or she not declined an opportunity to pay contributions to count a period of unpaid additional maternity leave or adoption leave as pensionable service.

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**Rule A14 (continued)**

**Points To Note continued**

4. Some of the terminology used in this Rule was amended with effect from 13 September 2004 to reflect changes in the definition of "regular firefighter" and the introduction of pension provisions for part-time firefighters. It was amended again with effect from 1 October 2004 but, on that occasion, the amendment was simply to reflect changes in terminology – e.g. "brigade" became "fire and rescue service" – on the introduction of the Fire and Rescue Services Act 2004.
  
5. Rule A7(4) requires that any period of service as a part-time employee of a fire and rescue authority shall be treated as service as a whole-time member when calculating a person's pensionable service. This should be noted when deciding if a firefighter has "completed 25 years' pensionable service".