

RULE A7

Reckoning of service for purposes of awards

**Rule A7 tells you how to work out the length of a period of service when calculating benefits.
Schedule 11 Part III gives the rules for firefighters who retired before 1 May 1975.**

Service in years and fractions of a year

Rule A7(1) explains that when working out a period of service (whether this is pensionable service or not) you should use the following formula –

$$A + \frac{B}{365} \text{ years}$$

where A is the number of completed years in the period, and
 B is the number of completed days in any remaining part of a year

In other words your service is worked out as a number of completed years with any excess days counting as so many 365ths of a year.

The fraction is always based on 365ths, even in a leap year. Account is taken of 29 February if you leave during a leap year but the completed year itself cannot reckon as more than 365 days. See “Points To Note”, Point 3.

Service before and after a specified date

Sometimes, when assessing an award, you have to work out the length of a period of service before or after a particular date. This is straightforward if the service counts at its calendar length. If it does not, however, Rule A7(2) explains what you should do. If, for example, you have transferred pension rights from some other pension scheme, it is not uncommon to find that the service you had in that previous scheme counts less in the FPS. Rule A7(2) tells you that the ratio of pre-transfer service before and after a particular date should be applied in the same ratio to the post-transfer service credit. See “Points To Note”, Point 4.

Firefighters who ceased to serve before 1 May 1975

Rule A7(3) refers you to Schedule 11 Part III for working out the length of service for firefighters who retired before 1 May 1975. This is because the right to count service in years and days was not introduced into the FPS until that date. Before 1 May 1975, pensionable service counted towards an award only in completed years and half years. Any days over a year which did not make up a half year, and any days over half a year which did not make up a full year were ignored for the purposes of calculating an award.

Service over 20 years counted towards an ordinary pension at the rate of 1/60th of average pensionable pay for each completed half year.

Service as a part-time member of a fire and rescue authority

Rule A7(4) has effect from 13 September 2004. It requires that any period of service as a part-time employee of a fire and rescue authority shall be treated as whole-time when calculating pensionable service. This is because the starting point for working out certain benefits due to a firefighter who is, or has been, part-time is to assess what would have been due had he/she been a whole-time firefighter throughout his/her service.

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Rule A7 (continued)

Service as a part-time employee of a fire and rescue authority (continued)

Within Rule A7(4) there are references to Rule B13 and Part VIA of Schedule 2. These lead to the next stage of the assessment of benefits which does require account to be taken of periods of part-time service.

Useful reference source

- FSC 18/1975: announcement of future introduction of reckoning of service on completed years with days counting as 1/365 of a year
- FSC 36/1976: introduction of reckoning of service on completed years with days counting as 1/365 of a year
- FSC 30/2004: introduction of pension provisions for part-time regular firefighters

Points To Note

1. Nearly all awards payable to you, or in respect of you, under the FPS or the Firefighters' Compensation Scheme ("FCS") depend upon your length of service.
2. Awards which are **not** affected by your length of service include –
 - an injury pension under the FCS, if your degree of disablement is more than 75%;
 - a spouse's or civil partner's special or augmented pension under the FCS – these pensions are based on a percentage of your pensionable pay regardless of length of service;
 - a child's special allowance under the FCS – like the spouse's and civil partner's special pension this is based on a percentage of your pensionable pay regardless of length of service;
 - a flat rate spouse's or civil partner's pension or child's allowance under Rule E9; and
 - the increase in a spouse's or civil partner's pension or child's allowance during the first 13 weeks following a firefighter's death, under Rule E8.

3. Because of the rule about the reckoning of days in a leap year, service stands still for one day every four years. For example, if you began work as a firefighter on 1 January 2000 (2000 being a leap year), the service you could count at the end of that year would be as follows –

Last day of service 29 December 2000: you would be entitled to reckon 364 days' service, i.e. taking 29 February into account.

Last day of service 30 December 2000: you would be entitled to reckon one completed year's service, i.e. taking 29 February into account.

Last day of service 31 December 2000: you would still be entitled to reckon just one completed year's service at this date – 29 February is disregarded now that a full calendar year has elapsed.

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Rule A7 (continued)

Points To Note continued

4. Working out the ratio of FPS service under Rule A7(2) should not prove difficult if dealt with in simple stages. For example, say you had 4 years' service in the Local Government Pension Scheme (LGPS) before you became a firefighter and on transfer you were given a 3 year service credit in the FPS. 2 of those LGPS years were before 6 April 1978 and 2 were on and after that date. Suppose it becomes necessary, for benefit assessment purposes, to decide how much service credit in the FPS you can count before and after 6 April 1978. We know that 2/4 (half) of the LGPS service was before the date and 2/4 (half) after. Rule A7(2) tells you to apportion the FPS service in the same ratio as the LGPS service was apportioned. In this case this means half and half. Half of the 3 years credited in the FPS is one and a half years. So you can count one and a half years' FPS service credit before 6 April 1978 and one and a half after.

5. Rule A7(4) was added with effect from 13 September 2004 as part of the introduction of pension provisions for part-time regular firefighters.