

Reckoning of and certificates as to pensionable service

Rule F1 explains what counts as the total period of pensionable service and sets out the requirements for the issue of a certificate of pensionable service.

Total pensionable service

Pensionable service, as the name implies, is the service which counts towards your pension benefits.

You will see from Parts B, C, D and E, which deal with awards, how closely most awards are linked to the length of your pensionable service as well as to your average pensionable pay.

Since 1 May 1975, every day of service counts. Your pensionable service counts in years with the days in excess of each complete year counting as a fraction of a year.

Each excess day counts as 1/365 of a year (even in a leap year).

A firefighter who retired or died before 1 May 1975 had benefits assessed on service which reckoned in completed years and half years. This is explained in Schedule 11 Part III.

For more information about the reckoning of service for the purposes of awards, see the explanation of Rule A7. Note that Rule A7(4) requires that any period of service as a part-time regular firefighter is treated as whole-time when calculating pensionable service.

Rule F1(1) states that you can count as pensionable service all of the periods that you can reckon under Rules F2 to F7 plus, in the case of a serviceman returning to firefighting, any period which is reckonable under Rule I6 (relevant service in the armed forces).

- Rule F2 allows the reckoning of current service
- Rule F2A explains how maternity, paternity and adoption leave is treated as pensionable service
- Rule F3 allows previous service reckonable without payment
- Rule F4 explains previous service reckonable on payment
- Rule F5 explains how a period during which an injury pension was payable may count if the firefighter returns to firefighting, subject to the payment of the appropriate contributions
- Rule F6 explains how war service may count subject to the appropriate payment
- Rule F6A allows the reckoning of previous service following “actionable loss”, subject to the payment into the FPS of a transfer value relating to the mis-selling of personal pensions (calculated in accordance with Rule F6B)
- Rule F7 is service reckonable on the payment into the FPS of a standard transfer value from some other pension arrangement.

Reckoning of and certificates as to pensionable service

Rule F1 (continued)

Prevention of duplication of service	<p>Rule F1(2) prevents any period of reckonable service under Rules F2 to F7 counting more than once.</p>
Certificate of pensionable service	<p>Rule F1(3) requires that if you become entitled to reckon a period of pensionable service under Rules F2A, F3, F4, F5, F6, F6A, F7 or I6 the fire and rescue authority must issue you with a “certificate of pensionable service”. The certificate must be issued within 6 months of the date you became entitled to reckon the service (described as “the material date” in Rule F1(3)) and it must show all the service you are entitled to count at that date. A model certificate is given on page F1-Form 1.</p>
Right of appeal	<p>If you are dissatisfied with what the certificate says, Rule F1(4) gives you a right of appeal to the Secretary of State.</p> <p>If you wish to appeal, you must do so within 3 months of receiving the certificate. The Secretary of State will either confirm, or vary your certificate.</p> <p>Rule F1(5) states that your certificate will become conclusive evidence of the pensionable service you can count –</p> <ul style="list-style-type: none"> • after 3 months, if you do not appeal, or • if you do appeal, once it has been confirmed or varied.
General	<p>Rule F1(6) states that if you –</p> <ul style="list-style-type: none"> • claim a pension or gratuity (lump sum) under the FPS or the Firefighters' Compensation Scheme, or • die <p>after the material date (see “Certificate of pensionable service” above) but before the issue of a certificate, the requirement to issue one will not apply.</p> <p>Also, a certificate once supplied will cease to have effect if you decide to appeal against the content and, before it becomes conclusive, you –</p> <ul style="list-style-type: none"> • claim a pension or gratuity (lump sum) under the FPS or the Firefighters' Compensation Scheme, or • die.
Useful reference source	<ul style="list-style-type: none"> • FSC 18/1975: anticipatory – reckoning of service in years and days for pension purposes • FSC 36/1976: treatment of extra day in leap years • FSC 30/2004: option to pay pension contributions to count a period of unpaid additional maternity or adoption leave as pensionable service.

RULE F1

Reckoning of and certificates as to pensionable service

Rule F1 (continued)

Points To Note

1. Before you appeal, you may wish to check anything you do not understand with your fire and rescue authority, as there may be a simple explanation to satisfy you. And before appealing to the Secretary of State you could consider using Internal Dispute Resolution Procedures – see Annexe 12. Once you have made an appeal to the Secretary of State there is no provision under which it may be withdrawn.
2. There are no formal procedures for an appeal under Rule F1 but it is suggested that you put your grievance in writing and ask your fire and rescue authority to forward it to the Secretary of State. You should give as much information as possible to explain why you think the certificate is wrong.
3. Your appeal may take some time to process as the Department will wish to check very carefully any evidence which is available about your entitlement to count pensionable service.
4. Rule F1 does not require a certificate to be issued to a firefighter where no previous service may count. In the absence of such a requirement it may be helpful if a fire and rescue authority were to issue a new member of the FPS with a letter, shortly after joining. Such a letter could confirm membership of the Scheme and state that no previous pension rights count as service. If a firefighter has forgotten to ask for a transfer of previous pension rights to be explored, or has asked and the request has been mislaid, such a letter would alert him or her to make immediate enquiries of the fire and rescue authority's pensions administrator. In the absence of a letter of this type, the omission of a transfer may not be picked up until the date of retirement.
5. Similarly, although there is no requirement for a fire and rescue authority to issue a certificate if a period of employment will not count as service for any reason (e.g. after a period of absence from duty without pay) it would be helpful to issue a letter to the firefighter, shortly after the break in service, to explain this.
6. Pension provisions for part-time regular firefighters were introduced on 13 September 2004.
7. Provisions for maternity, paternity and adoption leave were introduced on 13 September 2004 but have retrospective effect.

Reckoning of and certificates as to pensionable service

Model Form: F1 – Certificate of Pensionable Service

..... **FIRE AND RESCUE AUTHORITY**

**Firemen’s Pension Scheme Order 1992: Rule F1
Certificate of Pensionable Service**

Name **Role** **Employee No.**

Employer/Pension Scheme	Dates of Membership		Period reckonable as pensionable service		Rule under which period counts	Remarks
	From	To	Years	Days		

Shown above are details of the pensionable service you are entitled to reckon at [dd/mm/yy] for purposes of the Firefighters' Pension Scheme 1992 in your employment with the [Name] Fire and Rescue Authority.

If you are dissatisfied with the content of this Certificate you have a right of appeal to the Secretary of State who will either confirm or vary the Certificate. If you wish to appeal you must do so within 3 months of being given the Certificate or the content will stand as given. An appeal must be made in writing and should state clearly what amendments to the Certificate are claimed and the grounds for the claim. If you can supply documents supporting your claim you should do so. Your appeal should be sent to the Chief Fire Officer who will forward it to the Local Government and Firefighters' Pensions Division of the Department for Communities and Local Government.

Initially, however, you may wish to raise any problem you have with the Certificate with [contact name] who may be able, quickly and simply, to clarify any misunderstanding or correct any error. This will not prejudice your right of appeal if you remain dissatisfied.

Signed on behalf of the Fire and Rescue Authority **Date**