

Retained firefighter appointed before 6 April 2006

Dear xxxxxxxx

The Firefighters' Pension Scheme (England) Order 2006

Option for retained firefighters¹ to join the New Firefighters' Pension Scheme

When you joined the Fire and Rescue Service, although you were covered by the same injury and compensation provisions as applied to regular firefighters, you could not join the Firefighters' Pension Scheme.

The New Firefighters' Pension Scheme ("NFPS"), made under the Firefighters' Pension Scheme (England) Order 2006, has been introduced and has retrospective effect from 6 April 2006. The NFPS provides pension cover for regular firefighters and retained firefighters who are appointed on or after 6 April 2006. It will also apply to any retained firefighter appointed before 6 April 2006 and serving on that day.

What does this mean for you?

Because you were serving as a retained firefighter before 6 April 2006 you can elect, if you wish, to join the NFPS –

- (a) with effect from 6 April 2006, or
- (b) with effect from a later date.

If you elect to join you will pay pension contributions at the rate of 8.5% of pensionable pay. Consequently, if you wish to backdate membership, you will be required to pay arrears of contributions.

If you have a contract as a regular firefighter, either with the same or a different fire and rescue authority, and are a member of the NFPS in both the regular and retained employments, there is a limit to the service you may accrue in the scheme under the two contracts. This has been set at 45 years. The Department for Communities and Local Government will be keeping this limit under review to see whether it can be justified. If you should exceed the cap you will be entitled to a repayment of excess contributions.

Whether or not you elect to join as a retained firefighter you will retain the cover of the injury and compensation provisions as set out in the Firefighters' Compensation Scheme 2006. Retained firefighters appointed on or after 6 April 2006 are covered by the Compensation Scheme on similar terms to those which apply to part-time regular firefighters. However those like yourself, who before 6 April 2006 had cover similar to that which applies to whole-time firefighters, will retain that whole-time level of cover. A Guide to the Compensation Scheme is available on the intranet [[insert link](#)] or on the firepensions website at <http://www.communities.gov.uk/index.asp?id=1164954>

Contents of the pack

¹ "Retained firefighter" means a retained duty system firefighter, a day-crewing firefighter while undertaking retained duties, or a volunteer firefighter.

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This pack contains information about the NFPS and the forms on which you can elect to join, etc. You will find enclosed –

- an "Acknowledgement and Decision" form to be returned to the Fire and Rescue Authority in **all** circumstances;
- a Guide to the NFPS. This will give you basic information about the Scheme;
- a supplement to the Guide which explains how benefits are assessed for retained firefighters;
- a New Starter Form/Pensions History Form (*or whatever the FRA's form is called*) for you to complete and return if you choose to join. This will help ensure an accurate pension record is created for you and gives you the opportunity to ask the Fire and Rescue Authority to investigate a possible transfer of pension rights from some other pension scheme. Note that the transfer will only be accepted if you request it within 12 months;
- a form on which, if you elect to join the NFPS, you can nominate the person or persons you would wish to receive payment of a death grant;
- a form on which, if you elect to join the NFPS, you may choose to nominate a dependent partner for a survivor's pension in the event of your death (a spouse or civil partner has automatic cover without need for nomination);
- a pre-paid envelope for the return of relevant forms.

Effect on membership of Fire and Rescue Authority's Group Personal Pension Plan

(To be included if the FRA has such an arrangement; complete in line with local arrangements with Finance Company for transfer, etc.)

Time limits and terms

1. To join the NFPS and backdate membership to 6 April 2006 you must complete the relevant part of the "Acknowledgement and Decision" form and return it by 31 March 2007.

The Fire and Rescue Authority will send you written notice of the arrears of contributions due. These arrears must be paid in full within 6 months of issue of the written notice for the period to count as pensionable.

There will be no further option to backdate membership.

2. If you wish to join the NFPS but do not wish to backdate membership, your election to join will take effect from the first pay period following the election.

3. *Time limits for any special Group Personal Pension transfer provisions.*

Local administration and guidance

Completed forms should be returned in the enclosed prepaid envelope to –

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If you have any questions about membership of the NFPS or would like further information about this options exercise, please contact –

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Yours sincerely

Please note:

Whether or not you decide to be a member of the NFPS this will not prejudice your position in regard to the outcome of the Employment Tribunal reconsideration of the case brought under the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations and any option that might become available as a consequence of that reconsideration