2020

«NameLine1» «RegionBrigade» «StationCode»

«OtherName»

«Address1»

«Address2»

«Address3»

«Address4»

«Address5»

«Address6»

Circular: 2021HOC0514MR

18 October 2021

To: All Members

Dear Brother/Sister

**Firefighter Pensions: Immediate Detriment Template Letter**

Circular 2021HOC0493MR outlined the successful outcome of the negotiations with the Local Government Association regarding the treatment of members suffering or facing immediate detriment. The purpose of this circular is to advise such members of the steps they should now take.

Please read the last circular for full details of what has been agreed. The definitions of the categories of immediate detriment cases are:

**Category 1 cases**

Members who at the date of the agreement are employed by an FRA and:

1. Become eligible to retire for any reason, including ill-health, and draw their pension and want to have all their benefits paid from the Firefighter’s Pension Scheme 1992 or the Firefighter’s Pension Scheme 2006 (not the 2015 Scheme); or
2. Do not qualify for a lower-tier or higher-tier ill-health pension under the 2015 Scheme and are therefore left without an immediately payable pension, but would be entitled to such a pension under the Firefighter’s Pension Scheme 1992 or the Firefighter’s Pension Scheme 2006.

**Category 2 cases**

Members who, at the date of the agreement:

1. Have already retired (for any reason, including ill-health) and who are receiving a pension under the 2015 Scheme, and who wish to be treated as having retired as a member of the Firefighter’s Pension Scheme 1992 or the Firefighter’s Pension Scheme 2006; or
2. Have left the fire and rescue service and did not qualify for a lower-tier or higher-tier ill-health pension under the 2015 Scheme and are therefore left without a pension in payment, but would be entitled to such a pension under the Firefighter’s Pension Scheme 1992 or the Firefighter’s Pension Scheme 2006.

Contd/2…

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If you are in any of these categories you may be entitled to an immediate pension or an increased pension. While all remedying legislation is not expected to be in place until October 2023, under the FBU/LGA MoU Framework agreement once an FRA has decided to adopt the MoU framework, it sets out the process to then consider your case and take any corrective action in line with the timescales in the Framework.

The FRAs through their governance structures will need to meet in order to agree to adopt the MoU, a number of FRAs have already scheduled urgent meetings to discuss this matter. We urge all FRAs to treat this as a matter of urgency. Once the relevant FRA has adopted the MoU you will need to write to your FRA. You will find a template letter attached, this letter can be sent either hard copy or by email.

Please note: the FRAs will have about 3,000 cases to deal with. **Unless you fit any of these categories, or are not sure if you do, please do not write to your FRA**. Please don’t write just out of curiosity as this will slow the process down for members in scope.

Yours in unity



**Mark Rowe**

**National Officer**

*MR/sll*

To whom it may concern

**Immediate Detriment Memorandum of Understanding: FBU/LGA**

The memorandum of understanding between the Fire Brigades Union (FBU) and the Local Government Association (LGA) signed on 8 October 2021 provides a framework for how immediate detriment cases may be dealt with.

The memorandum of understanding details cases falling in to two categories:

**Category 1 cases**

Members who at the date of the agreement are employed by an FRA and:

1. Become eligible to retire for any reason, including ill-health, and draw their pension and want to have all their benefits paid from the Firefighter’s Pension Scheme 1992 or the Firefighter’s Pension Scheme 2006 (not the 2015 Scheme); or
2. Do not qualify for a lower-tier or higher-tier ill-health pension under the 2015 Scheme and are therefore left without an immediately payable pension, but would be entitled to such a pension under the Firefighter’s Pension Scheme 1992 or the Firefighter’s Pension Scheme 2006.

**Category 2 cases**

Members who, at the date of the agreement:

1. Have already retired (for any reason, including ill-health) and who are receiving a pension under the 2015 Scheme, and who wish to be treated as having retired as a member of the Firefighter’s Pension Scheme 1992 or the Firefighter’s Pension Scheme 2006; or
2. Have left the fire and rescue service and did not qualify for a lower-tier or higher-tier ill-health pension under the 2015 Scheme and are therefore left without a pension in payment, but would be entitled to such a pension under the Firefighter’s Pension Scheme 1992 or the Firefighter’s Pension Scheme 2006.

**I believe that I qualify as a category 1a scheme member**

**I believe that I qualify as a category 1b scheme member**

**I believe that I qualify as a category 2a scheme member**

**I believe that I qualify as a category 2b scheme member**

(Delete above as appropriate)

Following the date of the FRA adopting the MoU please confirm within 14 days that I am in the scope of the agreement.

Yours sincerely

[Insert name]

[Contact details: address and email]