

# Staff and Pensions Committee

9 September 2024

## Warwickshire Fire and Rescue Authority Employer Pension Discretions Policy

### Recommendations

That the Staff and Pensions Committee:

1. Approves the draft Warwickshire Fire and Rescue Authority Employer Pensions Discretions Policy at Appendix 1; and
2. Authorises each of the Assistant Chief Fire Officers (or their nominees) to exercise discretions and make initial decisions in line with the Policy unless such decisions are already delegated elsewhere.

### 1. Executive Summary

- 1.1 As an employer operating the Fire Pension Schemes the Council is required to maintain a policy outlining how the employer discretions under the various fire pension scheme regulations will be exercised.
- 1.2 There are a broad range of employer discretions including areas such as awards upon death, pensionable service and transfer values, pensionable pay and contributions.
- 1.3 The proposed approach to be taken by Warwickshire Fire and Rescue Authority is shown in Appendix 1 which sets out our draft Policy in relation to the exercise of each of the potential discretions. The appendices to the draft Policy set out the following information:
  - The nature of the discretion;
  - The Pension Regulation it pertains to;
  - An explanation of the discretion and how it will be applied.

### 2. Financial Implications

- 2.1 The financial impact of the exercise of a pension discretion will vary depending on the particular discretion in question, with many having no financial impact at all.

- 2.2 Where there is a financial implication, this will be considered as a relevant factor in reaching a decision in relation to the discretion.

### **3. Environmental Implications**

- 3.1 None arising directly from this report.

### **4. Supporting Information**

- 4.1 Pensions discretions arrangements are detailed within the following scheme provisions:

- Firefighter Pension Scheme (1992)
- New Firefighter Pension Scheme (2006)
- Firefighter Compensation Scheme (2006)
- Firefighter Pension Scheme (2015)

- 4.2 Discretions are powers that enable employers to choose how to apply regulations relating to relevant schemes in respect of certain provisions. In the majority of cases the option to exercise a discretion should be available to the Authority and this allows for the individual circumstances of each case to be taken into account when arriving at the decision.

- 4.3 All members are now enrolled into the Firefighter's Pension Scheme (2015) and it is therefore anticipated that the majority of any requests will relate to the discretions applicable to this scheme. However, there remain members who may have service in the previous schemes, and it is therefore necessary to determine an approach to discretions in respect of these also.

- 4.4 It is proposed that unless already delegated elsewhere under the Constitution of Warwickshire County Council, initial decisions relating to discretions under the fire pension schemes should be exercised at Assistant Chief Fire Officer level with support from Human Resources. This reflects the position with LGPS employer discretions which are exercised by Tier 3 (Service Manager) level, again with support from Human Resources.

- 4.5 It should be noted that limited numbers of applications for the exercising of fire pensions discretions are received each year.

- 4.6 Where a member has a complaint about a decision made in relation to the exercising of a discretion, they can do so through Warwickshire Fire and Rescue Authority's Internal Dispute Resolution Procedure (Appendix 6). Such disputes are determined by the Chief Fire Officer.

### **5. Timescales associated with the decision and next steps**

- 5.1 The Policy will be published following approval by this Committee and a copy

will be sent to the scheme administrators.

## Appendices

Appendix 1 Warwickshire Fire & Rescue Authority Pensions Discretions Policy

Appendix 2 1992 Warwickshire Fire Authority Discretions (Appendix 1 of Policy)

Appendix 3 2006 Warwickshire Fire Authority Discretions (Appendix 2 of Policy)

Appendix 4 2015 Warwickshire Fire Authority Discretions (Appendix 3 of Policy)

Appendix 5 2006 Firefighters Compensation Scheme Discretions (Appendix 4 of Policy)

Appendix 6 Firefighters Internal Dispute Resolution Procedure

## Background Papers

None

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The report was circulated to the following members prior to publication:  
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