

Warwickshire Fire & Rescue Authority Pensions Discretions

Policy

Warwickshire County Council

Version: **1**

Document Owner: **Marina Fraser-Ryan**

Author: **Marina Fraser Ryan**

Warwickshire County Council

Date Issued September 2024

Review Date:01/09/2025

Classification: Official-Public

Table of Contents

1. Purpose	2
2. Scope	2
3. What are Discretions?	2
4. Responsibilities	2
5. Application of Discretions	3
6. Complaints relating to the application of a discretion	3
7. Declaration	3

1. Purpose

- 1.1 This document outlines Warwickshire Fire & Rescue Authority's approach to the application of pensions discretions which we have the power to exercise in relation to members of the Fire Pensions Scheme.

2. Scope

- 2.1 The various discretions are detailed within the following scheme provisions:
- Firefighter Pension Scheme (1992)
 - New Firefighter Pension Scheme (2006)
 - Firefighter Compensation Scheme (2006)
 - Firefighter Pension Scheme (2015)
- 2.2 All members are now enrolled in the Firefighter Pension Scheme (2015).

3. What are Discretions?

- 3.1 Discretions are powers that enable employers to choose how to apply the rules of the Scheme in respect of certain provisions.

4. Responsibilities

- 4.1 Employers who participate in the Scheme are required to draw up and publish an Employer Discretions policy and to keep the policy under review (e.g. in relation to any legal or policy developments).
- 4.2 In applying this policy, the Authority will ensure that:
- It applies the discretions reasonably, after taking account of all relevant factors, for example the cost to the Authority balanced against the benefit to scheme member;
 - Its discretions are not fettered, i.e. being used in such a way that individual circumstances cannot be considered; and
 - Delegated powers are appropriate and current.

5. Application of Discretions

5.1 The full list of discretions which can be applied can be found in the appendices. The Authority will consider the application of any discretion based on these statements and this will generally be on a case by case basis.

5.2 The Authority previously considered the exercise of the discretion to abate pension following re-employment under the 1992 & 2006 regulations in 2022 and this is noted in WFRS Service Order: Re-employment following Retirement.

5.3 All requests by current employees for the exercise of a discretion under this policy should, in the first instance, be made in writing to their manager who will then liaise with HR over the approval process. The request should contain all of the supporting information that the member considers relevant, and each request will be considered on its specific merits and circumstances.

5.4 Where an employee has left the Authority they should address their application to the Chief Fire Officer who will make the necessary arrangements for their request to be considered.

6. Complaints relating to the application of a discretion

Any complaints relating to a decision made by the Authority as an Employer within the Fire Pension Scheme should be initially under the Authority's **Internal Disputes Resolution Procedure**.

7. Declaration

It is understood that the above discretions are applicable to all eligible members of the Scheme.

Any change to the discretions exercised under the Fire Pension Scheme will take effect immediately.