



11KBW  
11 King's Bench Walk  
Temple  
London  
EC4Y 7EQ

Your ref:  
Enquiries to: Graham Britten  
Ext no:  
Direct line: 01296 744441  
Fax no: 01296 744419  
Date: 15 September 2014  
E-mail: gbritten@bucksfire.gov.uk

Attn: **Thomas Ogg**

Dear Tom

**FIREFIGHTERS' COMPENSATION SCHEME (ENGLAND) ORDER 2006 AND THE  
FIREFIGHTERS' PENSION SCHEME (AMENDMENT) (ENGLAND) ORDER 2006**

**LIABILITY FOR INJURY COMPENSATION PAYMENTS FROM REVENUE ACCOUNT**

I am writing to you in my capacity as Buckinghamshire and Milton Keynes Fire Authority's monitoring officer appointed under section 5 of the Local Government and Housing Act 1989.

Sometime before 10 July 2014, BMKFA became aware that since 2006 it had been erroneously making compensation payments for "service related injury" to former employees from BMKFA's Firefighters' Pension Fund, rather than from BMKFA's operating account. Consequently, it seems likely that BMKFA Executive Committee will be required to authorise a virement of a large one-off payment from BMKFA revenue to capital reserves.

I have commissioned you to investigate, as my agent, and report to me in relation to the matter in order that I can ascertain:

- A clear account of how these events transpired.
- An account of what happened in other combined fire and rescue authorities and other fire and rescue authorities
- Details of the scale and depth of the financial problem and an informed account of what the Authority's liabilities and future costs might be.

- An analysis of the opportunities to uncover this issue that might have been missed and whether due to managerial actions, controls, practices and/or processes and the role and adequacy of internal and external audit.
- Other relevant issues relating to the on-going service related injury payments.

Your final report should include recommendations as well as findings.

In order to assist you I shall procure that all documents and information that you deem relevant to the investigation are made available to you, and shall procure that BMKFA employees and BMKFA auditors are made available where required as interviewees or assistants.

The scope of the investigation will require a comparison exercise with other fire and rescue authorities; and will therefore to some extent be dependent on their responsiveness and cooperation. It will also require interaction and liaison with third parties such as auditors and DCLG; and may require the opportunity for certain parties to comment on your findings and recommendations whilst the report is in draft, and for these to be taken into account by you before you issue your final report.

Depending on your findings and recommendations, you may be required to present your final report at a meeting of members; and/or to assist me in making any report, if needed, in my role of monitoring officer in accordance with subsections 5(3) and (5) of the Local Government and Housing Act 1989.

In the absence of the Chairman calling an extraordinary meeting (which would not be optimum), full Authority meetings are scheduled as follows: Wednesday 22 October 2014, and 17 December 2014.

Taking into account the foregoing dependencies you should aim to have your report completed and returned to me before 21 November 2014, in order to report in December.

Yours faithfully



Graham Britten  
Director of Legal and Governance

This page is left intentionally blank