

Scheme Manager Discretions
 The Firefighters' Pension Scheme (England) Regulations 2014 SI 2014/2848
 Effective 1 April 2015 - Policy Statement

Immediately required Discretions the Authority now has available:	
Regulation 5	POLICY DECISION
<p>Power to delegate</p> <p>The Scheme Manager must ensure that delegated powers are appropriate and current.</p> <p>Regulation 5 (2) states 'The Scheme Manager may delegate any functions under these regulations, including this power to delegate to such persons or employees of such persons as may be authorised in that behalf by the Scheme Manager.'</p>	<p>Under the current Scheme of Delegation to Officers (June 2013) the Chief Fire Officer has discretion from the Authority "within the approved budgets and policies, [to] exercise all matters of day-to-day administration and operational management of the services and functions".</p> <p>It is intended that discretions of that nature shall continue in relation to the 2015 Scheme as under the 1992 and 2006 Schemes unless expressly reserved to the Executive Committee or the Authority under existing or future adopted policy discretions.</p>

Appendix 1

Regulation 17	POLICY DECISION
<p data-bbox="188 260 461 296">Pensionable pay</p> <p data-bbox="188 320 1102 464">The Scheme Manager has discretion to determine if continual professional development payments are to be treated as pensionable pay.</p> <p data-bbox="188 552 1102 799">Regulation 17(1) (d) states 'For the purpose of calculating a member's pension or other benefits under this Scheme, the member's pensionable pay is..... d) the amount paid to the member for continual professional development ,which the Scheme Manager determines is pensionable.</p>	<p data-bbox="1128 296 2029 384">Continual Professional Development (CPD) will be treated as pensionable pay.</p> <p data-bbox="1128 432 2002 632">Eligibility for CPD payments, administration arrangements, application processes, assessment criteria and review at appraisal are outlined in the Authority's Continuing Professional Development (CPD) Procedure.</p>

Regulation 111	POLICY DECISION
<p data-bbox="188 967 1102 1054">Contributions during absence from work due to illness, injury, trade dispute or authorised absence</p> <p data-bbox="188 1094 1070 1294">Where an active member is absent from Scheme employment because of illness or injury and not entitled to receive pensionable pay, or because of trade dispute or authorised unpaid absence, they may pay member</p>	<p data-bbox="1128 983 1756 1019">Illness and injury (Regulation 111(2))</p> <p data-bbox="1128 1070 2042 1270">For periods of absence due to illness and injury where the active Scheme member is not entitled to receive pensionable pay, the employee may pay member contributions in accordance with regulation 111(2).</p>

contributions; if they do, the Scheme employer may require that they should also pay employer contributions.

Regulation 111(1) states `An active member away from Scheme employment by reason of illness or injury must pay contributions at the contribution rate ascertained in accordance with regulation 110 (member contributions) multiplied by the amount of any pensionable pay received, including statutory pay.

Regulation 111(2) states ` If an active member is absent from Scheme employment by reason of illness or injury and is not entitled to receive pensionable pay including statutory pay for any period, that member may pay contributions at the contribution rate ascertained in accordance with regulation 110 (member contributions) multiplied by the amount of pay received immediately before cessation of pay and if required by the Scheme employer pay the amount of employer contribution which the Scheme employer would otherwise be required to pay by Regulation 117(3) (employer contributions).

The Authority agree to delegate the authority to the Chief Fire Officer/Chief Executive as advised by the Director of Finance and Assets and Director of People and Organisational Development to consider each case on an individual basis to determine whether the individual or the employer pay the employer contributions.

Trade dispute (Regulation 111(3))

For periods of absence from Scheme employment by an active Scheme member on a trade dispute, the member may elect to pay member contributions in accordance with Regulation 111(3).

The Authority's current policy applicable to the existing 1992 and 2006 Firefighters' pension Schemes will also be applied to the new 2015 Scheme. Members will be required to pay the employers contributions in accordance with regulation 117(3) in all cases of active member pension buy back involving trade dispute(s).

<p>Regulation 111 (3) states 'If an active member is absent on a trade dispute, the member may elect to pay the contributions at the contribution rate ascertained in accordance with regulation 110(member contributions) multiplied by the assumed pensionable pay that the member is treated as receiving and if required by the Scheme employer pay the amount of employer contribution which the Scheme Manager would otherwise be required to pay by regulation 117(3) (employer contributions).</p> <p>Regulation 111(4) states 'If an active member is away from work during a period of authorised unpaid absence, the member may elect to pay contributions at the contribution rate ascertained in accordance with regulation 110 (member contributions) multiplied by the assumed pensionable pay that the member is treated as receiving and if required by the Scheme employer, pay the amount of employer contributions which the Scheme employer would otherwise be required to pay by regulation 117(3).</p>	<p>Authorised unpaid absence (Regulation 111(4))</p> <p>For periods of authorised unpaid absence where the active Scheme member is not entitled to receive pensionable pay, the employee may pay member contributions in accordance with regulation 111(4).</p> <p>The Authority agree to delegate the authority to the Chief Fire Officer/Chief Executive as advised by the Director of Finance and Assets and Director of People and Organisational Development to consider each case on an individual basis to determine whether the individual or the employer pay the employer contributions.</p> <p>For all cases where regulations 111 paragraphs 2,3 or 4 apply contributions must be paid before the end of six months from the date on which the employee is treated as receiving assumed pensionable pay Regulation 111(5).</p>
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Appendix 1

Other Discretions	POLICY DECISION
<p>There are forty nine other 2015 Scheme discretions available for the Authority to consider.</p>	<p>The Authority will consider its position on the remaining 2015 Scheme discretions in autumn 2015. This allows time for the Scheme to be launched effectively, for general, legal and procedural matters to be resolved, and pensions and administration and governance training to be completed.</p>